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No. 147

## House of Representatives

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

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
September 28, 2016.

I hereby appoint the Honorable JOHN J. DUNCAN, Jr. 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 5, 2016, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

### ARNOLD PALMER: THE KING OF GOLF

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

Mr. MURPHY of Pennsylvania. Mr. Speaker, this week, we lost the greatest golfer ever, the man who brought the sport to the masses, a name synonymous with competition, the king, the legend: Mr. Arnold Palmer.

Arnie was a favorite son and native of Latrobe, Pennsylvania, a city where roads, an airport, a drink, a hospital, and so much more are named after

him. Latrobe is also the home of Mr. Rogers, the banana split, and summer home to the Pittsburgh Steelers; but Arnold clearly is their favorite. And with good reason.

Some athletes play to make a name for themselves, but Arnie did it to build up the sport. And build it up he did. He made the sport of golf a game for the common man. It is no wonder he was followed by Arnie's Army through the world.

Some athletes won't give autographs unless you pay them, or they will walk by, unmoved when a child asks for one; but Arnie never refused. He signed his name millions of times, never refusing anyone in his entire lifetime.

I saw him just last month, surrounded by his usual stack of letters, pictures, and paraphernalia piled next to his desk, waiting to be signed by him. He signed every single one with that perfect and unmistakable signature and not with a generic scribble so you have no idea whose name it was. Arnie made sure he made his name legible.

Later in life, he stopped signing golf balls not because he did not want to, but, rather, he thought it was important that whoever he was signing for could read his name clearly.

Some athletes are famous for their family problems, but Arnie was a quiet, dedicated, and loving family man. He loved Winnie and Kit, and their children and grandchildren.

And while some sport players refuse to stand during our national anthem, as a proud veteran of the U.S. Coast Guard, Arnie would tear up at the sound of the Star-Spangled Banner with admiration, pride, and love for his Nation. He worked hard to get where he was. It was not handed to him.

Once in the spotlight, some celebrities forget their roots, but Arnie never did. He was proud of his humble beginnings. He helped his father, Deacon Palmer, who worked as a

greenskeeper for Latrobe Country Club, by mowing lawns and driving tractors. Arnie was never afraid of getting his hands dirty. In fact, he continued this work all the way up, even selling paint just before he turned pro.

Some feel no sense of loyalty to their team or sport, enamored by their own fame and the big paycheck, but Arnie was fiercely loyal. A contract was a handshake. Your word was a contract based on that handshake, not a piece of paper. His lifetime relationship with his manager was set with that handshake, and Arnie never wavered from it.

Playing golf with Arnie is an unforgettable experience not just as a pro, but for those of us lucky enough to play a round. He made you feel like it was the best part of his day. He never failed to give you his gentle smile or words of encouragement. Even when he teased you in a good-natured way, you cherished every word he said. He made the game fun to play no matter how well or how bad you were playing.

A few years ago, Jim Leland, the legendary manager of the Pittsburgh Pirates and Detroit Tigers, was playing with Arnie during an all-star break. On what Leland describes as "the greatest day of my life," the two played at Laurel Valley.

After shooting a respectable 41 on the front nine, Jim's game began to fade away on the back nine. Perhaps he hooked or sliced a few, and perhaps he let out a few colorful words in exasperation. But Arnie sensed Jim's game was unraveling and walked over to offer him the best golf advice ever.

I imagine if any of us have had the opportunity to get a golf lesson from the king, we would feel in that moment that the wind would stop, the clouds would part, perhaps a shaft of light would stream down from the sun, the trees might even lean in a little to listen. But in that moment, Arnie put his arm around Jim and said: "Enjoy the

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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day. You're not good enough to get mad."

That is the best golf advice ever. Not just great golf advice, it is great advice for life. Enjoy the days God gives you. Don't waste them on being angry.

And maybe that is one of the reasons we will miss this man. He had a way of telling tens of millions to believe in yourself, to respect others, to face challenges, to demonstrate courage and respect, and to always show dignity in defeat and restraint in victory.

Arnie claimed he did so well not just because he wanted to win, but because he hated to lose. And so it is today with us. We hate to lose you, Arnie. You made us feel we could all be better and that loving the game was the best of all.

We will miss you.

#### HONORING CONGRESSMAN SAM FARR

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

Mr. BLUMENAUER. Mr. Speaker, last night, several hundred people gathered to wish SAM FARR farewell to his congressional career, celebrating a half century of public service.

SAM started in the Peace Corps, volunteering in Colombia in the sixties. He was active as a local government official, and in the California State legislature and finally 23 years in Congress.

He came by his calling honestly. He was born on the Fourth of July.

Son of Fred Farr, a State senator and a Johnson administration official, SAM has been dedicated to the widest range of issues of anybody I have worked with in my years in Congress. He has worked on issues of livable communities, transportation, land use planning, and healthy agriculture. He took very seriously the fact that he represented California's "salad bowl." He has been a leader in marijuana reform, with the famous Farr-Rohrabacher amendment slapping the Federal Government's hands back from interfering with medical marijuana.

You know, there is a movie from 1983 with Woody Allen. In "Zelig," this kind of nebbish chameleon-like person showed up everywhere in all of these important events in the twenties and thirties. Well, SAM has sort of that characterization. Although, unlike a nebbish or chameleon, SAM was bold, he was infectious, he was warm, but he was everywhere in the course of the last 20 years.

Just this last year alone, we saw the unprecedented oceans protections that were implemented by the Obama administration. SAM FARR's fingerprints are all over that act, working for 20 years on oceans protections as the major oceans advocate in Congress.

SAM was in Cuba with President Obama as we opened up relations with that island after a half century of isolation. He has been on the right side of

that issue from the beginning. Luckily, he was able to be there.

He has been honored by the nation of Colombia, where he served as a Peace Corps volunteer. Last weekend, SAM was there with Secretary Kerry, celebrating the peace accords that brought an end to that tortuous conflict.

You know, people complain about Congress being too partisan, too gridlocked. It is true. But for 23 years, SAM FARR has shown that no matter who is in charge or how bad it gets, a smart person with a big heart, a great staff, persistence, and passion can make amazing things happen. He has given many gifts to his constituents and to the Nation, but one gift may be overarching, if people here take seriously, is his example of how to be a Congressman.

#### DEPARTMENT OF LABOR'S OVERTIME RULE

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

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today in support of H.R. 6094, the Regulatory Relief for Some Businesses, Schools, and Nonprofits Act.

This bipartisan legislation offers a responsible solution to the U.S. Department of Labor's overtime rule that would jeopardize the ability for small businesses, nonprofits, and colleges to maintain current operations and good-paying career jobs.

H.R. 6094, which I have cosponsored, would require a 6-month delay in the effective date of the DOL overtime rule. No, this isn't the outright repeal of the overtime rule that I, along with many others, have called for, but it is a practical step towards helping those organizations take steps to mitigate the impact of this regulation.

Without passage of H.R. 6094, the overtime rule will take effect in 2 months. This is simply not enough time to allow affected employers and employees an opportunity to adjust and prepare for the adverse economic consequences.

Over 10 million workers, including many in my home State of Pennsylvania, will be impacted. Companies will be forced to shift employees from salary to hourly pay, nonprofits will have to cut back on critical services, employees may lose the opportunity to work remotely, while seeing fewer opportunities for career development.

Our employers need fewer administrative costs and compliance burdens, not more. Employees deserve flexibility and autonomy and the opportunity to build successful careers. However, these regulations, no matter how well intended, would drain our economy and hurt the very people they are attempting to help.

I urge my colleagues to support H.R. 6094.

#### DON'T PUNISH TAXPAYERS

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today in support of H.R. 954, the CO-OP Consumer Protection Act, which would provide temporary relief from ObamaCare's individual mandate for Americans directly impacted by failed ObamaCare CO-OPs.

At the outset of this law, 23 CO-OPs provided insurance options for enrollees in 25 States. However, nearly 2 years later, we have learned that a majority—17 of them—have failed. The reason for the failure has been painfully obvious. The ACA manipulated insurance markets and created CO-OPs as a means to establish government-managed competition.

The cost of this ill-fated attempt at market manipulation has been borne by the American public. Over \$1 billion of hard-earned taxpayer dollars were sunk into failed CO-OPs. Worse, for American consumers who enrolled in a failed CO-OP, they did not just lose their health coverage, but due to another glitch in the law, these individuals may be forced to pay the IRS a tax penalty for failing to have adequate health coverage under the individual mandate.

Mr. Speaker, these individuals should not be penalized for the failings of the law. That is why I rise to explain my support of H.R. 954. This is a common-sense solution to provide temporary relief to those individuals affected by the failed CO-OPs.

This legislation states simply that if you lose your health coverage midterm due to a failed CO-OP, then you should not be forced to pay a 2016 tax penalty for lacking health coverage. Put simply, to allow this law to harm those individuals who lost their health coverage at no fault of their own is unacceptable.

I thank my colleagues for their action on this bill.

#### SUPPORTING WATER INFRASTRUCTURE

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today in support of H.R. 5303, the Water Resources Development Act, or WRDA for short. I supported this legislation in the Transportation and Infrastructure Committee in May, as it would authorize infrastructure projects important to my district, Pennsylvania's Sixth Congressional District, as well as across the Commonwealth of Pennsylvania and, indeed, across the country.

If passed, WRDA would include a review of projects to enhance ecosystem restoration and water supply along the Delaware River Basin, including at the Blue Marsh Lake. Locks and dams in Pennsylvania would also be eligible for reconstruction. Finally, WRDA would authorize an expedited study for a navigation project along the upper Ohio River in Pennsylvania.

Projects included in WRDA support jobs and keep businesses and homes protected by providing critical oversight of our water infrastructure so that our country remains safe, productive, and competitive.

I urge my colleagues to support this bill.

#### HYDE AMENDMENT

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

Ms. BONAMICI. Mr. Speaker, I rise today to call attention to the Hyde amendment, which, for too long, has been denying women their constitutional right to access safe and legal abortion.

Mr. Speaker, restrictions on abortion do not make it go away. They make it less safe. For the last 40 years, the Hyde amendment has created an often insurmountable barrier for women across the country struggling to access affordable health care because it prohibits Medicaid coverage for abortion.

It disproportionately affects low-income women: young women, immigrant women, women of color, women in rural communities. In fact, more than half the women who have their rights restricted by the Hyde amendment are women of color.

It is long past time to do away with this harmful provision, which has been expanded over the years to deny coverage to Federal employees and their dependents, our military servicemembers, Native Americans, and even Peace Corps volunteers.

□ 1015

Restricting Medicaid coverage of abortion means that about one in four low-income women carry to term an unwanted pregnancy. That is not a decision the government should make for women. There are many things that Congress should be doing, but one thing we should not be doing is interfering with a woman's constitutional right.

So what should we be doing? We should be supporting policies that prevent unwanted pregnancies, like funding Planned Parenthood; and we should also pass the EACH Woman Act to lift the coverage ban that stands in the way of too many women who have the right to make their own decisions about what is best for them and their families.

Two generations of women have been affected by the Hyde amendment over the last four decades. Let's end this policy and let each woman be able to do what is best for herself and her family.

#### HONORING SPECIALIST JONATHAN R. KEPHART

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, over this past weekend people in Oil City, Venango County, located in Pennsylvania's Fifth Congressional District, joined to honor an American hero.

On April 8, 2004, Specialist Jonathan Kephart was killed in Iraq after his convoy patrol was ambushed outside of Baghdad. Kephart was credited with protecting his fellow soldiers by laying down fire against hundreds of enemy fighters, even after being wounded twice. He was the first soldier from Venango County killed in Iraq or Afghanistan.

Last Saturday, the Petroleum Street Bridge in Oil City was named after Specialist Kephart, and September 24 was declared Jonathan R. Kephart Memorial Day in Oil City.

I want to commend the efforts of everyone who worked to make this a reality, including State Representative Lee James, who authored and led the effort to pass the bill that made this distinction possible, earning unanimous approval in the Pennsylvania State House and Senate.

It is my hope that, because of this memorial to Specialist Kephart, his bravery and his sacrifice will live on in the hearts and the minds of the people in Oil City and Venango County for generations to come.

#### PROMESA

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

Mr. GUTIERREZ. Mr. Speaker, there is an important meeting in the Financial District of New York City, right in the heart of stock traders, the investment banks, and the bond buyers and sellers who trade in the debt of companies, countries, and municipalities. Right there in the nerve center of our financial market, they are holding a meeting.

Is it a meeting about Wells Fargo opening up thousands of accounts without the knowledge or consent of their customers? No, nothing like that. Nor anything related to the financial meltdown that our country is still recovering from that started right there. Nope.

This is the first meeting of the Puerto Rico financial control board, the junta de control, that has supreme power to rule over Puerto Rico.

Now, in case there is any confusion with the geography, New York City has a lot of Puerto Ricans, but it is not, in fact, the capital of Puerto Rico. My staff checked. San Juan is still the capital of Puerto Rico.

No, the meeting of the junta de control that has dominion over all aspects of the Puerto Rican people is not meeting in Puerto Rico. The meeting is taking place pretty close to Wall Street, which, I think, is symbolic of the way the junta de control over Puerto Rico came about.

It is a very bad omen for the future. Let me explain.

There are seven people—not elected, but appointed—who oversee every aspect of Puerto Rico's governance. Four are Republican nominees, there are three Democrats, and there is one non-voting member of the junta.

Several of the members of the Puerto Rico junta de control appear to have deep ties to Wall Street, where you can find many of the bondholders who traded and profited off Puerto Rico's \$72 billion in debt.

Judge Juan R. Torruella, the first Hispanic appointed by Ronald Reagan to the prestigious U.S. First Circuit Court of Appeals summed it up pretty well. He said to the Colegio de Abogados, the Puerto Rican Bar Association, that: "The principal purpose of PROMESA is to establish a collection agency for bondholders."

The person who is rumored to be the executive director of the junta de control is a big-time corporate energy lobbyist. He is the former head of the Center for Liquefied Natural Gas, a trade association of energy producers, which makes everyone concerned about Puerto Rico's environment nervous—with good reason.

So holding the first meeting in Lower Manhattan confirms to Puerto Ricans that the junta de control is by, for, and about the bondholders and corporate interests on Wall Street. So I consider the junta meeting on Friday as a home-court game.

The board will elect their chairman on Friday. Yeah, they are going to elect a chairman. Kind of ironic because they are electing the chairman to an unelected board because, well, democracy is good for some people—just not the people of Puerto Rico.

We have been told that members of the control board met secretly in Washington last week at the Treasury offices. Whether this is actually the first meeting of the control board is in great doubt.

And all of this raises the bigger problem of transparency. There isn't any. Under the law, this group can meet in secret anywhere in the world, and their proceedings can be conducted in executive session.

The board members can receive unlimited and unreported gifts, meals, even tickets to Hamilton and anything else, and we will never know. The scandal is coming. They are under no obligation to translate anything into Spanish, which, in case you forgot, is the language of the people that they are to control.

I will say, to their credit, that, after I wrote to each member of the control board and asked for a public commitment to transparency, a few of them wrote back. None of them made a public commitment to transparency, but a few acknowledged that keeping Puerto Ricans informed, making the meetings publicly accessible, and translating materials in the language of the people being governed were good principles.

It remains to be seen whether anyone on the junta de control really fights to inform the people of Puerto Rico, really sets up to be a champion for the schoolteachers and the doctors and the moms and the dads who are struggling, and the firemen, and the policemen who serve the people of Puerto Rico and are heroes.

And it is unclear that this control board will step up on behalf of the Puerto Rican people and make creating jobs, creating more jobs and creating more jobs the number one priority of the junta. That is the way we create a tax base for Puerto Rico. That is the way we give puertorriquenos a viable option to live and work in Puerto Rico rather than moving to Florida or some other State.

So, Mr. Speaker, as we leave Washington this week and head home for the great exercise in American democracy in November, I want all of us to keep in mind that the island of Puerto Rico, our colony in the Caribbean Sea, is a place that now, more than ever, only dreams of true democracy.

#### COMMENDING EDEN DETENTION CENTER

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

Mr. CONAWAY. Mr. Speaker, I rise today with concerns about a recently issued memo from the Department of Justice to the Acting Director of the Bureau of Prisons directing the non-renewal or reduction of contracts with private detention facilities. I strongly disagree with this policy change, as private prisons play a critical role in our current Federal Bureau of Prisons system.

One facility in particular, the Eden Detention Center, located in Texas' 11th District, is an excellent example of a private prison operating in an efficient, effective, secure, and safe manner for both the community and those incarcerated.

Let me take a moment to brag about these constituents.

The American Correctional Association has awarded the Eden Detention facility a 100 percent score on their mandatory requirements, and a 99.08 percent score on nonmandatory requirements. These are undoubtedly phenomenal rankings by any measure, and the Eden facility meets these high standards at considerably lower costs than similar Federal facilities.

Eden is more than a detention facility; it is a rehabilitation center. The Bureau of Prisons has long placed significance on rehabilitating those incarcerated, directing facilities to invest in the lives of their inmates. The goal—to turn individuals from a life of crime to contributing members of society—is at the center of the Eden facility's mission.

It is this responsibility for one's fellow man that the people of Eden understand and put into practice daily, providing inmates with extensive training, educational services, and recreation, all for the purpose of improving life after incarceration.

The Eden facility has partnered with many civic and charitable organizations in the surrounding community to support this goal. As a result, the center is able to provide many vocational,

computer, and life skills training opportunities, as well as educational opportunities for basic adult education, English language training, GED, a full library, a law library, and much more.

The Bureau of Prisons takes extreme pride—and rightfully so—in a strong value system that includes, but is not limited to, respect, integrity, service, safety for all parties, successful rehabilitation, and exceptional staff and operations. I am proud to report that Eden and the greater community not only meet these core values, but they share them as well.

#### GUN VIOLENCE IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Ms. VELÁZQUEZ) for 5 minutes.

Ms. VELÁZQUEZ. Mr. Speaker, Americans everywhere are tired of reading headlines about mass shootings. What happened in Orlando in June broke all our hearts, and we have felt similar outrage about the shooting in Houston this week. But while incidents like this command headlines, we forget just how frequent shootings have become.

In New York City, already this year, there have been 897 shooting victims. According to Gun Violence Archive, which tracks shootings daily across the United States, there have been 10,717 gun-related deaths this year and more than 22,000 injuries, and it is only September.

There are steps this Congress could take to help stem this violence. Will any one solution stop gun violence completely? Of course not. There are anywhere from 270 million to 310 million guns in the United States, close to one firearm for every man, woman and child. So we will not solve this problem overnight. But there are some steps we could take, steps that Republicans continue blocking.

First, it makes no sense that if you cannot legally get on an airplane, you can still purchase a firearm. If you are prohibited from flying, you shouldn't be buying a gun. That is just common sense.

Now, some on the other side of the aisle like to drag up an incident or two where someone was incorrectly placed on the no-fly list. If that is the case, I will say, let's also fix the no-fly list. But we cannot use this as an excuse to do nothing. That is what the NRA and the gun manufacturing lobby want Congress to do—nothing.

Second, for 10 years, this Nation used to have an assault weapon ban. President Bush let that law expire. We need to reinstate it.

Third, we need a universal system of background checks, something that 87 percent of the American public supports.

Mr. Speaker, there are other, tougher steps I would like to see implemented. I have legislation that will invest in community organizations that combat

gun violence. My bill will also help stop the flow of stolen guns into New York City and hold accountable gun owners who lose their guns and irresponsibly do not report them missing.

For now, there are three basic steps we should take immediately to help reduce this epidemic. Yet Republicans can barely fund the government, let alone take on difficult problems like these.

Let me make one last observation, Mr. Speaker. The American people are watching on this issue. If Republicans are in such a hurry to get back to your districts, I promise, you will hear from your constituents on this issue.

We are all tired of tragedies like Orlando and what happened in Houston this week, and we are also outraged by the daily shootings that do not make national news but still shatter families.

The American people are watching. They are telling the Republican leadership: "Do your job. Do your job with funding to address Zika. Do your job with money for Flint. And do your job to address the tragedy of gun violence."

#### ICANN

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

Mr. BABIN. Mr. Speaker, it was recently revealed that 500 million Yahoo email accounts were hacked in 2014, making it the largest data breach in U.S. history. Even more troubling is the fact that the perpetrators have been reported to be state-sponsored actors, with China and Russia among the likely suspects.

Yet, in the face of such vulnerabilities, President Obama wants to give the Chinese and Russian Governments more control over how the Internet operates. The President has even promised to shut down the Federal Government budget so that he can meet his goal of giving away a portion of America's control over the Internet to these foreign governments by October 1, 2016.

□ 1030

Rushing headlong to meet an arbitrary date to hand over our Internet control is incredibly foolish. In fact, it is stupid. No one rewards a criminal for their criminal acts, but that is exactly what the President's policy does.

Sadly, it is yet another example of how this administration has sacrificed U.S. leadership and values across the world to advance a reckless agenda. The policies from this administration have only led to America losing standing and influence across the globe on a wide range of fronts—and it must end.

Our adversaries have become bolder, taking advantage of the vacuum of leadership created by the pulling back of U.S. leadership. The forces of extremism, violence, totalitarianism, and criminal enterprises have filled the void, and the American people are suffering as a result.

The disastrous nuclear deal with Iran is a very good example. It has not only failed to curtail the Iranian regime's plans to develop nuclear weapons, it has also resulted in a ransom payment of \$1.7 billion for four Americans who were being held illegally by Iran.

This display of weakness has only emboldened the largest state sponsor of international terrorism. It has provided Iran with over \$1 billion to fund terrorism, enhance its illegal ballistic missile development programs, and ramp up its aggression against U.S. military forces.

President Reagan warned us: "Weakness, after all, is a temptation—it tempts the pugnacious to assert themselves—but strength is a declaration that cannot be misunderstood. Strength is a condition that declares actions have consequences. Strength is a prudent warning to the belligerent that aggression need not go unanswered."

Whenever this administration pulls back, the belligerent have happily stepped in to fill the void. That is why we must reject this latest effort to relinquish U.S. leadership over the Internet.

The excessive hacking encouraged by the Governments of Russia, China, and others should not be rewarded. We must stand up to these dangerous actors and put the safety, security, and interests of the United States first. Simply put, Russia and China cannot be trusted with a larger role in the operation of the Internet. We have a duty to block the President's foolish and reckless Internet giveaway before it goes into effect October 1, 2016.

It will further cede more control to our adversaries and weaken America's influence on the international stage. Stopping this giveaway must be included in this year's spending bill. It is absolutely critical that Congress takes action.

#### SAN JACINTO RIVER WASTE PITS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. GENE GREEN) for 5 minutes.

Mr. GENE GREEN of Texas. Mr. Speaker and Members, I rise to announce that later today the Environmental Protection Agency will issue its final plan to clean up the San Jacinto River Waste Pits, a Superfund site in eastern Harris County, Texas.

The communities of eastern Harris County, especially Channelview and Highlands, have fought for a decade to ensure that toxic waste that was dumped alongside the San Jacinto River 50 years ago will be fully removed and permanently protect our children and our children's children from the dangers found at the site.

I thank the EPA and Region 6 for its hard work and diligence on this very important issue for our community. I would also like to thank the community members and local officials who have fought to clean up the site and ensure our community is made whole.

Mr. Speaker, I am looking forward to EPA's announcement today.

#### THE ISLAMIC REPUBLIC OF IRAN

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

Mrs. WAGNER. Mr. Speaker, I rise today on behalf of my constituents to express my outrage about the White House's ransom payment to Iran.

On January 17, 2016, the Obama administration announced that it would give the Islamic Republic of Iran a total of \$1.7 billion to settle a 1979 arms deal. However, they failed to announce that, the day before, the administration had delivered an advance payment in cash of \$400 million in unmarked bills to Iran in exchange for four American hostages. In fact, the American people did not learn that the White House had made this secret ransom payment at all until this past August.

The Obama administration's decision to violate our Nation's own historic policy against ransom payments has established a frightening precedent for the future. The President's willingness to bend to Iran's demands and use unmarked bills demonstrates to the world a fundamental weakness that emboldens our enemies while ceding to the demands of state sponsors of terrorism.

American soldiers, diplomats, and citizens living and traveling abroad are less safe this year than they were last year. And global beliefs and perceptions of American leadership and intentions—among our allies and, more disastrously, among the bad actors in the world—have been forever altered.

Indeed, Iran is already celebrating its leverage over the United States. One commander of an Iranian Revolutionary Guard militia exulted that "taking this much money back was in return for the release of the American spies."

Since the January ransom payment, Iran has, unsurprisingly, arrested additional Americans. The American people deserve answers about why the President felt it was acceptable to give nearly \$2 billion to radical extremists supporting terrorism across the Middle East and beyond.

That is why this month I interrogated officials at a Subcommittee on Oversight and Investigations hearing. My colleagues and I questioned the timing of the secret payment, the White House's insidious and foolish decision to use unmarked bills, and implications on terrorism in the region. But the administration refused to answer my simple questions that would give Americans the answers they deserve. Instead, officials said they could only share information behind closed doors.

I took them up on that offer, and I and my colleagues had that 2-hour-long, closed-door, classified meeting. After that briefing, I am now more certain than ever, Mr. Speaker, that the

Obama administration paid an irresponsible and dangerous ransom to Iran. Why is the Obama administration so desperate to cover up the details of its ransom payment from the American people?

The White House has made a reckless national security decision to bend entirely to the demands of Iran without assurances that Iran would not use this money for its military.

Keep in mind that the Iranian military blatantly funds Hezbollah and other terrorist organizations. Shockingly, the administration told me publicly that, even if they had received assurances from Iran, they wouldn't have trusted the country to keep its promises.

Why, then, would we have given \$400 million in unmarked bills to the world's leading state sponsor of terrorism? Why would the Obama administration accommodate and fund a foreign military that funds terrorism around the world?

Why didn't the White House write legally binding restrictions on the use of the money into the settlement agreement? Why did we agree to the settlement with a state sponsor of terrorism in the first place?

The entire \$1.7 billion was reportedly transferred to the Iranian military to fund a 90 percent increase in Iran's military budget. This is public information, and the Obama administration dismissively pretends that no one can use the Internet.

The Obama administration's gift to the Iranian military is a disgrace to America's allies in the Middle East, especially to Israel. It is a degradation of America's counterterrorism efforts and geopolitical leadership. It is a failure to protect Americans abroad and the new prisoners who have been detained in Iran.

As a member of this free Nation's assembly of the people, I will hold our President accountable for his deception and negligence and will work to reverse this dangerous precedent that this administration has made for the future of our country.

The SPEAKER pro tempore. Members are reminded not to engage in personalities toward the President.

#### MACADAMIA TREE HEALTH

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

Ms. GABBARD. Mr. Speaker, when most people think of Hawaii, my home State, they immediately think of our beautiful beaches, mountains, vistas, and wonderful people and culture, and they dream about when they might come and visit our home State. This contributes, no doubt, to our tourism industry being the major driver of our economy in Hawaii.

But, along with our beautiful year-round climate comes a great opportunity for our agriculture industry. In fact, most people are not aware that

agriculture is the third largest industry in our State, accounting for over \$2.9 billion of our annual economy and at least 42,000 jobs, according to our State Department of Agriculture. So, like States all across the country, we are working within government and the private sector to diversify and strengthen our economy, specifically our agriculture sector.

However, one of the greatest threats that we are seeing in Hawaii and across the country to agriculture are invasive species. The macadamia felted coccid is one of more than 4,300 invasive species that threaten our agriculture industry. In Hawaii alone, the invasive species costs our local farmers, landowners, and ag industry millions of dollars every year and puts hundreds of our local small farms and thousands of local workers and the future of one of our most important crops at risk.

Just last month, I had the chance to visit multiple farms on Hawaii island in my district, an island that produces 80 percent of Hawaii's world-renowned macadamia nuts that are shipped and sold all around the world. I heard one story after another from our farmers about how this tiny, invasive insect is destroying farms and threatening livelihoods that really bring many of our communities together. At just one of these more than 620 macadamia growing farms in Hawaii, this insect destroyed 500,000 pounds of macadamia nuts in just 1 year.

Like most things, you can't fix a problem that you don't fully understand. Very little is known about this invasive pest—from its lifecycle to its seasonal pattern to its basic vulnerabilities—that directly impacts our ability to fight back. That is why I have introduced the macadamia tree health initiative today.

My bill would authorize much-needed research and development to combat the macadamia felted coccid and establish an area-wide integrated pest management plan in areas badly affected by this invasive pest. For years, these pest management plans have helped farmers across the country manage invasive pests in a sustainable, environmentally friendly, and cost-effective way.

My bill would build off this pattern of success by bringing together local stakeholders, researchers, and other key players as we search for comprehensive solutions to keep the macadamia felted coccid and other invasive species from destroying our local farms and this important part of our domestic agriculture industry.

In Hawaii, our macadamia nut industry employs thousands of people and is the economic lifeblood to many of our rural communities. Their jobs, their livelihood, and the vitality of our agriculture industry are at stake if we fail to act.

I urge my colleagues to support this legislation and empower our Nation's agriculture industry to fight back against these invasive harmful pests.

#### PERMANENT, FOREVER WARS

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

Mr. DUNCAN of Tennessee. Madam Speaker, I am now the only Republican remaining in Congress who voted against going to war in Iraq. For about 3 or 4 years, that was probably the most unpopular vote I ever cast. But slowly, slowly it became so that now probably it is the most popular vote I ever cast, because the American people do not want forever, permanent wars.

So, Madam Speaker, you can understand why I was very interested in two very recent columns that I read.

Adam Walinsky wrote in the September 21 Politico Magazine that he was a lifelong Democrat, former aid to John Kennedy, and former speechwriter for Robert Kennedy. He wrote, though, that he will be voting Republican in the Presidential race this year.

He said: "But today's Democrats have become the Party of War: a home for arms merchants, mercenaries, academic war planners, lobbyists for every foreign intervention, promoters of color revolutions, failed generals . . ."

□ 1045

He added that "Our first answer to trouble or opposition of any kind seems always to be a military movement or action."

He wrote that Secretary Clinton, unlike the Kennedy brothers, has not sought peace, but "instead she has pushed America into successive invasions, successive efforts at 'regime change.'"

Perhaps worst of all, according to Walinsky, "Her shadow War Cabinet brims with the architects of war and disaster for the past decades, the neocons who led us to our present pass, in Iraq, Afghanistan, Syria, Libya, Yemen, in Ukraine, unrepentant of all past errors, ready to resume it all with fresh trillions and fresh blood."

Also, in yesterday's Washington Times, Jed Babbin, a former Deputy Secretary of Defense in the administration of the first George Bush, said the second George Bush made a terrible mistake allowing the neocons to lead him into nation building in the Middle East after he had spoken so strongly against such nation building when he was running for President. Secretary Babbin wrote that Islam is incompatible with democracy, and Iraq and Afghanistan—and I suppose these other countries where we are still sending troops—will go back the way they always have been when we leave, whether we stay 6 more months or 60 more years.

George Will wrote that the neocons were magnificently misnamed and really were the most radical people in Washington. These neocons have caused many thousands of young Americans to be killed or maimed for life. They should be ashamed, but they seem to have no shame.

The American people, Madam Speaker, I repeat, do not want permanent, forever wars. They want to do whatever it takes to win wars, get them over with, and go back to days of peace and prosperity.

#### REMEMBERING BATTALION CHIEF MICHAEL FAHY

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

Mr. ENGEL. Madam Speaker, yesterday there was an explosion in my district and yesterday New York City lost one of its bravest: FDNY Battalion Chief Michael Fahy, a 17-year veteran of the department and a father of three. He was a resident of Yonkers, New York, in my district, and a constituent of mine as well.

Fahy was responding to a house fire when the building exploded, taking Battalion Chief Fahy's life and wounding nine others, including another firefighter, seven NYPD officers, and one electrical worker. Thanks to these brave first responders, nobody else was hurt.

Every New Yorker mourns this loss today. Battalion Chief Fahy was a second-generation firefighter. His family's example is a reminder of the courage and dedication that the FDNY exemplifies.

We honor Battalion Chief Fahy and his family for their service and their sacrifice. I want to send along my personal prayers, thoughts, and condolences to his wife, his children, and the rest of his family. He may be gone, but he will never be forgotten. Today and forever more, we will mourn his loss.

#### HONORING LIEUTENANT COLONEL FRANCIS D. FAULCONER

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). The Chair recognizes the gentleman from Kentucky (Mr. BARR) for 5 minutes.

Mr. BARR. Mr. Speaker, I rise today to recognize a decorated World War II Army liaison, an accomplished radio and television broadcaster, and my beloved great uncle, retired Lieutenant Colonel Francis D. Faulconer.

Soon after graduating from Lafayette High School in Lexington, Kentucky, Frank Faulconer enlisted in the United States Army in 1943 and was deployed to Europe in the Liaison G3 section of the first United States Army. In this capacity, he traveled with Combat Command A of the 3rd Army Spearhead Division from Meaux, France, to Rottgen, Germany.

He earned five Bronze Stars for his service in Normandy, northern France; Rhineland, Central Europe; and the Ardennes. He additionally was awarded the Distinguished Service Award for helping to escort the reserve elements of the Combat Command, at night, from the rear to the forward elements of the battle line.

In 1946, Faulconer enrolled at the University of Kentucky under the GI

Bill and earned a degree in oratory. He got his first start in broadcasting after he accepted a part-time job at radio station WKLX, where he became the station's official announcer to broadcast the Big Bands from 1948 to 1949 from Joyland Dance Casino.

In 1950, Faulconer joined the Officers' Reserve Corps, where he eventually retired from the Army Reserve in 1974 with the rank of lieutenant colonel.

Faulconer continued his broadcasting career by joining the WKYT Channel 27 news team in Lexington, where he became the station's first weatherman. He later transferred to Channel 36, where his career soared as a TV and weather broadcaster until 1986. There, he developed a reputation for having a melodious baritone voice with a colorful and entertaining style in delivering the daily weather forecast.

Faulconer then became radio station WKQQ's first weatherman, where he became known as Fearless Frank Faulconer, and known for his Fearless Frank's Five Day Forecasts until he retired in 2001.

During Faulconer's long and illustrious career, he received various awards both nationally and locally for his unique approach to weather broadcasting.

This year, on his 93rd birthday, June 16 was declared Frank Faulconer Day by the city of Lexington, Kentucky, honoring his years of service on radio, television, and as a World War II veteran.

I am proud of Lieutenant Colonel Faulconer's service to this country and for the many years of weather broadcasting. He has truly helped keep millions of Americans safe both at home and abroad. We recognize his service to our country, this true patriot and inspiration to us all.

#### END SENSELESS GUN VIOLENCE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, first, I rise to acknowledge the brave Houstonians' law enforcement from many different jurisdictions who came to the aid of nine individuals who were shot randomly by a shooter in the last couple of days in Houston in a southwest shopping center, a place where many go for groceries, visit small businesses, and do their daily business, where many people are at work. Out of nowhere came a shooter whose home was ultimately investigated, where many items of military apparel and a load of guns were there to provide fear, I guess, in his decision to go on a shooting rampage after having a calm dinner with his family the night before.

This was an attorney, and our law enforcement are still investigating. My appreciation to the work and the detailed work that they are doing, and as well my appreciation and applause for the resiliency of Houstonians who came to the aid of their neighbors.

Then those who are recovering, I express my concern. But we will draw together and find a way to end this senseless violence and to begin to heal this Nation.

RUSSIA IS IMPACTING AND ATTEMPTING TO UNDERMINE THE FABRIC OF DEMOCRACY

Ms. JACKSON LEE. Mr. Speaker, I rise as well to make it very clear that we do not have to speculate as we begin to see unfolding the Russian hacking of a number of governmental entities and, yes, the Democratic National Committee, the Democratic Congressional Campaign Committee, and many others.

There is no doubt that Russia is impacting and attempting to undermine the very fabric of democracy in this country. Now, I believe that we should engage with all nations the values of this Nation of democracy. The rights of freedom, a Declaration of Independence that guarantees unalienable rights of life, liberty, and the pursuit of happiness are wonderful values, and we should not be afraid to engage with despotic regimes who disagree with us—Russia being one.

We should be alert and realize that, as we go into this election process, every well-informed citizen should be able to see something and say something. All of our law enforcement and intelligence community should be sensitive to the possible destruction and undermining of our democratic process.

Today it has been announced and determined that Russia did have something to do with the downing of that flight over Ukraine. How sad for those families and how hurting for the people of Ukraine to be able to know that they, as a sovereign nation, in a time that one would be advocating for peace and living harmoniously with their neighbors—that their very large neighbor, in addition to taking Crimea, would also be threatening their skies and their people. This is serious.

The electoral political system that we have come to depend upon requires us to be diligent without ceasing that every vote of every American is counted. However they vote, there should be no aftermath of a foreign entity having hacked into any process that would deny America her precious right to vote and the decision on those who will serve them and certainly the Presidency of the United States. Let no candidate be so close to the Russian apparatus that we do not follow the trail and investigate wherever it is necessary to ensure the sanctity of that process.

Let me also say that it is important, as this Congress begins to deal with the confusion of the continuing resolution, that it be noted that we have not addressed the question of gun violence, ending gun violence, closing the loophole that is so important in a background check that allows people to get guns because they get it without the background check being completed; or in the issue of terrorism, that those who are on the terrorist watch list have random access to buying guns.

Simple legislation that could be passed. I think it is crucial in America that we do so because the violence has many roots—housing, health care, poverty—but certainly it has the tool, and that is guns. That is automatic weapons like AK-47s and others more sophisticated.

America has a right to the Second Amendment, but the people of America have a right to safety and the prevention of gun violence in their community.

#### CONTINUING RESOLUTION

Ms. JACKSON LEE. Mr. Speaker, let me also talk about Houston, Texas, and the tax day floods. It is important that the CR covers the floods of Houston and covers Baton Rouge, as well as the water crisis in Flint. Let us do what the American people ask us to come here for: to be an umbrella on a rainy day, helping people, coming to their aid, clean water in Flint, providing for the people in Greenspoint, the reimbursement of the city of Houston, and helping the people of Baton Rouge get on their feet. Let us help America as we should.

#### OBAMACARE IS FALLING APART

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

Mrs. BLACKBURN. Mr. Speaker, this has been an interesting week for many of my constituents in Tennessee. Over 100,000 Tennesseans were forced—100,000 Tennesseans were forced off their healthcare plan. They did nothing wrong. It is not their fault.

What has happened is another of the Affordable Care Act's—or ObamaCare, as we call it—providers has said: Guess what. This is too expensive to offer a product.

And they have exited the marketplace.

Now, what we are seeing is exactly what we in Tennessee told you would happen with ObamaCare.

Why?

Because in Tennessee, we were the test case back in the midnineties for Hillary Clinton's grand healthcare experiment. HillaryCare became TennCare in Tennessee.

We knew that a product that was too expensive to afford was not going to be utilized and that eventually providers would drop out of the marketplace, eventually the networks would narrow, and eventually individuals would have a very difficult time accessing health care.

□ 1100

So, through no fault of their own, 100,000 Tennesseans who are in the Nashville, Memphis, and Knoxville areas are going to find that they have fewer choices in health care. They didn't get to keep the doctors whom they wanted or liked or had. They didn't get to keep the healthcare plans that they wanted or liked or had. Certainly, they were not saving \$2,500 per



family on their health insurance. Quite the opposite has happened.

What we have before us now are thousands of Tennesseans who are going to have to scramble to find health insurance because a product isn't offered. The costs continue to go up. The choices have begun to be eliminated and narrowed. The networks—the physicians you can go to for care—are fewer in number. The hospitals that you have the ability to go into to seek that care are fewer in number.

Why is that?

It is because the Affordable Care Act, or ObamaCare, as we call it, is too expensive to afford, too expensive to have, too expensive to use, and—yes, indeed—too expensive for the insurance companies that are offering a product.

It is time for us—yes, indeed—repeal this—to admit that it was a mistake, to admit, like Tennessee did years ago, that it is too expensive, that it does not work, and to replace it with components, items, and ideas—many ideas that we have had in this Chamber for years, Mr. Speaker—such as portability with the across-State-line purchase of health insurance, liability reforms, and making certain that individuals can choose an insurance product and then be able to go see physicians where they live. Affordability and access—that is what we need in the marketplace. We continue to push those ideas forward.

To our Tennessee neighbors who are finding themselves without a health insurance option, we understand the plight that exists; and we, again, say it is time to repeal and replace ObamaCare.

#### RECESS

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

Accordingly (at 11 o'clock and 2 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

Reverend Gene Hemrick, St. Joseph's Catholic Church, Washington, D.C., offered the following prayer:

Lord of Mercy, since the beginning of time You have sustained us with Your heartfelt love and care, a love and care that bonds us in friendship with You, with each other and the world.

Lord, may You bless Congress with a loving heart, which, more than anything else, has power to touch and move humankind and renew friendly unity that is the crux of America's strength.

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.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Speaker's approval of the Journal.

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

Mr. WILSON of South Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from California (Mrs. MIMI WALTERS) come forward and lead the House in the Pledge of Allegiance.

Mrs. MIMI WALTERS of California led the Pledge of Allegiance as follows:

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

#### ANNOUNCEMENT BY THE SPEAKER

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

#### BREAST CANCER AWARENESS MONTH

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

Ms. ROS-LEHTINEN. Mr. Speaker, during Breast Cancer Awareness Month, my community in south Florida will be dressing in pink and hosting a myriad of activities to support the millions of women and men who have been afflicted by this terrible disease. With our combined efforts to educate and encourage early detection, we can save lives.

A celebration of survivorship, Strides of Miami-Dade, put together by the American Cancer Society, is working toward groundbreaking research and patient services. This wonderful event will be taking place at the Miami Marlins Park on October 8.

The Florida Breast Cancer Foundation will also be hosting its annual Kick Event for Breast Cancer on October 13, and that will help advance breast cancer treatment and lab research.

Mr. Speaker, I encourage everyone in south Florida to participate in these

events around our community to support those who are fighting this disease, to honor victims, and to reminisce about those whom we have lost to breast cancer.

Let us make sure that we can redouble our efforts to defeat this terrible disease and continue at full force in order to do it.

#### JOBS, JOBS, JOBS

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, this chart shows that the ratio of unemployed workers to job openings is at the lowest level since 2001. It shows that, in 2007, before the Great Recession, the ratio was 1.4 unemployed workers for every job opening.

Then, during the prior administration, it peaked at a staggering 6.6 unemployed workers to every job opening under former President Bush. Then a whole wave of Democratic policy initiatives took effect, and the ratio began to drop and drop and drop and drop. In our most recent data, which is as of July 2016, the ratio was 1.3 unemployed workers to every job opening.

I think we can sum up the recovery in 4 words: Thank you, President Obama.

#### REMEMBERING KYLER AUSTYN WILLIAMS

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

Mr. WOMACK. Mr. Speaker, as I speak, the city of Springdale, Arkansas, is remembering the life of 17-year-old Kyler Austyn Williams, a promising young student athlete from Springdale High School who died this past Saturday in a vehicle accident.

He was an accomplished athlete, the star on his football team. The night before he died, Kyler caught 10 passes for 268 yards and three touchdowns against a conference opponent. But, Mr. Speaker, he was also a terrific young man, outstanding student, spiritual leader, role model.

Our hearts are broken over his loss, and the entire Third District of Arkansas mourns with his parents, Tysha and Rodney Williams; his stepmother, Kimmy; his sisters, Makenzy, Kayden, and Lily; and his brothers, Bralen, Hudsyn, and Parker.

Kyler's death leaves us all with an empty feeling and struggling to cope with such a tragic outcome. And when Springdale High lines up against its crosstown rival, Springdale Har-Ber, on Friday night, number 3 in red won't be on the field, but he will be on the hearts and minds of those who knew and loved him.

May God bless those he leaves behind.



### MOURNING THE LOSS OF SHIMON PERES

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

Ms. JACKSON LEE. Mr. Speaker, I rise today to join the people of Israel in mourning the loss of Shimon Peres, a statesman, a lover of his country, but a lover of people around the world, one who, in 1976, won a Nobel Peace Prize for laying out one of the unique and important although, unfortunately, short-lived framework for peace. He was one who believed in a two-state solution, respected by Israel and its people, but also the leaders and people around the world.

I had the privilege of meeting him on a number of occasions, and I might say that his calm voice was a welcome intrusion in, sometimes, a world of discord.

Although he stood by his nation in time of war, and may, in times of analysis, have many thoughts about his leadership as President and Prime Minister, several times, and many other positions, one can say that clearly he loved his country, but he loved the people of the world and he loved peace.

I give my deepest sympathy, again, to the people of Israel, his family and friends. We in the world and, of course, this Nation have lost a dear and beloved friend who truly believed in peace.

### NEW BOMBSHELLS OF THE CLINTON INVESTIGATION

(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, on late Friday afternoon, to avoid the American media, the FBI released over 180 pages concerning the 46 interviews of investigation into Hillary Clinton's emails. The Daily Caller has provided "12 Biggest Bombshells in FBI's Clinton Investigation Notes." A few of the most notable include:

Obama's top negotiator for the dangerous Iranian Nuclear Deal may have had her private email hacked. She also admitted to using her private email to conduct government business.

Secretary Clinton's lawyer asked about a computer technician to wipe out computer data in 2013.

President Obama emailed Ms. Clinton at least 18 times while claiming he did not know she had an email server, which are now kept secret.

The State Department computer technician was against housing Clinton's server in her basement.

These are just four of the revelations of the investigation. It is clear that Secretary Clinton's actions displayed a lack of judgment, putting American families at risk of attack.

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

### ENDING HYDE AMENDMENT

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

Ms. JUDY CHU of California. Mr. Speaker, for over 40 years the Hyde amendment has been the flagship in the assault on a woman's constitutional right to an abortion. Because of Hyde, a low-income woman is able to use her Medicaid for her healthcare needs, but not in one area—abortion.

In effect, a woman on Medicaid who faces this tough decision may be forced to forgo groceries, her utility bills, or her rent just to pay for the procedure. Even worse, she could be driven to a dangerous, back-alley abortion or seek an unlicensed practitioner. And if she cannot find the funds for the procedure and goes on to give birth, she is at greater risk of sliding deeper into poverty.

That is why I am a cosponsor of the EACH Woman Act, which would ensure that every woman has access to abortion coverage, regardless of how much she earns. We must ensure that every American woman can access her constitutional right to an abortion. We must end the Hyde amendment.

### HONORING STAFF SERGEANT MATTHEW THOMPSON

(Mrs. MIMI WALTERS of California asked and was given permission to address the House for 1 minute.)

Mrs. MIMI WALTERS of California. Mr. Speaker, I rise today in memory of Staff Sergeant Matthew Thompson of Irvine, who was tragically killed on August 23 while on patrol in Afghanistan.

He enlisted in the Army in March of 2011, and though this was his first deployment to Afghanistan, he had also been deployed to Iraq to combat the Islamic State. He was awarded over a dozen medals in his military career and was posthumously awarded the Purple Heart Medal.

Staff Sergeant Thompson was just 28 years old, and he leaves behind his wife of 5 years, Rachel. Our prayers remain with her, his family, friends, and fellow soldiers.

Staff Sergeant Thompson gave everything to protect our freedom. It is because of him, because of his service, because of his sacrifice, that we live in the most free nation on Earth. We will always remember this, and we will remain forever grateful for his selfless sacrifice.

### MOURNING THE LOSS OF SHIMON PERES

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

Mr. CICILLINE. Mr. Speaker, I rise to express my deep sadness on the passing of former Israeli President and Prime Minister Shimon Peres. Shimon

Peres was devoted to the cause of the Jewish state and worked tirelessly to achieve a lasting peace in the Middle East.

He was the founding father of the State of Israel and remained, throughout his life, one of its greatest champions. He was the central architect of the Oslo Accords and was respected around the world for his strong leadership as Prime Minister and President of Israel. His example should be an inspiration to us all, as he fought so long for peace.

My thoughts are with his family and friends as well as the people of Israel, who have lost a beloved leader.

### HONORING THE LIFE OF AUSTIN CURRY

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

Mr. BILIRAKIS. Mr. Speaker, I rise today in remembrance of a local hero in my district, Mr. Austin Curry, who passed away on September 18 at the age of 86.

Friends remember him as a "young soul who spent days in prayer or sharing his sunny demeanor and faith in prolific Facebook posts."

With a full life devoted to God and service to his country, Mr. Curry was an Air Force veteran who served in the Korean war.

As a passionate advocate in the elderly community, Mr. Curry served in leadership roles for the Florida Silver-Haired Legislature, the Hillsborough County Hospital Association, and the Health Council of West Central Florida. He also served as a delegate to the White House's 2005 Conference on Aging.

His accomplishments and the lives he touched will remain in our memories.

### IT IS TIME FOR ACTION TO END BREAST CANCER

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

Mr. LOEBSACK. Mr. Speaker, I rise today in strong support of the Accelerating the End of Breast Cancer Act.

Breast cancer is the most common cancer among women, and it is estimated that, this year, almost a quarter of a million women will be diagnosed with the disease, including, already, a close friend of mine. Thousands of those women live in my home State of Iowa.

It is time for action, and passage of the Accelerating the End of Breast Cancer Act is a great next step. This bipartisan bill, which has over 270 cosponsors, would establish a commission aimed at ending breast cancer by January 1, 2020. That commission would look for gaps in the public and private sector where investment is needed and then recommend initiatives and strategies to work toward finding a cure for

breast cancer, discovering the cause, and identifying preventative measures. It is an important bill in the fight against breast cancer, and I am proud to support it.

I also want to take a moment to recognize the volunteers of Breast Cancer Deadline 2020 for continuing to advocate for these critical issues.

□ 1215

#### BREAST CANCER AWARENESS MONTH

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

Mr. YOUNG of Iowa. Mr. Speaker, I rise today because the month of October is quickly approaching. As you know, October is Breast Cancer Awareness Month, a time to shed light on a battle many women and men in this Nation have to endure.

According to the American Cancer Society, almost 250,000 new cases of invasive breast cancer will have been diagnosed in the United States among women this year.

Mr. Speaker, this statistic is heart-breaking. There are very few people who have not been affected by this horrific disease. We have already lost too many family members, neighbors, folks in our communities, and friends to the painful fight, the reality that is this disease.

In Congress, we must stand by our brave women and men tirelessly fighting. Mr. Speaker, I am proud to have joined over 270 of my colleagues as a cosponsor of H.R. 1197, the Accelerating the End of Breast Cancer Act. This critical, bipartisan bill would establish a commission to help end breast cancer by 2020.

Through facilitating public-private partnerships, encouraging advancements in promising research, and coordinating research activities, this commission would help to get us closer to a cure and give patients and families hope.

I am here today to honor those who have fought this fight and won, and I am humbled and saddened to remember those who have lost it. Those affected and recovering from breast cancer deserve to know their elected Representatives stand with them.

Actions speak louder than words. It is time to make real progress on the Accelerating the End of Breast Cancer Act and finally get the supporting bill signed into law.

#### MOURNING THE LOSS OF SHIMON PERES

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

Ms. HAHN. Mr. Speaker, I rise to join the world in mourning the loss of Shimon Peres, former prime minister

and president of Israel and one of the country's last surviving founding fathers.

Peres dedicated his life to the difficult challenge of establishing a lasting peace for Israel and its neighbors. He negotiated the landmark Oslo Accords and, in 1994, was awarded the Nobel Peace Prize for his work and commitment to ending ongoing violence.

Near the end of his presidency, I had the honor of sitting down with President Peres at the Peres Center for Peace on a trip to Israel. I was struck by his vision for the future and his commitment to peace no matter what the obstacles.

For seven decades, Shimon Peres has been a trusted partner to the United States and helped to forge the unbreakable alliance between our two countries.

Two years ago, we held a ceremony here in the Capitol to award him with the Congressional Gold Medal—the highest civilian award Congress can bestow and the first to go to a sitting president of Israel.

As the world mourns the death of this visionary leader, let us ensure that his legacy lives on and recommit ourselves to a lasting peace for Israel and our entire world.

#### OBAMACARE'S CO-OPS

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

Mr. LAMALFA. Mr. Speaker, this week the House took action to provide relief to hundreds of thousands of Americans who lost their insurance due to yet another flawed piece of the President's healthcare law.

Despite spending over \$2 billion in startup taxpayer money, 17 of ObamaCare's 23 CO-OPs have collapsed, leaving half a million individuals without coverage.

This is a double blow for many Americans who were already forced to purchase insurance through these CO-OPs after losing their own plans and now are left with two options: either quickly find adequate coverage and face paying their deductible twice, or pay a steep penalty at the end of the year—all due to the law's own failure.

Meanwhile, these CO-OPs, sold as a public option feature in ObamaCare, showed warning signs of insolvency since their inception, plagued with flawed business models and inept management.

The bill we passed, H.R. 954, simply shields individuals who lost their insurance as a result of one of these failed CO-OPs from being penalized under the individual mandate through the end of the year.

On top of higher premiums, rising costs, and difficulty accessing care, Americans should not be penalized for the outright failure of a program that is preventing compliance.

#### NATIONAL CIVIL RIGHTS MUSEUM CELEBRATES 25TH ANNIVERSARY

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

Mr. COHEN. Mr. Speaker, today marks the 25th anniversary of the opening of the National Civil Rights Museum in Memphis, Tennessee. The National Civil Rights Museum is located at the former Lorraine Motel, the site of the tragic assassination of Dr. Martin Luther King, Jr.

From that horrific incident rose from the ashes a phoenix in a wonderful story of the efforts and the achievements of many—both Black and White—to achieve a more perfect union in the civil rights for people in this country.

Mr. Speaker, I urge everybody who has a chance to go to Memphis and tour the civil rights museum and pay tribute to the civil rights soldiers who made America more what it was intended to be and make it a more perfect union.

#### CONGRATULATING OMAK AND EPHRATA FFA CHAPTERS

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

Mr. NEWHOUSE. Mr. Speaker, I rise today to offer my congratulations to two central Washington FFA chapters that recently received national awards for their creativity, leadership, and commitment to community.

FFA expects their members to be leaders on campus and foster school community. In this respect, the Omak High School FFA has been honored as a finalist for the National Model of Innovation Award for development of their officer mascot social media challenge. Through this campaign, the Omak FFA helped to raise chapter morale and school awareness of FFA.

Not to be outdone, the Ephrata High School FFA is a finalist for the National Model of Innovation Award for community development. By partnering with the local rotary, Ephrata FFA raised crop signs next to fields throughout the region so passing drivers could take interest and learn what was growing in the fields.

As an FFA alumnus myself, I am proud to see the good work that these young men and women are doing and wish them the best of luck at the FFA national convention in October.

#### BELLAMY COMMONS REVITALIZES COMMUNITY

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

Mr. HIGGINS. Mr. Speaker, this Friday, the Bellamy Commons will emerge as a new community fixture on Jefferson Avenue in Buffalo, New York.

Upon opening, the Bellamy Commons will become home for many, with all 30 affordable apartments already filled. This space will also serve as the new home for the Buffalo Black Achievers Museum to share success stories of Buffalo African Americans.

This project was a collaboration of Federal, State, local, and private investment along with the aid of over \$4 million in Federal low-income housing tax credits. These credits encourage development and construction in communities that are often neglected and increase affordable housing options.

Developments like the Bellamy Commons have the power to create, encourage, and empower more residential and commercially integrated neighborhoods. A full community effort is something we are no stranger to in western New York. Over the years, it has been a key in revitalizing our region.

It is time that we begin to see the same development and much-needed investment in Buffalo's east side neighborhood.

#### NATIONAL HUNGER ACTION MONTH

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

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize National Hunger Action Month. Throughout September, families and advocates, volunteers and experts, and community leaders and elected officials have worked together to highlight the problem of hunger in this country.

This summer, I had the privilege of seeing some of the great work being done on the front lines in Indiana's Second District, and I brought their insights back to Congress.

This month, the Agriculture Committee's Nutrition Subcommittee, which I chair, held its 17th hearing of the 114th Congress examining the Supplemental Nutrition Assistance Program, or SNAP. We looked at innovative approaches States are taking to help those who fall into the safety net find good jobs and lift themselves out of poverty. These hearings have laid the groundwork for real reform.

Mr. Speaker, no one in this Nation should go hungry, and that is why House Republicans have a plan—a better way—to fight poverty. Our plan puts new ideas to the test so we can stop the cycle of poverty and end hunger in America.

#### CAMPAIGN FINANCE REFORM

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

Ms. KAPTUR. Mr. Speaker, here we are a few short weeks before national elections, so it is a good time to take account of the outlandish flood of money pouring into the Presidential

campaign. The American people don't want this out-of-control spending anymore.

Why should it cost 16 times more to conduct an election in 2016 than it did in 1980 in inflation-adjusted dollars? The last time I looked, we still have just one President, 100 Senators, and 435 Congressional Districts. So why the outlandish increase in campaign spending?

The public gets sick and tired of the TV campaign ads. It costs a fortune. All the while, the public is becoming more disillusioned and distrustful of our very instruments of government.

We need campaign finance reform. It is far too much that candidates have to raise today. Actually, in 1980, it cost \$107 million for President Carter and President Reagan to conduct that Presidential campaign. Already this year, \$1.6 billion has been spent—16 times as much as 1980.

It is no surprise that, of the largest givers of the financial industry, not one of them has gone to jail after the financial crash of 2008.

My constitutional amendment, H.J. Res. 38, grants Congress and our States the power to set limits on the amounts of contributions and expenditures with respect to candidates in Federal, State, and local elections.

So when the Presidential candidates pass through your town, ask them exactly what they intend to do about out-of-control campaign spending and when they intend to do it. How about making campaign finance reform the first bill they send up to Congress in 2017 as H.R. 1.

#### BREAST CANCER AWARENESS MONTH

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

Ms. CASTOR of Florida. Mr. Speaker, with Breast Cancer Awareness Month right around the corner, the time is now to show American families that we are working to end breast cancer. In fact, we have a bill, H.R. 1197, the Accelerating the End of Breast Cancer Act, which has 273 bipartisan cosponsors.

It should be brought to the floor immediately for debate and a vote. Why? Because even with so much advancement in medical research, a woman's chance of developing breast cancer has increased from one in eleven in 1975 to one in eight today. This year, over 40,000 women and over 400 men will die of breast cancer in this country alone.

H.R. 1197 will focus on identifying strategies for the primary prevention of breast cancer and identifying methods to prevent breast cancer metastasis, thereby saving lives. With such broad bipartisan support, there is no reason why the Accelerating the End of Breast Cancer Act should not be brought up for a vote as quickly as possible.

I want to thank the large majority of my colleagues for cosponsoring the Accelerating the End of Breast Cancer Act, and I encourage the Republican leadership to bring H.R. 1197 to the floor right away.

#### CONGRATULATING U.S. OLYMPIC TEAM

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

Mr. YODER. Mr. Speaker, I rise today to recognize and congratulate the United States Olympic Team, some of whom are visiting Capitol Hill today.

This year's team won 121 medals overall to lead the world for the sixth straight games and win the most medals in U.S. history. They won 46 gold, 37 silver, and 38 bronze. Notably, 61 of the medals were brought home by American women.

Overall, 210 American athletes contributed to the medal count, including 32 multiple medalists and 13 who won multiple Gold Medals. Of the 27 sports in which U.S. athletes competed, the U.S. brought home hardware in 20, including Overland Park's own Jack Sock taking home the gold in mixed doubles in tennis with his partner, Bethanie Mattek-Sands.

Mr. Speaker, this is the most decorated team in U.S. history. I want to congratulate all of the athletes for their amazing performances on behalf of our Nation and thank them for making all of us proud here at home in the United States of America.

□ 1230

#### VETERANS OWED A DEBT OF GRATITUDE

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

Ms. KELLY of Illinois. Mr. Speaker, our Nation owes our veterans a debt of gratitude for putting their lives on the line, but too often, all we do is pay lip service to our military heroes.

This past weekend, I hosted a veterans housing symposium, where I connected veterans with housing professionals and experts to answer questions about their housing benefits, mortgage options, and tax exemptions, and displacement assistance. Our veterans have earned our Nation's gratitude, and I urge this Congress to do more to serve our military families.

In mentioning gratitude and service, I would be remiss if I did not acknowledge an outstanding and brilliant servant, Mimi Mesirow, who is moving on after 20 years of service to the Second Congressional District of Illinois.

Mimi was an original hire of the Honorable Jesse Jackson, Jr., and was kind enough to stay on and help me launch my grant operation when I came to Congress. Mimi secured millions of dollars in funding for the Second District

and left her mark in making it a better place to live.

On behalf of Second District families and a grateful Congress, thank you, Mimi, for a job well done.

**PROVIDING FOR FURTHER CONSIDERATION OF H.R. 5303, WATER RESOURCES DEVELOPMENT ACT OF 2016; PROVIDING FOR CONSIDERATION OF H.R. 6094, REGULATORY RELIEF FOR SMALL BUSINESSES, SCHOOLS, AND NONPROFITS ACT; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM SEPTEMBER 29, 2016, THROUGH NOVEMBER 11, 2016**

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 897 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 897

*Resolved*, That at any time after adoption of this resolution the Speaker may, 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 further consideration of the bill (H.R. 5303) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes. No further amendment to the amendment in the nature of a substitute referred to in the first section of House Resolution 892 shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such further 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 in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment pursuant to this resolution the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. 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.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 6094) to provide for a 6-month delay in the effective date of a rule of the Department of Labor relating to income thresholds for determining overtime pay for executive, administrative, professional, outside sales, and computer employees. 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 Education and the Workforce; and (2) one motion to recommit.

SEC. 3. On any legislative day during the period from September 29, 2016, through November 11, 2016—

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

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

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

SEC. 5. Each day during the period addressed by section 3 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

SEC. 6. Each day during the period addressed by section 3 of this resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII.

SEC. 7. Each day during the period addressed by section 3 of this resolution shall not constitute a calendar or legislative day for purposes of clause 7(c)(1) of rule XXII.

The SPEAKER pro tempore (Mr. RODNEY DAVIS of Illinois). The gentleman from Georgia is recognized for 1 hour.

Mr. WOODALL. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

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

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

There was no objection.

Mr. WOODALL. Mr. Speaker, I told you yesterday that I would be back down here today with part 2 of the Water Resources Development Act bill.

This structured rule in House Resolution 897 provides for further consideration of H.R. 5303. This rule today will make an additional 19 amendments in order. As you will recall, Mr. Speaker, yesterday we gathered here and passed a rule that made 25 amendments in order to this legislation. To put that in perspective, this was a bill that passed unanimously out of the Transportation and Infrastructure Committee, on which I serve; and the Rules Committee gathered, and in its wisdom has now made 44 additional adjustments and improvements in order that have been recommended by Members of this Chamber.

This rule also provides, Mr. Speaker, for closed consideration of H.R. 6094, the Regulatory Relief for Small Businesses, Schools, and Nonprofits Act. That is a bill that requires a 6-month delay in the effective date of the Department of Labor's new overtime

rules. It moves the current effective date of December 1, 2016, out to June 1, 2017.

Mr. Speaker, I know you have heard about this issue from your constituents, as every Member in this Chamber has. The Department of Labor, in its wisdom, sought to raise the maximum wage at which overtime rules would apply, and effectively doubled that wage rate. That is all going to go into effect on December 1.

Mr. Speaker, I don't believe there is a single Member of this Chamber that doesn't believe those numbers should be adjusted, but to double them overnight with virtually no warning to the small business community, the education community, or the nonprofit community is not the right way to govern. This is going to impact not just the hardworking Americans who run these institutions, it is going to impact the hardworking Americans who are dependent on these jobs and are currently doing the heavy lifting that feeds the Nation's economic engine.

Delaying this rule for 6 months to give us an opportunity to either come together as a body and make changes or to allow small businesses and nonprofits and educational institutions to begin to adjust is just the right thing to do. You will hear more about that, Mr. Speaker, from one of my colleagues on the Rules Committee, the gentlewoman from North Carolina (Ms. FOXX), who doesn't just serve on the Rules Committee, she also serves on the Education and the Workforce Committee that has jurisdiction.

Mr. Speaker, again, if we pass this rule, we will have an opportunity to not just complete work on the WRDA bill with the 19 additional amendments, but also to move forward to protect small businesses, educational institutions, and nonprofits.

I reserve the balance of my time.

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

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

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Georgia (Mr. WOODALL) for yielding me the customary 30 minutes.

Mr. Speaker, last night in the Rules Committee, after a year of Democratic calls to address the terrible water crisis in Flint, Michigan, House Republicans finally moved forward an amendment offered by my friend and colleague, the gentleman from Michigan (Mr. KILDEE), to provide assistance to the families of Flint.

It was a year ago this month that we learned of the man-made drinking water crisis in Flint, which exposed thousands of our fellow Americans to contaminated water. These are real people, Mr. Speaker. Families with children—9,000 children under the age of 6—that have been drinking and bathing in poisonous water for over 2½ years. And even today, these families still do not have access to clean water from their taps.

The fact that it has taken a year for Congress to stand up and do the right thing, to finally allow us to have a vote for the families of Flint, is astonishing. America is supposed to be a place where we look out for one another and lift our neighbors up when they are in need. Those are the values that define our country. As the people's representatives here in Congress, we need to honor those values. Whenever an American community is hit by a disaster, we come together. This should include not just hurricanes and earthquakes, but also man-made disasters, like the one that Flint continues to face today.

I thank the leadership, especially our leadership, our Leader PELOSI, and the persistence of my friend, the gentleman from Michigan (Mr. KILDEE). I am pleased that we are finally set to consider a measure to authorize the \$170 million for the repair and replacement of infrastructure in Flint. I hope that all of my colleagues on both sides of the aisle will enthusiastically support Mr. KILDEE.

But this is just a first step, Mr. Speaker. While the amendment we are set to consider today, if adopted, authorizes these funds, it is important that we come together to ensure that the much-needed funding actually reaches Flint as soon as possible.

The Senate's Water Resources Development Act, which passed that Chamber earlier this month by an overwhelming vote of 95-3, includes \$220 million in relief for Flint. As we advance our water bill this week and set up a conference on the two measures, it is imperative that we keep funding for Flint a top priority.

So while I am pleased that we were able to reach a bipartisan agreement on a vote for Flint, I am disappointed, however, that the House Republican leadership is still advancing a terrible, misguided bill this week to, once again, undermine regulations put forward by the administration to help working families.

With all of the work left to be done on the most pressing issues facing our communities, I cannot, for the life of me, understand why my friends on the other side of the aisle are so intent on denying long overdue compensation to millions of their constituents in payment for their hard work and long hours.

This rule provides for the consideration of H.R. 6094, legislation designed to delay the Department of Labor's new overtime rule, which increases the overtime salary threshold from \$23,660 a year to \$47,476 a year. With the Department of Labor's update to the Fair Labor Standards Act, an additional 4.2 million salaried workers are eligible for overtime pay, and 262,000 working people in my home State of Massachusetts will benefit.

American workers have waited long enough to get their fair day's pay for a long day's work that they deserve. This Republican bill will take \$600 million out of the pockets of 4.2 million Amer-

ican workers who would have gained overtime protections on December 1. This is \$600 million that they will never see if we delay these important updates for another 6 months. That means, for example, the workers will have less money to spend on holiday presents for their families and less time to help their kids with their schoolwork and extracurricular activities.

The simple truth is that this Republican bill is a cynical ploy to, once again, try to stop the rule from ever, ever going into effect. My Republican friends like to lecture families in poverty about what they are doing wrong. We hear it all the time on this floor. They tell them that they need to work harder to get ahead. These families are already working hard, very often working overtime, but they are not receiving the pay that they deserve for putting in the extra time.

□ 1245

Republicans like to say that they think hard work should be rewarded. This is it. This overtime protection is a way for us to reward the hard work of millions of Americans who are doing all of the right things. This is a way for us to ensure that every American who puts in a hard day's work is able to earn the fair pay that he deserves. Only in this place would that be considered a radical idea.

How can Members of Congress lecture millions of hardworking American families who are struggling to escape poverty when they won't even support a measure that rewards them for the hard work that they are putting in every day to help their own families get ahead?

Speaker RYAN has a lot to say about fixing poverty—rolling out a whole agenda to convince us that, somehow, he is serious about making progress in helping families. So why on Earth would Speaker RYAN and the House Republicans stand in the way of hardworking families receiving the fair pay that they deserve? That doesn't sound like a party that truly cares about helping every family succeed.

America's working families are the ones who lay the foundation that makes our economy strong. It is simply shameful that denying hardworking families the overtime protections they deserve is something that Republicans think should be a top priority of this Congress—so pressing, in fact, that the House Republicans considered this bill in the Rules Committee as an "emergency measure."

I urge my colleagues on both sides of the aisle to do the right thing and defeat this bill. It is an antiworker, antifamily bill, and it would only make it harder for America's hardworking families to get ahead. Our economy only works when hard work is rewarded, and it is time for Congress to stand up for those values and to support working families.

It is time for us to do our jobs, Mr. Speaker. We need to be providing funds

to fight the terrible Zika virus and the opioid crisis. We should be addressing the gun violence that is plaguing our communities. We ought to be finalizing a continuing resolution to ensure that our government remains open come Saturday, and I hope that the Senate will vote on that soon so that we can consider it.

We need to get much-needed assistance to the families of Flint. Again, I think it is a stain on this Congress' reputation that this leadership has dragged its feet for so long on this issue of providing funds to the residents of Flint. This is the United States of America. People ought to know, when they get water out of their faucets, that they are not poisoning themselves or their kids. These are emergencies, Mr. Speaker, and not what this bill is all about that my friends are bringing to the floor.

What they are trying to do is to actually score some points with some in the business community who don't want to reward the work of the people who work in their companies, and I think that that is unfortunate. We ought to stand up for working families. They are the ones who need help. What this bill would do is make that less likely.

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

Mr. WOODALL. Mr. Speaker, I yield 5 minutes to the gentlewoman from North Carolina (Ms. FOXX), the vice chair of the Rules Committee and a member of the Education and the Workforce Committee.

Ms. FOXX. I thank my colleague from Georgia for his leadership on this rule.

Mr. Speaker, all too often, the executive branch enacts policies that sound wonderful but impose unintended consequences and burdens that make the lives of hardworking Americans more difficult. The issue underlying H.R. 6094 is another tragic example of that pattern.

The Department of Labor acted in May to revise overtime regulations covering millions of American workers. This regulation will require companies to reclassify a significant portion of their workforce, eliminating flexibility in work times, bonus compensation, and opportunities to advance. It will also impose significant compliance costs that will only serve to further bury job creators under red tape.

While members of both political parties want to see all Americans earn more, we cannot ignore the financial consequences of this rule. By dramatically increasing the number of employees who do not qualify for an exemption under the regulation, the Department is significantly increasing the cost of delivering services and is making it more difficult to maintain existing staffing levels.

In plain English, this regulation could cost hardworking Americans hours at work or even their jobs. Entire sectors could be less profitable with a predictable result for the employees who are doing that work. These

impacts do not fall solely on frequently and unfairly demonized big business. They affect nonprofits and schools as well as local and State governments. This will raise the cost of operation for nearly every organization and company in the country.

I have heard from small-business owners, nonprofits, and universities across North Carolina that are deeply concerned about this rule. For example, an independent supermarket owner said that this rule would “effectively put him out of business. Most of our managers make less than \$40,000 a year. When you make only one penny on the dollar net profits, this would force us to raise prices and make us uncompetitive against Walmart and other national chains.”

For many employees, the biggest impact this legislation will have on them is the loss of prized flexibility and advancement opportunities. No longer will they be able to work flexible hours to cover children's doctors' appointments or other family needs. They will be forced to clock in and out, lose aspects of their positions that provide positive morale, and be reclassified into positions that do not provide the same satisfaction.

It is fair to say that our Nation's overtime rules need to be modernized, but the Department of Labor's extreme and partisan approach will lead to damaging consequences that the American people simply cannot afford. That is why I cosponsored H.R. 6094, the Regulatory Relief for Small Businesses, Schools, and Nonprofits Act, which would provide a 6-month delay in the implementation of this rule in order to allow the small businesses, nonprofit organizations, State and local governments, and corporations confronting it with desperately needed time to prepare and make changes to accommodate the needs of their employees.

The rule before us today will provide for the consideration of this important legislation, and I commend both of them to my colleagues for their support.

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

I would like to point out for my colleagues that, while many of my colleagues who support this legislation argue that the new overtime rule would overburden nonprofits or educational institutions, I think we need to point out a few facts here—most importantly, that that is just not the case. The overtime rule provides exemptions for nonprofit charitable organizations without sizable commercial activities. The overtime rule also provides educational institutions exemptions for teachers, coaches, graduate and undergraduate students, and administrative personnel.

I just want to repeat one thing that I said in my opening. I am really amazed when my Republican colleagues routinely come to the floor and lecture poor people and people who are struggling in poverty. They regularly

come to the floor and demonize people in this country who are on benefits, like SNAP—putting food on the table. You always hear, “You ought to work.” “You ought to work harder.” Of the people on SNAP, for example, who are able to work, the majority of them work, but work doesn't pay enough to get them out of poverty. All that is being suggested by this rule from the Department of Labor is that people ought to get paid what they deserve. They ought to be able to earn enough to be able to have a decent life and to get out of poverty.

I know what my friends are trying to do. They are saying it is only a 6-month delay. They are hoping that their candidate for President—God forbid—would win the Presidency and would, basically, null and void any modernization of the overtime rules. We ought to be concerned more about people in this country who are working hard and who are not able to make ends meet. I think my colleagues ought to know there are exemptions in this rule.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. I thank the gentleman for yielding.

Mr. Speaker, Americans have waited long enough to update our Nation's overtime pay rules. After years of debate and regulatory review, proposed rules and final rules, it is time to ensure that Americans are paid for the hours they work.

When I go home to my district, I hear how hard it is for working women and men to meet their families' basic needs. Americans need a raise. The Republican majority has blocked any vote to raise the minimum wage, and they have blocked bills to provide women with equal pay for equal work. Did you know that working single mothers are paid about 57 cents on the dollar that men are paid right now? Today's bill will take \$600 million in earned overtime pay from 4.2 million working men and women. Half a century ago, 60 percent of salaried employees qualified for overtime pay; today, only 7 percent do. This is because we did not update overtime rules until this administration stepped forward.

We have heard the arguments for inaction and delay—that it is too hard for businesses, the false argument about nonprofits; “this is happening too fast” is another argument. They don't hold up. It has been 12 years since the overtime rule was changed, nearly 3 years since President Obama asked for action, and more than a year since the proposed rule was issued. The Department of Labor reviewed more than 270,000 comments, and it changed its proposal as a result of those comments. It has provided flexibility for businesses, and it has lowered the salary threshold. The Department of Labor has been responsive to concerns, and now it is time for the House of Representatives to be responsive to the

concerns and the needs of working families.

In my home State of Illinois, nearly 194,000 working men and women and their families would be helped by overtime protections. They shouldn't have to wait any longer. Extra work should mean extra pay. It is a simple matter of fairness. Workers who are hired full time should not be paid the same salary whether they work 40 hours a week or 60 hours a week. They should either be paid for the hours they work or be able to spend those extra hours with their families.

Many Americans are balancing their jobs with caring for children and aging parents. Delaying the Department of Labor's update to overtime protections is unfair to those workers and their families.

It is really time now to get on with it, to move forward. I urge my colleagues to reject today's rule and vote against this bill. Let these long-overdue overtime rules—overtime pay—for Americans take effect.

Mr. WOODALL. Mr. Speaker, I yield 5 minutes to the gentleman from the great State of Washington (Mr. NEWHOUSE), a member of the Rules Committee.

Mr. NEWHOUSE. I thank the gentleman from Georgia for yielding.

Mr. Speaker, I would like to add my voice today in support of this rule and the underlying legislation, H.R. 6094, which is the Regulatory Relief for Small Businesses, Schools, and Nonprofits Act.

In recent months, I have heard—and, I am sure, the Speaker has as well—from a growing number of constituents who are gravely concerned about the impact that the Department of Labor's new one-size-fits-all overtime rule would have on their jobs, would have on their businesses, as well as would have on nonprofit organizations.

When the rule goes into effect on December 1, it will impose enormous new costs on businesses, lifting the cap of workers who are eligible for overtime pay from \$23,600 to \$47,476. I admit, on its face, this sounds like a real benefit for workers; however, the impacts, likely, will be devastating. Small businesses and nonprofits that are confronted with this new burden will be faced with some very difficult choices: having to pay thousands of dollars in additional labor costs, they end up having to limit their employees' hours; moving salaried workers to hourly positions; or, even worse, laying off workers.

□ 1300

Worse than that, the Department of Labor has made no attempt to make this rule workable for small business. There is no phase-in. On December 1, it will hit every business, every school, and every nonprofit in America full force, just like a freight train.

The rule was not curtailed to geography either. It will take effect in the Seattle metropolitan area, where the



annual mean wage is around \$61,000, the same way it will impact the Yakima area, where that annual mean wage is just over \$41,000.

The way the Department of Labor went about issuing this very flawed one-size-fits-all rule just isn't right. H.R. 6094—which I was proud to cosponsor, and I thank Congressman WALBERG for introducing—would simply delay the rule for 6 months so that we can work with the Department of Labor as well as stakeholders to address this issue in a responsible, workable way.

Sadly, to not adopt this delay will result in job losses for the very people the rule was intended to help: your constituents and mine.

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

Let me just make a comment for the benefit of my colleagues before I yield to the next speaker, and that is about this rule.

This is a closed rule. Again, this is another pattern that my Republican friends seem to have developed since they have taken over the House; and that is, basically shutting down debate and shutting down the opportunity for Members to have an opportunity to express themselves.

This bill was noticed in the Rules Committee, I think on Monday, and we did the rule yesterday. Members didn't even know this was coming up. So to bring a bill like this to the floor under a closed process I think is unfortunate. It denies Members on both sides of the aisle an opportunity to offer different points of view and to have a vigorous debate.

Many of us believe that this Congress ought to do more to help strengthen opportunities and benefits for those in the middle class. We believe that more people ought to have the opportunity to get into the middle class. That is why we are fighting for a livable wage, yet we can't even bring that to the floor. The only things that seem to get to the floor are tax breaks for big businesses or repeals of the Affordable Care Act or bills like this that would basically take the pay that has been earned by workers away from them.

Again, I think this kind of illustrates where the priorities of this Republican Congress really are. I mean, they are not with working people. They are with those who are privileged and those at the very top. And my hope is that maybe after this election, we can get some changes made where we can get back to doing the people's business, not just the rich people's business.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. GRAHAM).

Ms. GRAHAM. Mr. Speaker, today I rise with deep disappointment that the Rules Committee didn't make in order any of my amendments to improve the management and health of the Apalachicola, Chattahoochee, and Flint Rivers.

Floridians are incredibly frustrated that the Apalachicola River is dying

because of mismanagement and over-use upstream. Just this year, it was named one of the country's most endangered rivers.

Two years ago, in a rare show of collaboration and bipartisanship on this very issue, Members from Alabama, Georgia, and Florida, agreed to language that actually acknowledged the mismanagement and encouraged the States to stop the arguing and work together to find a solution. What a novel concept, but even that tiny compromise is being stricken in this bill. We have an egregious problem that my amendment would have fixed, and this Congress won't even allow it to be discussed.

I am well aware that other States involved in this issue have a lot at stake. It is infuriating that other States won't recognize what is at risk in Florida. There are people all over the country, even some of you in this Congress, who spend time in the region and enjoy the Apalachicola's beauty and resources. It is shameful and shortsighted that we are letting it die because of politics and dysfunction in this House.

Mr. WOODALL. Mr. Speaker, I would tell my friend from Massachusetts that I do not have any further speakers remaining, and I am prepared to close when he is.

I reserve the balance of my time.

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

Mr. Speaker, I ask my colleagues to vote "no" on the previous question; and if we defeat the previous question, I will offer an amendment to the rule to bring up legislation that would allow those with outstanding student debt to refinance their existing high interest rate loans to lower interest rates. Mr. Speaker, this legislation gives us an opportunity to provide immediate relief to those struggling with student loan debt.

You know, when interest rates go down, people can refinance their home mortgages. Why can't we extend that same ability to people with high student loan rates?

Everybody says that we want to make sure that everybody who wants a college education ought to be able to get one, yet we make it very difficult for people to be able to afford one. The debt that is accumulated—and especially the interest on that debt that is accumulated—is very, very difficult for people to absorb when they get out of school.

So that is why Democrats have been asking time and time again for us to address issues like that, college affordability. How do we ease the burden on our young people who are trying to get a college education?

So rather than bringing up legislation that basically will not increase the overtime salary threshold, thereby denying people who are working the ability to have a little bit of extra cash in their pockets when they work overtime—that is what this is all about,

and we are actually punishing working people—maybe we ought to do something to actually help working families.

If you vote "no" on the previous question, we will be able to have a debate and a vote on this. I hope that not just Democrats, but Republicans as well will see that it is important for us to address this issue of college affordability. I, again, urge my colleagues to vote "no" on the previous question.

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

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

There was no objection.

Mr. MCGOVERN. Mr. Speaker, I urge Members to vote "no" on the previous question.

I yield back the balance of my time.

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

Mr. Speaker, I was just with a group for lunch, and I was talking about all of the amazing things that we are able to do in here together. It really is amazing. I think back on what has become known as the Bush tax cuts.

You may remember, Mr. Speaker, we had President Bush; he had a Republican Senate; he had a Republican House; and he was trying to provide tax relief for the American people. But because of the way the rules work around here and it takes a lot of votes to get work done, he was not able to make that tax policy permanent. He didn't have enough votes. Republicans were running the entire show, but he couldn't get enough agreement on tax relief for Americans to make that tax policy permanent.

You, me, Mr. MCGOVERN, and President Obama, we got together and we made that tax policy permanent for 99 percent of Americans. We did together what Republicans couldn't do alone.

My friends from the other side of the aisle often talk about infrastructure and how important it is to America, and they are right every single time they do it, Mr. Speaker. But when they passed a trillion-dollar stimulus bill that I opposed with every fiber of my being, we didn't see infrastructure grow in this country; we saw dollars get squandered. They controlled the White House, the U.S. House, the U.S. Senate. They controlled every single branch of government, and they were not able to succeed at creating the kind of infrastructure improvements that every American knows that we need.

But you know who did, Mr. Speaker?

You, me, Mr. MCGOVERN with President Obama in this divided Congress and divided government, we got together and passed the longest surface transportation funding bill this country has seen since the 1990s. We did that together. I could go down the list:



education, water resources, taxes, regulation. The list goes on and on and on of things, when we sat down and when we talked to one another, we were able to get passed.

You may remember, Mr. Speaker, we were down here yesterday on the House floor. We were talking about the situation in Flint. We were talking about amendments that were not made in order. And word came down that the only reason they weren't made in order is because we are just a bunch of racists here in the House of Representatives. The only reason that they weren't made in order was because Republicans have no conscience, is what we heard from the other side of the aisle.

I will ask anyone in this Chamber: Who thinks that gets us closer to a solution? Who thinks it does?

It pushes us further apart not just as an institution here, but as a Nation of citizens who care about one another.

So what happened after that, Mr. Speaker?

We went back to the drawing board together. We worked together, and we are back here today together with an amendment to address the situation in Flint.

How?

Not with a nongermane amendment, as it was yesterday. Not with an amendment that tries to deal with another committee's jurisdiction, as it did yesterday. But with an amendment that is squarely within the jurisdiction of the Transportation and Infrastructure Committee on which I serve and from which this bill comes today.

I know it is an election year, and I know that as much as constituents say they don't like negative ads, they show up and vote based on them every single time. So I know that it would be easy for my colleagues to conclude that the best thing to do running up to an election is to come down here to the House floor and denigrate absolutely everyone who doesn't agree with them. It is not that we have policy disagreements, Mr. Speaker; it is that you must be a scoundrel, they would say. It is not that we have policy disagreements; it is that you must not have a conscience, they will say. It is not that we have policy disagreements; it is that you don't care.

It makes me sad because, as I said yesterday, Mr. Speaker, I know the Members of this body on a personal level, and I know every single one of them cares. We are down here today doing something that matters, and I don't know why folks aren't taking a victory lap for our successes together. I don't know why they want to continue to tear at the fabric that makes this Nation great. Caring about each other is what we do. It is a legitimate disagreement about how to care.

My friend from Massachusetts (Mr. McGOVERN) just talked about student loans. I have this conversation with every single high school class I visit with, Mr. Speaker: How do we love you

best from Washington, D.C.? Do we give you all the money you can possibly borrow so you can go anywhere in the country you want to go to get that bachelor's degree with which you may not be able to find a job and you now have a mortgage-sized debt? Or do we not lend you that money? Do we create work-study programs? Do we create co-op programs? Do we put you to work in contact with employers so that when you leave school, you have no debt and real skills and real experience?

It is a fair disagreement. Some folks may think you love people more by giving them all the free money they can handle and the mortgage debt that goes with it. Other folks think you love folks by giving them real-world experience, real-world skills, and a real employer to talk to.

I don't think that you hate children if you make that wrong decision. I think that we are having a discussion about how to love on those children.

Mr. Speaker, what we are down here doing today is not about stepping on low-income Americans. We could have a better debate about this issue if that wasn't what folks would come down and perpetuate. It is undeniable—and every single Member of this institution has seen it back home. It is undeniable that real working families are showing up on our doorstep, saying: Congressman, there is a problem; I need you to fix it.

The administration just moved forward and doubled—doubled—the wage for which you now qualify for overtime. Now, in my part of the world—we are not New York City; we are not Los Angeles, California; we are not San Francisco. \$45,000 a year in my part of the world is what a manager makes. It is what a manager is going to make—a manager.

What the Department of Labor has said is: You know what? Overtime—which is what is paid to workers, not management. Salary is paid to management; hourly pay to workers. What the Department of Labor has said is: You know what? We are going to have a one-size-fits-all solution because, clearly, people living in small town Georgia should be regulated by the same rules as people living in downtown New York City. Surely, if we are going to fight poverty, what works in downtown New York City is the exact same thing we are going to need in small town Georgia.

□ 1315

Mr. Speaker, you know that is nonsense. It is not true in your area; it is not true in my friend from Massachusetts' area; and it is certainly not true in my hometown.

My friends will come to the floor and tell you it is because Republicans just don't like working people. This bill exempts three categories of people and three categories only: educational institutions, small businesses, and non-profits.

The Boys & Girls Clubs of America are headquartered in Atlanta, Georgia.

They wrote to the Department of Labor when the Department of Labor released this regulation. They said they opposed it. They said the regulation in its current form was going to undermine their ability to serve young people. They are not alone.

Mr. Speaker, those concerns are real, and if my friends on the other side of the aisle would sit down and talk to us about them, I know that they care about these issues like I care about these issues. We can all work to change what that limit is, but we don't have to throw families out of jobs. As a result, we don't have to punish small-business owners trying to make it work. As a result, we don't have to punish non-profits who have one goal and one goal only, and that is to make a difference in people's lives. As a result, I don't believe, when I disagree with my colleagues on the House floor, it is because they are bad people. I think they are good people with bad ideas.

If we can sit and talk together, a group of good people around the table with differing ideas, I know that we can come to a conclusion, which is what we have done with the second bill in this rule, Mr. Speaker, the WRDA bill.

My friend from Massachusetts mentioned a terrible habit of closed rules. There were 44 amendments made available to this bill, Mr. Speaker—44. That is a bill that passed unanimously with unlimited debate and unlimited amendments coming out of committee. We made 44 more amendments in order on this House floor.

I am constantly amazed at the improvements that come from right here, colleagues who may not be on the committee who don't have an opportunity to make a difference. They bring an amendment to the Committee on Rules, we come together and we make it in order. We bring it to the House floor. It makes a difference.

Mr. Speaker, the WRDA bill is going to affect something in every single district we have in this Chamber—every single district—whether it is direct, as it will be in the Port of Savannah or the Port of Charleston; whether it is indirect, as it will be for all the inland ports in the country; whether it is indirect because of all the job growth that happens around the country as a result. Ninety-nine percent of all of the imports and exports coming through this country, moving through our ports system, we did that together.

I sat through those long committee hearings, Mr. Speaker. I don't remember anyone being called a scoundrel. I don't remember anyone being accused of not having a conscience. I don't remember anyone being called a racist. And I distinctly remember the bill coming out of committee on a voice vote, unanimous support.

Mr. Speaker, the American people will believe us if we tell them how incapable we are; the American people will believe us if we tell them how broken self-government is; and the American people will believe us if we tell

them that nobody else has anything to bring to the table except their Member of Congress. But those things will not be true.

We are not just moving a bill to protect nonprofits and educational institutions and small business, Mr. Speaker. We are not just moving a bill that is going to do more to protect inland waterways and the economy than what we have seen in previous years, Mr. Speaker; we put together a package that I believe is going to start the logs rolling for all of the other priorities that we have in this Chamber. But we can't get to them unless we pass this rule.

This rule came out of the Committee on Rules last night about 11:30, Mr. Speaker. The Committee on Rules was working late on your behalf last night. They say nothing good happens after midnight. That is why we finished up at 11:30. We have got a good rule for you. It is worthy of the support of this Chamber.

I ask all of my friends to support the rule, to support the underlying legislation, and to allow us to continue to be about the business of the American people.

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

AN AMENDMENT TO H. RES. 897 OFFERED BY  
MR. MCGOVERN

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

SEC. 7. 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. 1434) to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, 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. 8. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1434.

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

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

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

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

The yeas and nays were ordered.

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

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

#### PFC JAMES DUNN VA CLINIC

Mr. LAMBORN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3283) to designate the community-based outpatient clinic of the Department of Veterans Affairs in Pueblo, Colorado, as the "PFC James Dunn VA Clinic".

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3283

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

#### SECTION 1. DESIGNATION OF PFC JAMES DUNN VA CLINIC IN PUEBLO, COLORADO.

(a) DESIGNATION.—The community-based outpatient clinic of the Department of Veterans Affairs in Pueblo, Colorado, shall after the date of the enactment of this Act be known and designated as the "PFC James Dunn VA Clinic".

(b) REFERENCES.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the community-based outpatient clinic referred to in subsection (a) shall be considered to be a reference to the PFC James Dunn VA Clinic.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. LAMBORN) and the gentlewoman from California (Ms. BROWNLEY) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

#### GENERAL LEAVE

Mr. LAMBORN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and add extraneous materials.

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

There was no objection.

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

Mr. Speaker, I rise today in support of S. 3283 to name the Department of Veterans Affairs community-based outpatient clinic in Pueblo, Colorado, the PFC James Dunn VA Clinic.

I am grateful to this bill's sponsor, Senator CORY GARDNER, for his efforts introducing this legislation. I am also grateful to my colleague and friend, the gentleman from Colorado (Mr. TIPPON), for his work championing this

bill in the House and ensuring that Private First Class Dunn is honored for his service.

PFC Dunn was a Colorado native and a long-time resident of the city of Pueblo. He enlisted in the United States Marine Corps in 1942, when he was just 22 years old.

While serving in the Solomon Islands in the Pacific theater later that year, PFC Dunn and 12 of his fellow marines were separated from the rest of their patrol and pinned down by hostile fire. After the commanding officer and the second in command were severely wounded, PFC Dunn—on his own initiative and with complete disregard for his own safety—assumed command.

In the face of fierce mortar and machine-gun fire, he successfully led his men to cover and eventually to safety. In recognition of his bravery and leadership throughout that incident, he was awarded the Navy Cross.

S. 3283 satisfies the committee's naming criteria and is supported by the entire Colorado congressional delegation as well as by veterans service organizations, including the Disabled American Veterans and the Veterans of Foreign Wars. I urge all of my colleagues to join me in supporting this legislation.

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

Ms. BROWNLEY of California. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of S. 3283, a bill to designate the community-based outpatient clinic of the Department of Veterans Affairs in Pueblo, Colorado, as the PFC James Dunn VA Clinic.

Marine Reservist PFC James Dunn, Jr., was awarded the Navy Cross for his heroism in Guadalcanal in 1943. His award is the second highest award for valor that the Navy has. I am often told this about heroes: ordinary men do extraordinary things.

Later in life, Jim Dunn was asked why he joined the Marines, and he simply responded: "Uncle Sam needed me."

Let me highlight from his citation for the Navy Cross:

When the combat patrol with which he was serving came under heavy machine-gun shelling, Private First Class Dunn, along with 11 marines and their command officer, became separated from the remainder of the patrol and were pinned down by hostile fire. After the commanding officer and the second in command had been severely wounded, Private First Class Dunn, on his own initiative and with complete disregard for personal safety, promptly assumed command and led the men to jungle cover in the face of fierce mortar and machine-gun fire. Again trapped by Japanese, he reconnoitered and finally succeeded in leading his group, including the wounded, to their own lines.

As you can see by this citation, PFC James Dunn put the safety of his colleagues above his own. For his courage in the face of grave danger, he was decorated with the Navy Cross.

Following the war, James Dunn returned home to Pueblo, Colorado,

where he lived with his family before passing away in 2000.

Mr. Speaker, I salute this brave marine and support the passage of this bill.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado (Mr. TIPTON), my friend and colleague from the Third Congressional District. I serve with Representative TIPTON, and his district includes Pueblo. Many times we have discussed what is good for the people of Colorado and what we can do to help, where the Federal role is appropriate; and I have to tell you, Representative TIPTON is a strong fighter and tireless in serving his district, and especially Pueblo itself.

Mr. TIPTON. Mr. Speaker, I thank the ranking member for the bipartisan support on this legislation, and I want to extend my sincere thanks to Congressman LAMBORN for all of his hard work on behalf of our VA and the healthcare issues for our veterans who are so in need of making sure those promises are fulfilled for them.

Mr. Speaker, today I rise to speak in support of naming one small part of that healthcare system after a true American hero, Private First Class James Dunn. James Dunn was born in Stratton, Colorado, and found work in Pueblo, Colorado, at the steel mill after he graduated from high school.

While walking down the street one day in June of 1942, he saw what we now consider a classic poster of Uncle Sam pointing straight at him saying, "I want you." Fascinated, he entered the recruiting station and noticed that the line to enlist in the Marines was empty compared to the line for the Navy. That made his choice easy. When asked later why he joined, his reply was simple: "Uncle Sam needed me."

PFC Dunn was initially placed with a group of marines that were being reorganized as L-3-6 at Camp Elliott, California, before they were shipped to New Zealand to train and maneuver in the mountainous terrain that could be found there.

□ 1330

Then, in early January 1943, PFC Dunn's group of Marines was sent to relieve the original force that invaded Guadalcanal.

On January 20, 1943, Dunn's platoon was split into three squads and were conducting a scouting mission when they came under heavy enemy fire. The citation describing his actions that day states, in part, "After the commanding officer and the second in command had been severely wounded, Private First Class Dunn, on his own initiative and with complete disregard of personal safety, promptly assumed command and led the men to jungle cover in the face of fierce mortar and machine-gun fire."

Dunn was later awarded the Navy Cross for his action that day and was credited by many of the surviving

members of his platoon for saving their lives.

PFC Dunn went on to serve in the campaigns on Tinian and Okinawa. All told, when he was discharged, Dunn had spent all but 6 months of his 3½ years in the Marines overseas. When he returned to Pueblo, he married the love of his life Mary Knez and they had two sons, Mike and Jeff. In his civilian life, he became a Mason, enjoyed reading, and, for many years, delivered meals to shut-ins, continuing his service to others. After 54 years of marriage, James passed away in Pueblo on July 5, 2000.

PFC James Dunn embodies the proud military traditions and rugged spirit of the city and the county of Pueblo, Colorado, and I am happy to support the naming of this outpatient clinic in his honor.

Mr. Speaker, I have had the opportunity to be able to tour that clinic and to be able to visit with veterans. He would be honored and pleased to see that PFC James Dunn is now going to be affixed to that facility. Pueblo is known as the home of heroes, and rightly so. PFC James Dunn certainly fits that category.

I would like to thank the Pueblo VA Naming Committee for all of their efforts to support the renaming of this clinic, the support of the United Veterans Council of Colorado, and the many veterans service organizations that it counts as members.

I would also like to thank all of my colleagues in the Colorado delegation for their support and the staff and leadership of the Committee on Veterans Affairs for working with my office to accomplish this important task.

I would like to encourage all of my colleagues to support this bill, and I thank the Dunn family for their heroic father and husband and for his service to our country.

Ms. BROWNLEY of California. Mr. Speaker, I simply just want to say that I urge my colleagues to support passage of this legislation.

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

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

In conclusion, Mr. Speaker, I would ask the House to support this. I think this is one of those opportunities where, with strong bipartisan support, we can pass this legislation and honor the memory of a true American hero, as Representative TIPTON and the ranking member of the subcommittee have both talked about.

This is appropriate for Pueblo, I agree. Pueblo is the home of heroes. They got that name because there were so many people from Pueblo who have received the Congressional Medal of Honor. I don't know if there is something in the water or what, but it is touching to see that kind of patriotism coming out of the people of Pueblo. That really warms my heart.

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

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Colorado (Mr. LAMBORN) that the House suspend the rules and pass the bill, S. 3283.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. LAMBORN. 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 motion will be postponed.

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate having proceeded to reconsider the bill (S. 2040) "An Act to deter terrorism, provide justice for victims, and for other purposes.", returned by the President of the United States with his objections, to the Senate, in which it originated, it was

*Resolved*, That the said bill pass, two-thirds of the Senators present having voted in the affirmative.

The message also announced that pursuant to Public Law 110-315, the Chair, on behalf of the President pro tempore, announces the re-appointment of the following individual to be a member of the National Advisory Committee on Institutional Quality and Integrity: Dr. Paul LeBlanc of New Hampshire.

#### JUSTICE AGAINST SPONSORS OF TERRORISM ACT—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore laid before the House the following message from the Senate:

The Senate having proceeded to reconsider the bill (S. 2040) entitled "An Act to deter terrorism, provide justice for victims, and for other purposes.", returned by the President of the United States with his objections, to the Senate, in which it originated, it was

*Resolved*, That the said bill pass, two-thirds of the Senators present having voted in the affirmative.

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

*To the Senate of the United States:*

I am returning herewith without my approval S. 2040, the "Justice Against Sponsors of Terrorism Act" (JASTA), which would, among other things, remove sovereign immunity in U.S. courts from foreign governments that are not designated state sponsors of terrorism.

I have deep sympathy for the families of the victims of the terrorist attacks of September 11, 2001 (9/11), who have suffered grievously. I also have a deep appreciation of these families' desire to pursue justice and am strongly committed to assisting them in their efforts.

Consistent with this commitment, over the past 8 years, I have directed my Administration to pursue relentlessly al-Qa'ida, the terrorist group that planned the 9/11 attacks. The heroic efforts of our military and counterterrorism professionals have decimated al-Qa'ida's leadership and killed Osama bin Laden. My Administration also strongly supported, and I signed into law, legislation which ensured that those who bravely responded on that terrible day and other survivors of the attacks will be able to receive treatment for any injuries resulting from the attacks. And my Administration also directed the Intelligence Community to perform a declassification review of "Part Four of the Joint Congressional Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 11," so that the families of 9/11 victims and broader public can better understand the information investigators gathered following that dark day of our history.

Notwithstanding these significant efforts, I recognize that there is nothing that could ever erase the grief the 9/11 families have endured. My Administration therefore remains resolute in its commitment to assist these families in their pursuit of justice and do whatever we can to prevent another attack in the United States. Enacting JASTA into law, however, would neither protect Americans from terrorist attacks nor improve the effectiveness of our response to such attacks. As drafted, JASTA would allow private litigation against foreign governments in U.S. courts based on allegations that such foreign governments' actions abroad made them responsible for terrorism-related injuries on U.S. soil. This legislation would permit litigation against countries that have neither been designated by the executive branch as state sponsors of terrorism nor taken direct actions in the United States to carry out an attack here. The JASTA would be detrimental to U.S. national interests more broadly, which is why I am returning it without my approval.

First, JASTA threatens to reduce the effectiveness of our response to indications that a foreign government has taken steps outside our borders to provide support for terrorism, by taking such matters out of the hands of national security and foreign policy professionals and placing them in the hands of private litigants and courts.

Any indication that a foreign government played a role in a terrorist attack on U.S. soil is a matter of deep concern and merits a forceful, unified Federal Government response that considers the wide range of important and effective tools available. One of these tools is designating the foreign government in question as a state sponsor of terrorism, which carries with it a litany of repercussions, including the foreign government being stripped of its sovereign immunity before U.S. courts in certain terrorism-related cases and

subjected to a range of sanctions. Given these serious consequences, state sponsor of terrorism designations are made only after national security, foreign policy, and intelligence professionals carefully review all available information to determine whether a country meets the criteria that the Congress established.

In contrast, JASTA departs from longstanding standards and practice under our Foreign Sovereign Immunities Act and threatens to strip all foreign governments of immunity from judicial process in the United States based solely upon allegations by private litigants that a foreign government's overseas conduct had some role or connection to a group or person that carried out a terrorist attack inside the United States. This would invite consequential decisions to be made based upon incomplete information and risk having different courts reaching different conclusions about the culpability of individual foreign governments and their role in terrorist activities directed against the United States—which is neither an effective nor a coordinated way for us to respond to indications that a foreign government might have been behind a terrorist attack.

Second, JASTA would upset longstanding international principles regarding sovereign immunity, putting in place rules that, if applied globally, could have serious implications for U.S. national interests. The United States has a larger international presence, by far, than any other country, and sovereign immunity principles protect our Nation and its Armed Forces, officials, and assistance professionals, from foreign court proceedings. These principles also protect U.S. Government assets from attempted seizure by private litigants abroad. Removing sovereign immunity in U.S. courts from foreign governments that are not designated as state sponsors of terrorism, based solely on allegations that such foreign governments' actions abroad had a connection to terrorism-related injuries on U.S. soil, threatens to undermine these longstanding principles that protect the United States, our forces, and our personnel.

Indeed, reciprocity plays a substantial role in foreign relations, and numerous other countries already have laws that allow for the adjustment of a foreign state's immunities based on the treatment their governments receive in the courts of the other state. Enactment of JASTA could encourage foreign governments to act reciprocally and allow their domestic courts to exercise jurisdiction over the United States or U.S. officials—including our men and women in uniform—for allegedly causing injuries overseas via U.S. support to third parties. This could lead to suits against the United States or U.S. officials for actions taken by members of an armed group that received U.S. assistance, misuse of U.S. military equipment by foreign forces,

or abuses committed by police units that received U.S. training, even if the allegations at issue ultimately would be without merit. And if any of these litigants were to win judgments—based on foreign domestic laws as applied by foreign courts—they would begin to look to the assets of the U.S. Government held abroad to satisfy those judgments, with potentially serious financial consequences for the United States.

Third, JASTA threatens to create complications in our relationships with even our closest partners. If JASTA were enacted, courts could potentially consider even minimal allegations accusing U.S. allies or partners of complicity in a particular terrorist attack in the United States to be sufficient to open the door to litigation and wide-ranging discovery against a foreign country—for example, the country where an individual who later committed a terrorist act traveled from or became radicalized. A number of our allies and partners have already contacted us with serious concerns about the bill. By exposing these allies and partners to this sort of litigation in U.S. courts, JASTA threatens to limit their cooperation on key national security issues, including counterterrorism initiatives, at a crucial time when we are trying to build coalitions, not create divisions.

The 9/11 attacks were the worst act of terrorism on U.S. soil, and they were met with an unprecedented U.S. Government response. The United States has taken robust and wide-ranging actions to provide justice for the victims of the 9/11 attacks and keep Americans safe, from providing financial compensation for victims and their families to conducting worldwide counterterrorism programs to bringing criminal charges against culpable individuals. I have continued and expanded upon these efforts, both to help victims of terrorism gain justice for the loss and suffering of their loved ones and to protect the United States from future attacks. The JASTA, however, does not contribute to these goals, does not enhance the safety of Americans from terrorist attacks, and undermines core U.S. interests.

For these reasons, I must veto the bill.

BARACK OBAMA.

THE WHITE HOUSE, September 23, 2016.

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal.

The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

The gentleman from Virginia (Mr. GOODLATTE) is recognized for 1 hour.

□ 1345

Mr. GOODLATTE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Michigan (Mr. CONYERS), the ranking member of the Judiciary

Committee, pending which I yield myself such time as I may consume.

GENERAL LEAVE

Mr. GOODLATTE. 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 materials on S. 2040, currently under consideration.

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

There was no objection.

Mr. GOODLATTE. Mr. Speaker, earlier today, the Senate voted 97–1 to override the President's veto on the Justice Against Sponsors of Terrorism Act. I rise to urge my colleagues to follow the Senate's action and vote to override this veto so that Americans may seek judicial redress against any foreign government that chooses to sponsor a terrorist attack on U.S. soil.

The question that this veto override vote poses is whether we should allow those who harm our citizens to hide behind legal barriers that are required by neither the Constitution nor international law, or whether we should permit U.S. victims to hold those who sponsor terrorism in our country fully accountable in our courts. I think that the answer to this question is clear, and I hope that my colleagues will join me in overwhelmingly overriding the President's veto of JASTA.

The changes JASTA makes to existing law are not dramatic, nor are they sweeping.

JASTA amends the Anti-Terrorism Act to make clear that any person who aids, abets, or conspires with a State Department designated foreign terrorist organization is subject to civil liability for injury to a U.S. person.

In addition, the legislation amends the Foreign Sovereign Immunities Act to add an exception to foreign sovereign immunity for acts of international terrorism sponsored by a foreign government that cause physical harm within the United States.

The President objects to this change to the law on the grounds that it upsets principles of foreign sovereign immunity and that, by so doing, our national interests will be threatened by reciprocal treatment from abroad. The President's objections, however, have no basis under U.S. or international law.

The Foreign Sovereign Immunities Act already has nine exceptions to sovereign immunity, including the territorial tort exception. This exception provides that a foreign country is not immune from the jurisdiction of our courts for injuries that it causes that occur entirely within the United States.

Consistent with customary international law, JASTA, for terrorism cases, removes the current requirement that the entire tort occur within the United States and replaces it with a rule that only the physical injury or death must occur on U.S. soil. JASTA

makes this change because, under current law, a foreign nation can provide financing and other substantial assistance for a terrorist attack in our country and escape liability so long as the support is provided overseas.

For example, under current law, if the intelligence agency of a foreign government handed a terrorist a bag of money in New York City to support an attack on U.S. soil, the country would be liable under the Foreign Sovereign Immunities Act's tort exception right now. However, if we change the fact pattern slightly so that rather than giving a terrorist money in New York City the money is provided in Paris, the foreign state will not be subject to liability in U.S. courts. This is a troubling loophole in our antiterrorism laws.

When Congress enacted the Foreign Sovereign Immunities Act in 1976, it put in place a broad set of exceptions to sovereign immunity, including an exception for tort claims involving injuries occurring in the United States. However, the courts have not consistently interpreted those exceptions in such a manner that they cover the sponsoring of a terrorist attack on U.S. soil. JASTA addresses this inconsistency with a concrete rule that is consistent with the nine longstanding exceptions to foreign sovereign immunity already provided for under U.S. law.

JASTA ensures that those, including foreign governments, who sponsor terrorist attacks on U.S. soil are held fully accountable for their actions. We can no longer allow those who injure and kill Americans to hide behind legal loopholes denying justice to the victims of terrorism.

I urge my colleagues to vote to override the President's veto.

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

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

Mr. Speaker, the September 11, 2001, terrorist attacks on the United States constituted the deadliest foreign attack on American soil in our Nation's history. Their impact has been immeasurable, as evidenced by the fact that we are still grappling with their cultural and policy implications.

Fifteen years later, their powerful emotional effect on Americans remains as strong as ever. Those who lost loved ones or were injured as a result of this horrific attack deserve our deepest sympathy and our help.

It is in this vein that we consider whether to override the President's veto of S. 2040, the Justice Against Sponsors of Terrorism Act, which, among other things, amends the Foreign Sovereign Immunities Act of 1976 to create a new exception to the act's general grant of foreign sovereign immunity.

The bill's supporters present compelling and sympathetic arguments in favor of ensuring that the 9/11 families have access to a well-deserved day in court.

In his veto message, however, the President raised a number of serious substantive concerns about the potential unintended consequences of this legislation.

First, the President stated that S. 2040 could undermine the effectiveness of our Nation's national security and counterterrorism efforts. For instance, other nations may become more reluctant to share sensitive intelligence in light of the greater risk that such information may be revealed in litigation.

Moreover, the President raised the concern that this legislation would effectively allow nonexpert private litigants and courts, rather than national security and foreign policy experts, to determine key foreign and national security policy questions like which states are sponsors of terrorism.

Second, the President's assertion that enactment of S. 2040 may lead to retaliation by other countries against the United States given the breadth of our interests and the expansive reach of our global activities.

So while it seems likely at this juncture that S. 2040 will be enacted over the President's veto, I remain hopeful that we can continue to work toward the enactment of subsequent legislation to address the President's concerns.

I understand the moral imperative of enacting legislation in this matter, but I am sensitive to the seriousness of the concerns that the President raised.

I had expressed the hope, during floor debate on this bill, that Congress and the President could work together to find a better balance that would still enable 9/11 victims to seek justice while tempering the President's concerns.

There is no doubt as to the passion that the bill's supporters bring to advocating for the victims of the September 11, 2001, attacks, a passion that I share.

As legislators, however, we must be driven not only by understandable emotions but by thoughtful consideration of the long-term interests of our country. And for this reason, the expected outcome of today's vote should not be the end of this matter.

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

Mr. GOODLATTE. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. KING), the chief sponsor of this legislation.

Mr. KING of New York. Mr. Speaker, I thank the gentleman from Virginia (Mr. GOODLATTE), the chairman of the Judiciary Committee for yielding. Let me, at the outset, thank him for the outstanding work that he has done in bringing this bill, this legislation, to this historic moment where I certainly hope and urge the House of Representatives to override—to join the Senate in overriding the President's veto of JASTA.

I take very seriously the objections the President has raised, but this bill wasn't drawn in a vacuum, and it hasn't reached this stage in a vacuum.

Primarily led by people like Chairman GOODLATTE, Congressman NADLER, who is the chief cosponsor of the bill, and also by the leading sponsors in the Senate, all of the President's objections, I believe, were addressed. Changes were made.

This bill is not going to put American soldiers at risk. It is not going to put American diplomats at risk. What it is going to do is finally allow the 9/11 families to have their day in court to seek the justice they have long been denied. And if the Government of Saudi Arabia has no involvement, if there is no liability, they have nothing to worry about.

But the fact is, those of us who live in New York, who live in New Jersey, and all Americans, no matter where you happen to live, those of us who were alive on that day know how much this affected all of us. But just think about how it affected those families, those who lost their husbands and wives and children and grandchildren and mothers and fathers.

So it is really essential that this House today stand on the side of those who seek justice, realizing that we are doing nothing in any way at all to put any American lives at risk. What we want to do is seek justice against those who did cause Americans to die.

Again, I thank the Senate for their override vote today. I thank Chairman GOODLATTE for his outstanding work. I thank my good colleague, JERRY NADLER. DAN DONOVAN has done so much since he has come to the Congress.

I urge the House of Representatives to join with the Senate in overriding the veto of the President of the United States.

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

Mr. NADLER. I thank the gentleman for yielding.

Mr. Speaker, I want to start by thanking PETER KING and BOB GOODLATTE for their role in bringing this bill to the floor as the sponsor and committee chairman.

I rise in strong support of overriding the President's veto of JASTA. JASTA is a carefully crafted, narrow bill that would hold accountable foreign governments that knowingly provide substantial assistance to a designated foreign terrorist organization that launches an attack in the United States.

Despite the overblown rhetoric of some critics of this bill, JASTA will not pose a threat to American military personnel or diplomats. They would be absolutely protected if another country passed legislation mirroring this bill because JASTA applies only to governments.

To the extent that a foreign government might pass broader legislation that would make American personnel subject to liability, that country would not be reciprocating. It would be engaging in a transparent and unjustifiable act of aggression.

The economic, diplomatic, and military strength of the United States

makes such action unlikely, and any rogue state inclined to target U.S. interests can already do so. We must not hold justice for the 9/11 families hostage to imagined fears.

Mr. Speaker, 15 years ago, on September 11, we suffered the most deadly terrorist attack on our soil in this Nation's history. My district in New York was the epicenter of this attack, but its effects were felt across the country, including, of course, at the Pentagon and in Pennsylvania. We all have an interest in ensuring that the 9/11 victims and their families can bring to justice anyone who was responsible for this vicious attack.

JASTA simply reinstates what was understood to be the law for 30 years; that foreign states, not individuals, not soldiers, foreign states, may be brought to justice for aiding and abetting acts of international terrorism that occur on American soil, whether or not the conduct that facilitated the attack occurred in the United States.

Some courts have recently held that if a foreign government agent hands over a check to al Qaeda in a cafe in New York to fund a terrorist attack in the United States, that government can be sued in an American court. But if that same foreign agent funds the same attack by handing over the same check in a cafe in Geneva, the government is immune from suit.

That makes no sense, and it flies in the face of what had been settled law for many years. Longstanding U.S. law, under the Foreign Sovereign Immunities Act, provides jurisdiction to sue foreign states that cause a tortious injury on American soil. That is current law.

□ 1400

This is the international norm, and it has never prompted retaliatory conduct by other nations. This bill simply clarifies that if a foreign state murders thousands of Americans on American soil or provides substantial assistance to a designated terrorist group that murders thousands of Americans on American soil, that government cannot hide from justice merely because its actions occurred abroad.

This bill does not target any particular country or prejudice the merits of any particular case. Any government brought before a U.S. court will have every defense available to it, as well as extensive protections and government privileges during discovery to protect against disclosure of its sensitive information. What it will not be able to do is hide behind erroneous court decisions and jurisdictional loopholes to avoid the legal process altogether.

We have heard a parade of horrors stemming from a hypothetical fear that other nations would use JASTA as an excuse to target American citizens. Again, if a foreign government passes legislation that mirrors JASTA, American citizens would still be absolutely protected because JASTA applies only



to governments. A foreign government is highly unlikely to pass legislation that goes beyond JASTA. If a rogue state does, in fact, authorize suits against American personnel abroad, we have a well-established process for defending such actions. According to the Office of Foreign Litigation at the Department of Justice, "at any given time, foreign lawyers under the direct supervision, represent the United States in approximately 1,000 lawsuits pending in the courts of over 100 countries." This is not a new issue for the United States, and we are well equipped to deal with any consequences.

We are warned that Saudi Arabia will be very angry if we approve this bill, that the Saudis may retaliate against the United States, may perhaps withdraw some investments. History shows that the Saudis will do what is in their interests. They need American support and American arms in the volatile Middle East where they fear and fight Iran and its proxies. They are not going to prefer their emotions to their interests and act against the United States.

If the Saudi Government was not complicit in the attack on 9/11, the plaintiffs will fail to prove such complicity in an American court. Justice will have been served, and the Saudis will be vindicated after years of suspicion. But if it is proven in an American court that the Saudi Government was complicit in the attacks on 9/11, justice will have been served and we—not the Saudis—will have justification to be very angry.

Mr. Speaker, this bill was carefully negotiated over more than 6 years. It passed the House and Senate unanimously, and earlier today, the Senate voted 97-1 to override the President's veto. All that stands in the way of justice for the 9/11 victims and their families is a vote in this House. I urge my colleagues to stand with them and to override the veto.

Mr. GOODLATTE. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. THORNBERRY), the chairman of the Armed Services Committee.

Mr. THORNBERRY. Mr. Speaker, I first want to thank the gentleman from Virginia for yielding, and, secondly, commend him for his work to try to tailor this measure in as narrow a way as possible.

I also want to commend the gentleman from New York (Mr. KING) for his strong, persistent advocacy for the families of the victims of 9/11. All of us share in their grief. The country has not gotten over that horrible incident, and all of us have contempt for those who carry out terrorist attacks and those who support them.

My concern for this legislation, however, is more related to the unintended consequences that it may have because one of the key protections for the military, diplomats, and intelligence community of the United States has around the world is this doctrine of sovereign immunity. Once that doc-

trine gets eroded, then there is less protection, and we, the United States, has more at stake in having our people protected than any other country because we have more people around the world than anyone else.

So, in this Congress, we can control the laws of the United States, and we can write them narrowly in a fine-tuned way to just achieve our objective. But then other countries respond. They may not have their laws narrowly defined in such a fine-tuned way. They may make them broader. Their practice may not have the protections that ours do. So the concern is that this starts a series of unintended consequences that will increase the risk to U.S. military personnel around the world, U.S. intelligence community personnel around the world, and diplomats around the world. That is the reason you have widespread concern that has been voiced in each of those communities for this legislation.

Let me just read briefly from a letter from the Chairman of the Joint Chiefs of Staff that has been available to all Members. It says: "Any legislation that risks reciprocal treatment by foreign governments would increase the vulnerability of U.S. Servicemembers to foreign legal action while acting in an official capacity."

That is the concern, that we lower the protections that our people have around the world. Remember, when we send our military out, they have to follow orders. They are implementing U.S. policy. They have no choice. If they are called before a foreign court, if they are required to give testimony in a foreign court, even if they are not the defendant, then they are jeopardized, as is sensitive information from the United States.

Mr. Speaker, so my point is that I understand totally the sympathies for the victims as well as the desires many people have to override this veto, but we also should keep in mind the longer term consequences for our military who serve our Nation all around the world.

Mr. Speaker, I include in the RECORD a letter from the Secretary of Defense and a letter from the Chairman of the Joint Chiefs of Staff on this issue.

SECRETARY OF DEFENSE,

*Washington, DC, September 26, 2016.*

Hon. WILLIAM M. "MAC" THORNBERRY,

*Chairman, Committee on Armed Services, House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: Thank you for your letter of September 23, 2016, regarding the President's veto of S. 2040, the Justice Against Sponsors of Terrorism Act (JASTA). I support the President's position. We appreciate the opportunity to provide views on this important issue.

As I stated in my testimony before the Senate Armed Services Committee on September 22, 2016, I agree with the intent of the bill, which is to honor the families of 9/11 victims. While we are sympathetic to the intent of JASTA, its potential second- and third-order consequences could be devastating to the Department and its Service members and could undermine our important counterterrorism efforts abroad.

In general terms, JASTA would allow lawsuits in U.S. Federal Courts against foreign states for actions taken abroad that are alleged to have contributed to acts of terrorism in the United States, notwithstanding long-standing principles of sovereign immunity. Under existing law, similar lawsuits are available for actions taken abroad only by designated state sponsors of terrorism. JASTA extends the stripping of immunity to states that are not designated sponsors of terrorism, potentially subjecting many of the United States' allies and partner nations to litigation in U.S. courts.

JASTA has potentially harmful consequences for the Department of Defense and its personnel. Adoption of JASTA might result in reciprocal treatment of the United States and other countries could create exceptions to immunity that do not directly mirror those created by JASTA. This is likely to increase our country's vulnerability to lawsuits overseas and to encourage foreign governments or their courts to exercise jurisdiction over the United States or U.S. officials in situations in which we believe the United States is entitled of sovereign immunity. U.S. Service members stationed here and overseas, and especially those supporting our counterterrorism efforts, would be vulnerable to private individuals' accusations that their activities contributed to acts alleged to violate a foreign state's law. Such lawsuits could relate to actions taken by members of armed groups that received U.S. assistance or training, or misuse of U.S. military equipment by foreign forces.

First, whether the United States or our Service members have in fact provided support for terrorist acts or aided organizations that later commit such acts in violation of foreign laws is irrelevant to whether we would be forced to defend against lawsuits by private litigants in foreign courts. Instead, the mere allegation of their involvement could subject them to a foreign court's jurisdiction and the accompanying litigation and intrusive discovery process that goes along with defending against such lawsuits. This could result in significant consequences even if the United States or our personnel were ultimately found not to be responsible for the alleged acts.

Second, there would be a risk of sizeable monetary damage awards in such cases, which could lead to efforts to attach U.S. Government property to satisfy those awards. Given the broad range of U.S. activities and robust presence around the world, including our Department's foreign bases and facilities abroad, we would have numerous assets vulnerable to such attempts.

Third, it is likely that litigants will seek sensitive government information in order to establish their case against either a foreign state under JASTA in U.S. courts or against the United States in a foreign court. This could include classified intelligence data and analysis, as well as sensitive operational information. While in the United States classified information could potentially be withheld in certain narrow circumstances in civil lawsuits brought by private litigants against our allies and partners, no legislation specifically protects classified information in civil actions (unlike protections afforded in criminal prosecutions) or under JASTA. Furthermore, if the United States were to be sued in foreign courts, such information would likely be sought by foreign plaintiffs, and it would be up to the foreign court whether classified or sensitive U.S. Government information sought by the litigants would be protected from disclosure. Moreover, the classified information could well be vital for our defense against the accusations. Disclosure could put the United States in the



difficult position of choosing between disclosing classified or otherwise sensitive information or suffering adverse rulings and potentially large damage awards for our refusal to do so.

Relatedly, foreign lawsuits will divert resources from mission crucial tasks; they could subject our Service members and civilians, as well as contractor personnel, to depositions, subpoenas for trial testimony, and other compulsory processes both here and abroad. Indeed, such personnel might be held in civil or even criminal contempt if they refused to appear or to divulge classified or other sensitive information at the direction of a foreign court.

Finally, allowing our partners and allies—not just designated state sponsors of terrorism—to be subject to lawsuits inside the United States will inevitably undermine the trust and cooperation our forces need to accomplish their important missions. By damaging our close and effective cooperation with other countries, this could ultimately have a chilling effect on our own counterterrorism efforts.

Please let me know if there is any additional information the Department can provide.

Sincerely,

ASH CARTER.

CHAIRMAN OF THE  
JOINT CHIEFS OF STAFF,  
Washington, DC.

Hon. WILLIAM M. “MAC” THORNBERRY,  
Chairman, Committee on Armed Services, U.S.  
Senate Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your 23 September 2016 letter regarding the President's veto of the Justice Against Sponsors of Terrorism Act. I have read Secretary Carter's response, and share his concerns on the potential second- and third-order consequences of such legislation. As you deliberate, I would ask that you consider the following issues that affect the Joint Force.

Any legislation that risks reciprocal treatment by foreign governments would increase the vulnerability of U.S. Service members to foreign legal action while acting in an official capacity. For example, U.S. Service members, especially those supporting counterterrorism operations, could be subjected to a foreign court's jurisdiction if it is alleged that they took actions that violated a foreign state's law. Whether the allegations are ultimately proven to be without merit is not an adequate guide, as the service members will have already been subjected to the foreign court's litigation process.

In those cases where a foreign government decides to exercise jurisdiction over a U.S. Service member, the Service member could be held in civil, or criminal, contempt should they refuse to appear or otherwise comply with the foreign court's orders. This concern would extend to cases where the United States would be at risk of substantial monetary damages, which could lead to attempts to seize U.S. military property overseas in order to satisfy any monetary awards.

If a U.S. Service member were to be sued in a foreign court, it would be up to the foreign court to decide whether classified or sensitive U.S. Government information would be required as part of the litigation process. This could put the United States in the position of choosing between the disclosure of classified or sensitive information, and subjecting a U.S. Service member to an adverse foreign court ruling.

Finally, regardless of the specific legislation being considered, any legislation that effects the long-standing principles of sovereignty should carefully consider any risks to the close security cooperation relation-

ships between the United States and our allies and partners.

Sincerely,

JOSEPH F. DUNFORD, JR.  
General, U.S. Marine Corps.

Mr. CONYERS. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. SCOTT). Mr. SCOTT is a former member of the Judiciary Committee. He is now the ranking member on the Education and the Workforce Committee.

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, the terrorist attacks perpetrated against our Nation 15 years ago killed nearly 3,000 people. No one can fully fathom the grief still felt by families to lose their loved ones in such a horrific way. We understand the need to continue to seek justice against those who may have aided and abetted the individuals that orchestrated these attacks. However, this legislation is not the right way to go about achieving that justice.

JASTA abrogates a core principle in international law—foreign sovereign immunity. There are already several exceptions to this immunity recognized by our Nation and others, but JASTA goes much further than any present exception or recognized practice of any national law. Mr. Speaker, as the gentleman from Texas just suggested, one fundamental indication of fairness of legislation is not how it would work to our benefit, but what we would think if it were used against us.

If the United States decides to allow our citizens to haul foreign nations into American courts, what would we think of other nations enacting legislation allowing their citizens to do the same thing to us?

Obviously, we would not want to put our diplomats, military, and private companies at that risk.

Consider our Nation's actions in Iraq. While there may be questions about Saudi Arabia's indirect involvement in 9/11, there is no question about who the state-sponsored actor was in 2003 when we bombed Baghdad and killed and injured hundreds of thousands of people with little or no evidence that Iraq was any immediate threat to the United States or our allies.

What would we think if Iraq enacted legislation similar to JASTA, allowing their citizens to sue the United States for acts perpetrated during the Iraqi war?

American soldiers and contractors living and working in Iraq today could be hauled in to Iraqi court, tried by an Iraqi judge, held responsible by an Iraqi jury that would assess the amount of money owed to each and every Iraqi citizen killed or maimed.

Furthermore, if they adopted similar legislation to this, other nations could sue the United States and our citizens for sponsoring organizations they deem as terrorist organizations. Unfortunately, these discussions are already taking place in capitals around the world because of this legislation.

JASTA does not make clear how the evidence would be gathered to help build a credible case against a foreign nation.

Would the plaintiffs be able to subpoena foreign officials? Or would the U.S. Department of State officials have to testify? Would we be required to expose sensitive materials in order to help American citizens prove their case? Again, how would we feel about foreign judges and juries deciding whether or not the United States sponsored terrorism?

There are also questions about how the judgment under JASTA would be enforced. The legislation does not address how a court would enforce the judgment.

Could foreign assets be attached? How would this process work if other countries enacted similar legislation? Would U.S. assets all over the world be subject to attachment to satisfy the foreign jury verdicts?

Mr. Speaker, there are many other more responsible mechanisms that this body could enact to hold foreign actors accountable for their involvement in international terrorism without exposing the United States or our citizens to lawsuits all over the world.

We should do the responsible thing, Mr. Speaker, and sustain the President's veto of this legislation.

Mr. GOODLATTE. Mr. Speaker, I yield myself 1 minute to respond to the gentleman from Texas and the gentleman from Virginia.

First of all, with regard to some of the examples given by the gentleman from Texas, I want to make clear that this is the Foreign Sovereign Immunities Act that is being amended—foreign sovereign, not individuals. So if another country were to flip this and take action under their laws to do something in their courts, it would only apply to governments, not to individuals.

So with regard to the assertions made by the gentleman from Virginia, many countries have already done what we are proposing to do here today. The whole tort rule that is utilized in the United States which says, just as an example, if you provided a bag of money to a terrorist in the United States, you can sue that foreign government in our country right now, in our courts right now. It would change so that if they provided the bag of money in Paris, you could do it there.

Right now it is a loophole. Guess what? Any foreign government that wants to sponsor terrorism in the United States, what is the first thing they are going to do right now under current law?

They are going to make sure that the money is transferred outside the United States so they are not subject to the jurisdiction of U.S. courts.

Customary international law does not seem to require the entire tort limitation.

The SPEAKER pro tempore (Mr. HULTGREN). The time of the gentleman has expired.

Mr. GOODLATTE. Mr. Speaker, I yield myself an additional 1 minute.

Mr. Speaker, Article 12 of the United Nations Convention on Jurisdictional Immunities of States and Their Properties would apply the territorial tort exception if the act or omission occurred in whole or in part in the territory of the state exercising jurisdiction.

Most nations that have codified the exception appear to require some act or omission in their territories, but it is not clear that these nations have done so from a sense of international legal obligation rather than from comity. Even if customary international law were properly read to preclude a nation from applying the territorial tort exception solely on the basis of death and damage within its territory, the application of JASTA to the 9/11 cases, as an example, would still not violate international law since the 9/11 attacks clearly involved tortious acts in the United States.

JASTA requires that the physical harm occur in the United States. But to have an exception that says that if people aid and abet from outside the United States, their government—the government—aids and abets from outside the United States, that government can evade the courts of the United States. That is wrong.

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

Mr. GOODLATTE. Mr. Speaker, I yield myself an additional 30 seconds to point out one additional thing. Under JASTA, the President or his representative, the Secretary of State, can appear in the court where a lawsuit is brought and delay the proceedings for a period of time, but not forever.

Then, if that time expires and whatever effort the United States has made to resolve this with a foreign government does not change the circumstances, they can still go back to the court and they can ask the court to delay further. But then it is up to the court to make that decision.

Again, I urge my colleagues to override the President's veto.

Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. LANCE).

□ 1415

Mr. LANCE. Mr. Speaker, I rise today in strong support of overriding the President's veto of the Justice Against Sponsors of Terrorism Act.

This is our constitutional prerogative. We in Congress can override the veto of a President, and in this case a strong bipartisan majority disagrees with the President. Earlier today, the Senate of the United States voted 97–1 in favor of an override.

It is right and just that the victims of the horrific terrorist attacks of September 11, 2001, be able to pursue full justice in our courts of law. I am a lawyer, and I have worked with constitutional and statutory issues. I also rep-

resent a congressional district in New Jersey that lost 81 people on 9/11.

Opposing views fear repercussions against the United States if this legislation becomes law, but the United States does not support, finance, or condone international terrorism. We are the Nation that historically has helped rid the world of evil, and we have nothing to fear from truth and justice. Nations around the world should recognize the fundamental justice in legal remedies against a terrorist network that killed nearly 3,000 Americans.

It is our duty to provide the victims of 9/11 this legislative remedy by which they can seek the facts, and the Federal Government should be as transparent as possible with the evidence and the intelligence. The still grieving families of 9/11 deserve their day in court—they have waited long enough—and this narrowly tailored legislation will give them recourse for full justice and compensation.

Mr. Speaker, any override of a Presidential veto is a serious and sober matter. I do not advocate an override lightly. I deeply respect the Office of the President of the United States. This President has never been overridden by the Congress. I believe, however, that an override is the better public policy in this momentous situation.

Mr. CONYERS. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Texas (Ms. JACKSON LEE), who serves both on the Homeland Security Committee and Judiciary Committee with great skill.

Ms. JACKSON LEE. Mr. Speaker, I thank the ranking member.

I think it is important to state on the floor of the House that President Obama has been an outstanding Commander in Chief.

I have served on the Judiciary Committee proudly for the tenure I have had in the United States Congress and on the Homeland Security Committee since the tragedy of 9/11. I am committed to engaging in efforts to develop policies that anticipate and respond to new and emerging challenges to the security of our Nation and to the peace and safety of the world.

However, I will never forget September 11. 2,977 men, women, and children were murdered by 19 hijackers who took commercial aircraft and used them as missiles. I stood on the front steps of the Capitol and sang with Members of this Congress “God Bless America.” I visited the World Trade Center in the months and weeks after this heinous tragedy and grieved continuously each year as we commemorate, sadly, 9/11.

9/11 will always be remembered, and the loss of these families will always be painful and piercing. Just recently, the Judiciary Committee had a hearing on the bill the Justice Against Sponsors of Terrorism Act. The supporters of the bill offered powerful and compelling testimony in favor of ensuring that 9/11 families have access to their day in

court against the parties directly and vicariously liable for the injuries that they suffer.

Now, I also take into consideration the concerns of the administration, which deal with undermining sovereign immunity and opening up U.S. diplomats and military servicemembers to legal action overseas if foreign countries pass reciprocal laws. In addition, the President has said that JASTA would upset longstanding international principles regarding sovereign immunity, putting in place rules that, if applied globally, could have serious implications.

However, 9/11 families may sue a country designated as a state sponsor of terrorism, such as Iran today. The only thing that this bill would allow is that U.S. citizens be able to sue countries without that designation.

Let me suggest to our friends that, under the facts that we know, 19 of these attackers on 9/11 were Saudi citizens. They did not represent the government. This is not giving permission to sue the government under its government actions as much as it is to recognize that these were citizens who operated outside of that realm and to allow these citizens of the United States to have relief. You cannot deny the citizenship of these individuals. I would also suggest that these individuals are common criminals, and why should individuals who have been harmed be prevented from addressing the common criminality because they are from a different country?

I would make the argument that we are not finished with this at this point. I hope there will be further discussions. I do believe that if countries decided to take up and sue legitimate actions of the United States in defense of their nation, they would have the full power and force of law of the United States to be defended. I don't believe that will happen.

I do believe that we should continue further discussion on this very important topic. But as well, having been a senior member, again, on the Homeland Security Committee during the many meetings that we had with the 9/11 families and ultimately passing the 9/11 legislation as I chaired the Transportation Security Subcommittee, I believe that listening over and over again to the devastation and the need to ensure there are laws to protect this Nation, that this measure provides the extra opportunity to address the common criminality of individuals whose citizenship lies in one place or another.

We should stand, however, in protecting U.S. diplomats, military service, and intelligence community members, and I believe this country has the power to do so. I believe, at this point, the matter of the 9/11 families should be addressed, and we should address it today.

Mr. GOODLATTE. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. DONOVAN).

Mr. DONOVAN. Mr. Speaker, I thank Chairman GOODLATTE for yielding.

Foreign threats should never dictate American policy, but that is, unfortunately, what happened with President Obama's veto of this legislation.

That a foreign government can hide behind sovereign immunity after slaughtering Americans in our own homeland is an outrage, so it is no wonder that this bill was passed by Congress unanimously. Terror victims can already sue individuals for complicity in an attack. A foreign government shouldn't be immune from justice simply because it is a government.

For those of my colleagues who may be reluctant about voting for an override of this veto, I think Chairman GOODLATTE's explanation of the bill should give them peace. There are already nine exemptions to the sovereign immunity law, and JASTA will not create a tenth. It modifies one of those nine.

JASTA is about 9/11 victims who have waited more than 15 years to have their day in court. It is about the families of over 300 people killed that day who lived in my congressional district. It is about my friend, Lori Mascali, whose husband, firefighter Joseph Mascali, died that day saving other people's lives.

I urge my colleagues to put American victims of terror first by voting to override the President's veto.

Mr. CONYERS. Mr. Speaker, I yield 2½ minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank Mr. CONYERS for yielding.

Mr. Speaker, I rise to express my support for overriding the President's veto of the Justice Against Sponsors of Terrorism Act.

I understand and give weight to the President's concerns, but I believe that this bill is focused on and applies to only those attacks that are committed on U.S. soil that harm U.S. nationals. The attacks of 9/11 were singular acts of appalling cruelty. They were targeted knowingly and specifically at civilian noncombatants. They were barbaric crimes that violated all norms of civilized conduct and all of the international conventions of armed conflict.

Though the hijackers of those planes died that day, it is virtually indisputable that there are people who conspired with them in the planning, preparation, execution, and financing of those horrific acts who walk the streets freely in foreign capitals today. They walk comfortably, securely, smugly, believing that because of a peculiar interpretation of international law, they are safe from the long arm of justice, immune to any consequences.

JASTA, as it is called, is needed to correct some shortcomings in previous legislation and lower court decisions. The bill is needed to make it possible for the survivors and for the families of the victims of savage acts of international terrorism to seek a measure of justice through the civil courts.

This bill is needed because both Congress and the executive branch have af-

firmed that civil litigation against terror sponsors, including foreign governments, can have an important deterrent effect.

The attacks of 9/11 were roundly condemned by people and governments around the world. So this bill is needed not just by the families of those who died in New York and at the Pentagon and in Pennsylvania; it is needed to send a message to people all around the world, a message that the long arm of American justice will not be deterred, will never tire, and will never falter.

As we have done in the past, we will pursue the perpetrators of such savage acts of inhumanity, as we saw on 9/11, to their very graves. There is no loophole and there will be no escape.

Yes, it may be true that there are risks in passing a bill like this that may have some unintended consequences, but compare that to the risks of doing nothing and the risks that are very real that are all too present.

I urge my colleagues to not forget and to overturn the President's veto. It is in America's interest, and it is a deterrent to future crimes.

Mr. GOODLATTE. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank my good friend, Mr. GOODLATTE, for yielding; and I want to thank Mr. GOODLATTE and Mr. KING for their extraordinary leadership on this bill.

Mr. Speaker, with all due respect to the President of the United States, the central argument in this veto message accompanying the Justice Against Sponsors of Terrorism Act, reciprocity is weak, unsupported, and egregiously flawed.

The White House drafters of the veto message either didn't read the carefully crafted bipartisan bill or are seeking to conflate the plain legislative text since JASTA only permits access to U.S. courts by waiving immunity from foreign governments, not foreign government officials or employees, and corrects conflicting case law, except in the cases where someone knowingly aids, abets, or conspires with a State Department-designated foreign terrorist organization.

Thus, the President is wrong to assert that, under the hallowed principle of reciprocity, U.S. officials and military personnel could be subjected to lawsuits. It is worth noting that nothing precludes that now or ever, but as an argument for veto, it simply doesn't pass muster.

While sovereign immunity has its place in the conduct of responsible diplomacy, it is not absolute, as even the 1976 Foreign Sovereign Immunities Act contains nine exceptions.

In 2008, Mr. Speaker, as you know, the U.S. Court of Appeals for the Second Circuit dismissed legal action against Saudi Arabia and other defendants, holding U.S. courts lacked jurisdiction. Other actions by the courts

have thwarted the full accountability Americans expect and deserve.

JASTA corrects that.

The victims of 9/11 and their grieving families deserve what JASTA empowers: a judicial process to discover the unfettered and ugly truth that, to this day, remains cloaked, concealed, and covered up. JASTA provides a way to hold perpetrators and enablers of terrorism to account.

Anyone who has read the recently declassified 28 pages of findings from the House-Senate Intelligence Committee's joint inquiry in 2002, despite the heavy redactions, knows the provocative evidence of Saudi complicity in 9/11, and that remains unexamined. The 28 pages are filled with names and suspected associations with the Government of Saudi Arabia.

Mr. Speaker, I have worked with and befriended many of the 9/11 surviving family members—many who died on 9/11 were from my district—and I can state unequivocally that there would have been no 9/11 Commission and other historic policy initiatives without the 9/11 family members. They have been extraordinary, tenacious, committed, and courageous.

On September 20, many family members gathered outside the White House to appeal to the President to sign JASTA. Two of the remarkable widows from New Jersey, Lorie and Mindy, carried this sign to my left, your right, with a picture of President Obama and Saudi King Salman from the front page of the New York Daily News.

□ 1430

The headline read: "Don't choose them over us"—the U.S., the United States.

The President chose the king, and he vetoed the bill. We can correct that today. Vote to override.

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

There is no doubt that there is so much passion involved in this with the bill's supporters; but, as legislators, I would like to urge that one carefully and thoughtfully consider the long-term interests of our country.

For the foregoing reasons, I am pleased to indicate that the scholars and others who will be voting to sustain the President's veto are Michael Mukasey, the former Attorney General under George W. Bush; Stephen Hadley, the former National Security Adviser for that President; Richard Clarke, the former White House counterterrorism adviser for Bill Clinton and George W. Bush; and Thomas Pickering, the former United States Ambassador to the United Nations. They all agree that we must be considerate of the long-term interests of our own country.

For the foregoing reasons and those stated by the national security experts, the international law scholars, and the President of the United States, I find that I must vote to sustain the President's veto.

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

Mr. GOODLATTE. Mr. Speaker, I urge my colleagues to override the President's veto. It is the right thing to do. Justice is the right thing—to let American citizens have access to their courts for torts for terrorist attacks that occur on American soil. This bill is a modest amendment to already existing exemptions to the Foreign Sovereign Immunities Act. It is the right thing to do. I urge my colleagues to join me in overriding the President's veto.

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

Mr. JOLLY. Mr. Speaker, I rise today to share my concerns with S. 2040, the Justice Against Sponsors of Terrorism Act, or JASTA. The President, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the CIA Director, and the Chairman of the House Armed Services Committee have all issued statements against this legislation, and after having spoken with local veterans in Pinellas County who have retired from the armed services, I have come to the decision to support the President's veto.

'Terrorism' at the hands of a foreign government is simply another term for an act of war, and we should respond to these acts with every ounce of resolve our nation can muster. We have done so for generations, relying on military, diplomatic and political leadership to respond appropriately and deploy our men and women in uniform to defeat our enemies. Countless men and women have sacrificed their last full measure for the cause of our freedom and security.

But we don't litigate acts of war in civil courtrooms. We litigate them on battlefields, with valor and with overwhelming force.

By authorizing courtroom litigation of acts of war, we empower other nations to do the same. And we imperil the security of our military and diplomatic personnel, as well as our assets in regions around the globe.

Consider the number of times our nation intervenes for the cause of freedom and security around the globe. Now consider if our personnel and assets on the ground were subject to civil liability in those nations. It compromises our mission, and it compromises the security of our men and women in uniform and those in our diplomatic corps.

Mr. Speaker, when the President vetoed this legislation, he stated that the United States already has means to act against nations who would wish to commit acts of terrorism against the United States by designating them as State Sponsors of Terrorism. When this designation is made, all sovereign immunity protections for individuals are removed, subjecting the violating country to a multitude of sanctions.

Likewise, on Monday Defense Secretary Ash Carter sent a letter to the Chairman of the House Armed Services Committee stating that, while he "agrees with the intent of the bill, which is to honor 9/11 victims," the potential second- and third-order consequences of the legislation "could be devastating to the Department and its service members." Secretary Carter shared concerns that other nations might enact reciprocal policies, threatening the sovereign immunity of our service members based on justifications that are far less stringent.

The Chairman of the Joint Chiefs of Staff also stated that "any legislation that risks re-

ciprocal treatment by foreign governments would increase the vulnerability of U.S. service members to foreign legal action while acting in an official capacity," and that any court proceedings could "put the United States in the position of choosing between the disclosure of classified or sensitive information, and subjecting a U.S. service member to an adverse foreign court ruling." Today, CIA Director Brennan added his concerns, that he believes this action "will have grave implications for the national security of the United States. The most damaging consequence would be for those U.S. Government officials who dutifully work overseas on behalf of our country."

These concerns are affirmed by many national security experts who penned an open letter asking for the veto to be upheld. The letter was signed by many prominent former members of the executive branch, including Stephen Hadley, Richard Clarke, and Thomas Pickering.

Nothing can heal the wounds of the surviving families of September 11, 2001. Nothing can heal the wounds of a nation whose heart breaks for those innocent lives lost at the hands of our enemies. We can honor their legacies by making the world more secure—by exerting our national security leadership, our military force, around the globe to contain the threat of terror. I believe JASTA would ultimately undermine our ability to secure freedom and to secure our homeland.

We will never forget the tragedy and loss of that day. We will never forget the heartbreak. And let us never weaken our resolve to defeat the forces of terror, so that we may ensure that we as a nation, and our brothers and sisters who suffered such loss, never face such a tragedy again.

Ms. MCCOLLUM. Mr. Speaker, I rise to uphold President Obama's veto of the Justice Against Sponsors of Terrorism Act (S. 2040).

All Americans were deeply affected by the terrorist attacks on September 11, 2001, none more so than the families who lost loved ones on that terrible day. President Obama has been unyielding in his pursuit of those who perpetrated the attacks. Since day one of his Administration, President Obama has made the destruction of Al-Qaeda a top national security priority. He has delivered on this promise, systematically devastating Al-Qaeda's leadership and killing Osama bin Laden.

I am profoundly sympathetic to the families of victims who were lost on September 11, 2001 and while I understand the intent behind S. 2040, I remain concerned that this legislation would be damaging to our national security. Not only would it not prevent future terrorist attacks against the United States, it would expose U.S. personnel serving overseas to lawsuits in the civil and criminal courts of foreign countries. For these reasons, I vote to uphold President Obama's veto of S. 2040.

The United States government has an array of legal tools that it uses to deal with nations that sponsor terrorism. This includes listing the offending nation as a state sponsor of terrorism, imposing sanctions, and the forfeiture of that nation's right to sovereign immunity in U.S. courts. However, these measures are intended as an extreme consequence for nations that act outside of international norms. S. 2040 would allow terrorism related lawsuits in U.S. courts against any nation, not only those designated as a sponsor of terrorism by our government, which is alleged to have contrib-

uted to an act of terrorism in the United States. This would begin an erosion of the principle of sovereign immunity for every nation, including U.S. allies, and expose their government and personnel to lawsuits in U.S. courts.

The reciprocal effect that this erosion of sovereign immunity could have on U.S. personnel overseas, including our men and women in uniform, is deeply concerning. Were S. 2040 to become law, it would set an international precedent for other nations to follow. U.S. personnel serving in foreign countries could be subjected to civil and criminal lawsuits in foreign courts, putting them at risk and potentially exposing sensitive national security information in the process. These are the people we depend upon in our fight against terrorist organizations like ISIL, and we must ensure that proper legal safeguards are in place to protect them.

As a Member of Congress, it is my duty to ensure that our service members and diplomatic personnel overseas are afforded the proper legal protections that allow them to do their jobs and protect this nation. S. 2040 unfortunately fails to ensure these protections and subsequently I will vote to sustain President Obama's veto.

I am attaching an editorial from the New York Times on this issue.

[Sept. 28, 2016]

#### THE RISKS OF SUING THE SAUDIS FOR 9/11

The Senate and the House are expected to vote this week on whether to override President Obama's veto of a bill that would allow families of the victims of the Sept. 11 attacks to sue Saudi Arabia for any role it had in the terrorist operations. The lawmakers should let the veto stand.

The legislation, called the Justice Against Sponsors of Terrorism Act, would expand an exception to sovereign immunity, the legal principle that protects foreign countries and their diplomats from lawsuits in the American legal system. While the aim—to give the families their day in court—is compassionate, the bill complicates the United States' relationship with Saudi Arabia and could expose the American government, citizens and corporations to lawsuits abroad. Moreover, legal experts like Stephen Vladeck of the University of Texas School of Law and Jack Goldsmith of Harvard Law School doubt that the legislation would actually achieve its goal.

Co-sponsored by Senator Chuck Schumer, Democrat of New York, and Senator John Cornyn, Republican of Texas, the measure is intended to overcome a series of court rulings that have blocked all lawsuits filed by the 9/11 families against the Saudi government. The Senate passed the bill unanimously in May, and the House gave its approval this month.

The legislation would, among other things, amend a 1976 law that grants other countries broad immunity from American lawsuits—unless the country is on the State Department's list of state sponsors of terrorism (Iran, Sudan and Syria) or is alleged to have committed a terrorist attack that killed Americans on United States soil. The new bill would clarify that foreign governments can be held liable for aiding terrorist groups, even if that conduct occurred overseas.

Advocates say the measure is narrowly drawn, but administration officials argue that it would apply much more broadly and result in retaliatory actions by other nations. The European Union has warned that if the bill becomes law, other countries could adopt similar legislation defining their own

exemptions to sovereign immunity. Because no country is more engaged in the world than the United States—with military bases, drone operations, intelligence missions and training programs—the Obama administration fears that Americans could be subject to legal actions abroad.

The legislation is motivated by a belief among the 9/11 families that Saudi Arabia played a role in the attacks, because 15 of the 19 hijackers, who were members of Al Qaeda, were Saudis. But the independent American commission that investigated the attacks found no evidence that the Saudi government or senior Saudi officials financed the terrorists.

Proponents of the legislation cite two assassination cases in which legal claims were allowed against Chile and Taiwan. Administration officials, however, say that those cases alleged the direct involvement of foreign government agents operating in the United States.

The current debate is complicated by the fact that Saudi Arabia is a difficult ally, at odds with the United States over the Iran nuclear deal, a Saudi-led war in Yemen and the war in Syria. It is home of the fundamentalist strand of Islam known as Wahhabism, which has inspired many of the extremists the United States is trying to defeat. But it is also a partner in combating terrorism. The legislation could damage this fraught relationship. Riyadh has already threatened to withdraw billions of dollars in American-based assets to protect them from court action.

The desire to assist the Sept. 11 families is understandable, and the bill is expected to become law. The question is, at what cost?

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I would like to express my opposition to the veto override vote that occurred earlier today in the U.S. Senate on S. 2040, the Justice Against Sponsors of Terrorism Act, and that will take place shortly in the U.S. House. While 9/11 will continue to haunt Americans and loved ones will always mourn those lost during the terrorist attacks on that day, this legislation is not the solution. I am deeply concerned for the future implications of this measure.

JASTA would allow U.S. nationals to sue foreign governments in federal court even if that country is not on the Department of State's list of state sponsors of terrorism. Lawsuits must involve death, injury, or property damage and must be caused by an act of international terrorism in the U.S. The bill also allows civil claims to be brought against foreign states or officials that are state sponsors of terrorism if their conduct contributes to an attack that kills an American outside of the United States.

This legislation would not protect Americans from future attacks nor would it improve national security. This bill would remove reciprocal agreements that now protect not only other allies, but also the U.S., from such lawsuits in other countries. The long-term impact on our country's national security is at stake. This bill would place not only our close security cooperation relationships at risk, but also U.S. service members abroad.

Families are looking for accountability in the ability to sue foreign governments, specifically Saudi Arabia. I have deep sympathy for these families who have suffered so much. However, I do not believe that this is the most viable path to justice. This bill could unfortunately backfire and cause more concern to the counterterrorism community. While we still

have the chance, I urge my House colleagues to listen to our experts who have given us many warnings about the implications of this legislation.

Mr. BLUMENAUER. Mr. Speaker, I fully sympathize with the families of 9/11 victims and understand their desire to hold people accountable for that horrific, senseless, cruel attack.

This sympathy, understandably, prompted many of my colleagues to approve S. 2040 when it was first before Congress. Yet, I am convinced that the Presidential veto of this legislation should be upheld. Everyone should read his veto message on S. 2040 to understand the complications and the risks.

We already have a mechanism to deal with state-sponsored terrorism—a mechanism to pursue it. When it is designated, we have very strong sanctions that we can employ.

The purpose of such a mechanism is to ensure those sanctions and other steps are brought to bear only after there has been a careful review that establishes state-sponsored terrorism. In the case of this legislation, the authority is transferred, not just to the attorneys of the 9/11 families, but to any individual who wants to file a lawsuit. This opens the United States up to a wide range of repercussions that could have negative consequences for Americans.

Not only would it potentially compromise our security efforts and our diplomatic relationships, but it also invites retaliation by other countries. Millions of Americans travel overseas every year and hundreds of thousands of Americans work overseas including soldiers and diplomats, all of whom could now be subjected to harsher activities by other governments without the due process afforded by the United States government. It's not just that we could have foreign action against American assets, but foreign action against Americans.

I think the President's veto decision is wise, and I support it.

Ms. JACKSON LEE. Mr. Speaker, the House now has before it the President's Veto Message accompanying S. 2040, the "Justice Against Sponsors of Terrorism Act," which would authorize private litigation against foreign governments in the federal courts of the United States based on allegations that such foreign governments' actions abroad made them responsible for terrorism-related injuries sustained on U.S. soil.

I have stated on numerous times that I believe that President Barack Obama is one of the best and most consequential presidents in American history; his stewardship of American foreign and national security has kept our nation safe and restored its reputation as the most respected nation in the world.

President Obama has been an outstanding Commander-in-Chief exhibiting exceptional judgment, judgment marked by vision and purposeful, conduct that has been steady and restrained.

Mr. Speaker, I take seriously the decision whether to override a presidential veto, particularly one relating to national security and foreign policy but, as it is a duty imposed on the Congress by the Constitution, I do not shrink from the responsibility.

I have not voted to override a veto during his tenure.

Mr. Speaker, seventeen days ago, we observed the 15th anniversary of the day our nation faced the greatest loss of life on U.S. soil from a terrorist attack.

The years that have passed since that day have not dimmed my memory or diminished my resolve to see an end to terrorism not only in the United States, but around the world.

As a Member of Congress and a senior Member of the Committees on Homeland Security and the Judiciary, both of which deal with national security issues, I have long been committed and engaged in efforts to develop policies that anticipate and respond to new and emerging challenges to the security of our nation and the peace and safety of the world.

I will never forget September 11, 2001 when 2,977 men, women and children were murdered by 19 hijackers who took commercial aircraft and used them as missiles.

I stood on the East Front steps of the Capitol on September 11, 2001, along with 150 members of the House of Representatives and sang "God Bless America."

I visited the site of the World Trade Center Towers in the aftermath of the attacks and grieved over the deaths of so many of our men, women, and children.

I want to thank and commend the work of our first responder community on that day and every day since September 11 for their efforts to protect their communities and our nation from acts of terrorism.

Mr. Speaker, September 11, 2001 will always be remembered as a day of tragedy and heroism, heartbreak and courage, and shared loss.

But the loss remains especially painful to those whose loved ones died or were injured by the criminal acts of terrorists on that fateful day.

On numerous occasions in the months and years after September 11, I met with family members of 9/11 victims and witnessed their devotion to our nation and empathized with their pain, loss, hurt, and desire to obtain justice for their loved ones.

Mr. Speaker, in 2007, after many years of tireless struggle, Congress passed H.R. 1, the landmark "Implementing 9/11 Commission Recommendations Act of 2007," the first bill passed by the Democratic-led 110th Congress after regaining the majority. As a member of the Homeland Security Committee, I worked very hard in getting this bill passed.

H.R. 1 was signed into law on August 3, 2007 and implemented the 33 recommendations of the 9/11 Commission, a body comprised of ten of the most distinguished citizens in this country. Many of the families fought hard for this bill.

As a senior member of the Homeland Security, and Chair of its Transportation Security Subcommittee, I worked closely with my colleagues across the aisle and in the Senate to strengthen the provisions in H.R. 1 designed to improve transportation security planning, information sharing, and to prevent terrorist from travelling to our country.

After passage of H.R. 1, several 9/11 families brought suit if U.S. courts seeking relief for injuries alleged to have been caused by perpetrators of the September 11 attacks and allegedly sponsored by certain nation-states.

Each of their law suits were dismissed by the courts for lack of subject-matter jurisdiction since under current law such actions were barred by the doctrine of sovereign immunity except those brought against nation-states listed by the U.S. Department of State as "state sponsors of terrorism."

This is what led to the introduction of the "Justice Against Sponsors of Terrorism Act,"

which would allow private litigation against foreign governments in U.S. courts based on allegations that such foreign governments' actions abroad made them responsible for terrorism-related injuries on U.S. soil.

Thus, the "Justice Against Sponsors of Terrorism Act," amends the Foreign Sovereign Immunities Act of 1976 to create a limited new exception to the Act's general grant of foreign sovereign immunity.

Mr. Speaker, this past July the Judiciary Committee, upon which I sit, held a hearing on S. 2040, the "Justice Against Sponsors of Terrorism Act," at which the bill's supporters offered powerful and compelling testimony in favor of insuring that 9/11 families have access to their day in U.S. courts against the parties directly and vicariously liable for the injuries they suffered.

As the Ranking Member of the Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigation, I am committed to doing all that I can to ensure that they receive their day in court.

I am sensitive, however, to the concerns raised by the Administration regarding unintended consequences that may result if the bill is passed in its current form.

In particular, the Administration, allied nations, and others point out that enactment of S. 2040 in its current form may lead to retaliation by other countries against the United States.

Additionally, the Administration raises the legitimate concern that if enacted in its current form, S. 2040 may hamper cooperation from other nations because they may become more reluctant to share sensitive intelligence out of fear that such information may be disclosed in litigation.

I am hopeful, however, that after this vote, these legitimate concerns can be addressed and resolved no matter the outcome and I look forward to continuing to work with the Administration, the bill's sponsors and supporters, and representatives of the 9/11 families to ensure that the 9/11 victims receive justice without substantial harm to our national security interests.

Mr. Speaker, for these reasons, I will vote to override the President's veto of S. 2040.

I thank the House and Senate sponsors of this important legislation, my colleagues Congressmen PETER KING and JERROLD NADLER of New York, and Senators JOHN CORNYN of Texas and CHARLES SCHUMER of New York, for their tireless efforts on behalf of fairness and justice for the 9/11 families.

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Under the Constitution, the vote must be by the yeas and nays.

Pursuant to clause 8 of rule XX, this 15-minute vote on passing S. 2040, the objections of the President to the contrary notwithstanding, will be followed by 5-minute votes on ordering the previous question on House Resolution 897; adopting House Resolution 897, if ordered; and suspending the rules and passing S. 3283.

The vote was taken by electronic device, and there were—yeas 348, nays 77, answered "present" 1, not voting 5, as follows:

[Roll No. 564]

YEAS—348

Abraham	Duncan (TN)	Latta
Adams	Ellmers (NC)	Lawrence
Aderholt	Emmer (MN)	Levin
Aguilar	Engel	Lieu, Ted
Allen	Eshoo	Lipinski
Amash	Esty	LoBiondo
Amodei	Farenthold	Loeb
Ashford	Fincher	Loftgren
Babin	Fitzpatrick	Long
Barletta	Fleischmann	Loudermilk
Barr	Fleming	Love
Barton	Flores	Lowenthal
Beatty	Forbes	Lowey
Becerra	Fortenberry	Lucas
Bera	Poster	Luetkemeyer
Bilirakis	Fox	Lujan Grisham
Bishop (GA)	Franks (AZ)	(NM)
Bishop (MI)	Frelinghuysen	Luján, Ben Ray
Bishop (UT)	Fudge	(NM)
Blackburn	Gabbard	Lummis
Blum	Gallo	Lynch
Bost	Garrett	MacArthur
Boustany	Gibbs	Maloney
Boyle, Brendan	Gibson	Carolyn
F.	Gohmert	Maloney, Sean
Brady (PA)	Goodlatte	Marchant
Brady (TX)	Gosar	Marino
Brat	Gowdy	Massie
Bridenstine	Graham	McCarthy
Brooks (AL)	Granger	McCaul
Brooks (IN)	Graves (GA)	McClintock
Brown (FL)	Graves (LA)	McHenry
Brownley (CA)	Graves (MO)	McKinley
Buchanan	Green, Al	McMorris
Bucshon	Green, Gene	Rodgers
Burgess	Griffith	McNerney
Bustos	Guinta	McSally
Butterfield	Guthrie	Meadows
Byrne	Gutiérrez	Meehan
Calvert	Hahn	Meeke
Capuano	Hanna	Meng
Cárdenas	Hardy	Messer
Carney	Harper	Mica
Carter (GA)	Harris	Miller (FL)
Carter (TX)	Hastings	Miller (MI)
Cartwright	Heck (NV)	Moolenaar
Castro (TX)	Hensarling	Mooney (WV)
Chabot	Herrera Beutler	Mullin
Chu, Judy	Hice, Jody B.	Mulvaney
Cicilline	Higgins	Murphy (FL)
Clark (MA)	Hill	Murphy (PA)
Clarke (NY)	Himes	Nadler
Clawson (FL)	Holding	Napolitano
Cleaver	Honda	Neal
Coffman	Hoyer	Neugebauer
Cole	Hudson	Newhouse
Collins (GA)	Huelskamp	Noem
Collins (NY)	Huffman	Nolan
Comstock	Huizenga (MI)	Norcross
Connolly	Hultgren	Nugent
Cook	Hunter	Olson
Costa	Hurd (TX)	Palazzo
Costello (PA)	Hurt (VA)	Pallone
Courtney	Israel	Palmer
Cramer	Jackson Lee	Pascrell
Crawford	Jeffries	Paulsen
Crenshaw	Jenkins (KS)	Payne
Crowley	Jenkins (WV)	Pearce
Cuellar	Johnson (OH)	Pelosi
Culberson	Johnson, Sam	Perry
Curbelo (FL)	Jones	Peters
Davidson	Jordan	Peterson
Davis, Rodney	Joyce	Pingree
DeFazio	Katko	Pittenger
Delaney	Keating	Pitts
DeLauro	Kelly (MS)	Pocan
DelBene	Kelly (PA)	Poliquin
Denham	Kennedy	Polis
Dent	Kildee	Pompeo
DeSantis	Kilmer	Posey
Deutch	King (NY)	Price (NC)
Diaz-Balart	Kinzinger (IL)	Price, Tom
Dingell	Knight	Rangel
Doggett	Kuster	Ratcliffe
Dold	Labrador	Reed
Donovan	LaHood	Reichert
Doyle, Michael	LaMalfa	Renacci
F.	Lamborn	Rice (NY)
Duckworth	Lance	Rice (SC)
Duffy	Langevin	Rigell
Duncan (SC)	Larson (CT)	Roby

Roe (TN)	Sewell (AL)	Velázquez
Rogers (AL)	Shimkus	Wagner
Rogers (KY)	Shuster	Walberg
Rohrabacher	Simpson	Walden
Rokita	Sinema	Walker
Rooney (FL)	Sires	Walorski
Ros-Lehtinen	Slaughter	Walters, Mimi
Roskam	Smith (MO)	Walz
Ross	Smith (NE)	Wasserman
Rothfus	Smith (NJ)	Wassman
Rouzer	Smith (TX)	Watson Coleman
Roybal-Allard	Stefanik	Weber (TX)
Royce	Stivers	Webster (FL)
Ruiz	Stutzman	Wenstrup
Russell	Swalwell (CA)	Westerman
Ryan (OH)	Thompson (MS)	Westmoreland
Salmon	Thompson (PA)	Williams
Sánchez, Linda	Tiberi	Wilson (SC)
T.	Tipton	Wittman
Sanford	Titus	Womack
Sarbanes	Tonko	Woodall
Scalise	Torres	Yoder
Schrader	Trott	Yoho
Schweikert	Tsongas	Young (IA)
Scott, Austin	Upton	Young (IN)
Scott, David	Valadao	Zeldin
Sensenbrenner	Van Hollen	Zinke
Serrano	Vela	

NAYS—77

Bass	Grayson	Perlmutter
Benishek	Grijalva	Quigley
Beyer	Grothman	Ribble
Blumenauer	Hartzler	Richmond
Bonamici	Heck (WA)	Ruppersberger
Buck	Hinojosa	Schakowsky
Capps	Issa	Schiff
Carson (IN)	Johnson (GA)	Scott (VA)
Chaffetz	Johnson, E. B.	Sessions
Clay	Jolly	Sherman
Clyburn	Kaptur	Smith (WA)
Cohen	Kelly (IL)	Speier
Conaway	Kind	Stewart
Conyers	King (IA)	Takano
Cooper	Kline	Thompson (CA)
Cummings	Larsen (WA)	Thornberry
Davis (CA)	Lee	Turner
Davis, Danny	Lewis	Vargas
DeGette	Matsui	Veasey
DeSaulnier	McCollum	Visclosky
DesJarlais	McDermott	Waters, Maxine
Edwards	McGovern	Welch
Ellison	Moore	Wilson (FL)
Farr	Moulton	Yarmuth
Frankel (FL)	Nunes	Young (AK)
Garamendi	O'Rourke	

ANSWERED "PRESENT"—1

Castor (FL)

NOT VOTING—5

Black	Poe (TX)	Sanchez, Loretta
Kirkpatrick	Rush	

□ 1501

Messrs. RICHMOND, DESJARLAIS, CARSON of Indiana, GROTHMAN, and Ms. WILSON of Florida changed their vote from "yea" to "nay."

Messrs. COURTNEY, MCNERNEY, Mrs. LAWRENCE, Messrs. JODY B. HICE of Georgia, HIGGINS, and KELLY of Mississippi changed their vote from "nay" to "yea."

So, two-thirds having voted in favor thereof, the bill was passed, the objections of the President to the contrary notwithstanding.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The Clerk will notify the Senate of the action of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation



of approval or disapproval of proceedings is in violation of the rules of the House.

PROVIDING FOR FURTHER CONSIDERATION OF H.R. 5303, WATER RESOURCES DEVELOPMENT ACT OF 2016; PROVIDING FOR CONSIDERATION OF H.R. 6094, REGULATORY RELIEF FOR SMALL BUSINESSES, SCHOOLS, AND NONPROFITS ACT; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM SEPTEMBER 29, 2016, THROUGH NOVEMBER 11, 2016

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 897) providing for further consideration of the bill (H.R. 5303) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes; providing for consideration of the bill (H.R. 6094) to provide for a 6-month delay in the effective date of a rule of the Department of Labor relating to income thresholds for determining overtime pay for executive, administrative, professional, outside sales, and computer employees; and providing for proceedings during the period from September 29, 2016, through November 11, 2016, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 242, nays 183, not voting 6, as follows:

[Roll No. 565]

YEAS—242

Abraham	Cole	Foxx
Aderholt	Collins (GA)	Franks (AZ)
Allen	Collins (NY)	Frelinghuysen
Amash	Comstock	Garrett
Amodei	Conaway	Gibbs
Babin	Cook	Gibson
Barletta	Costello (PA)	Gohmert
Barr	Cramer	Goodlatte
Barton	Crawford	Gosar
Benishek	Crenshaw	Gowdy
Billirakis	Culberson	Granger
Bishop (MI)	Curbelo (FL)	Graves (GA)
Bishop (UT)	Davidson	Graves (LA)
Blackburn	Davis, Rodney	Graves (MO)
Blum	Denham	Griffith
Bost	Dent	Grothman
Boustany	DeSantis	Guinta
Brady (TX)	DesJarlais	Guthrie
Brat	Diaz-Balart	Hanna
Bridenstine	Dold	Hardy
Brooks (AL)	Donovan	Harper
Brooks (IN)	Duffy	Harris
Buchanan	Duncan (SC)	Hartzler
Buck	Duncan (TN)	Heck (NV)
Bucshon	Ellmers (NC)	Hensarling
Burgess	Emmer (MN)	Herrera Beutler
Byrne	Farenthold	Hice, Jody B.
Calvert	Fincher	Hill
Carter (GA)	Fitzpatrick	Holding
Carter (TX)	Fleischmann	Hudson
Chabot	Fleming	Huelskamp
Chaffetz	Flores	Huizenga (MI)
Clawson (FL)	Forbes	Hultgren
Coffman	Fortenberry	Hunter

Hurd (TX)	Mica
Hurt (VA)	Miller (FL)
Issa	Miller (MI)
Jenkins (KS)	Moolenaar
Jenkins (WV)	Mooney (WV)
Johnson (OH)	Mullin
Johnson, Sam	Mulvaney
Jolly	Murphy (PA)
Jones	Neugebauer
Jordan	Newhouse
Joyce	Noem
Katko	Nugent
Kelly (MS)	Nunes
Kelly (PA)	Olson
King (IA)	Palazzo
King (NY)	Palmer
Kinzinger (IL)	Paulsen
Kline	Pearce
Knight	Perry
Labrador	Pittenger
LaHood	Pitts
LaMalfa	Poliquin
Lamborn	Posey
Lance	Price, Tom
Latta	Ratcliffe
LoBiondo	Reed
Long	Reichert
Loudermilk	Renacci
Love	Ribble
Lucas	Rice (SC)
Luetkemeyer	Rigell
Lummis	Roby
MacArthur	Roe (TN)
Marchant	Rogers (AL)
Marino	Rogers (KY)
Massie	Rohrabacher
McCarthy	Rokita
McCaul	Rooney (FL)
McClintock	Ros-Lehtinen
McHenry	Roskam
McKinley	Ross
McMorris	Rothfus
Rodgers	Rouzer
McSally	Royce
Meadows	Russell
Meehan	Salmon
Messer	Sanford

NAYS—183

Adams	Deutch	Lee
Aguilar	Dingell	Levin
Ashford	Doggett	Lewis
Bass	Doyle, Michael	Lieu, Ted
Beatty	F.	Lipinski
Becerra	Duckworth	Loeb
Bera	Edwards	Lofgren
Beyer	Ellison	Lowenthal
Bishop (GA)	Engel	Lowe
Blumenauer	Eshoo	Lujan Grisham
Bonamici	Esty	(NM)
Boyle, Brendan	Farr	Lujan, Ben Ray
F.	Foster	(NM)
Brady (PA)	Frankel (FL)	Lynch
Brown (FL)	Fudge	Maloney,
Brownley (CA)	Gabbard	Carolyn
Bustos	Galleo	Maloney, Sean
Butterfield	Garamendi	Matsui
Capps	Graham	McCollum
Capuano	Grayson	McDermott
Cardenas	Green, Al	McGovern
Carney	Green, Gene	McNerney
Carson (IN)	Grijalva	Meeks
Cartwright	Gutierrez	Meng
Castor (FL)	Hahn	Moore
Castro (TX)	Hastings	Moulton
Chu, Judy	Heck (WA)	Murphy (FL)
Cicilline	Higgins	Nadler
Clark (MA)	Himes	Napolitano
Clarke (NY)	Hinojosa	Neal
Clay	Honda	Nolan
Cleaver	Hoyer	Norcross
Clyburn	Huffman	O'Rourke
Cohen	Israel	Pallone
Connolly	Jackson Lee	Pascarelli
Conyers	Jeffries	Payne
Cooper	Johnson (GA)	Pelosi
Costa	Johnson, E. B.	Perlmutter
Courtney	Kaptur	Peters
Crowley	Keating	Peterson
Cuellar	Kelly (IL)	Pingree
Cummings	Kennedy	Pocan
Davis (CA)	Kildee	Polis
Davis, Danny	Kilmer	Price (NC)
DeFazio	Kind	Quigley
DeGette	Kuster	Rangel
Delaney	Langevin	Rice (NY)
DeLauro	Larsen (WA)	Richmond
DeBene	Larson (CT)	Roybal-Allard
DeSaulnier	Lawrence	Ruiz

Ruppersberger	Sires
Ryan (OH)	Slaughter
Sánchez, Linda	Smith (WA)
T.	Speier
Sarbanes	Swalwell (CA)
Schakowsky	Takano
Schiff	Thompson (CA)
Schrader	Thompson (MS)
Scott (VA)	Titus
Scott, David	Tonko
Serrano	Torres
Sewell (AL)	Tsongas
Sherman	Van Hollen
Sinema	Vargas

NOT VOTING—6

Black	Poe (TX)	Rush
Kirkpatrick	Pompeo	Sanchez, Loretta

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1508

So the previous question was ordered. The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. MCGOVERN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 234, noes 191, not voting 6, as follows:

[Roll No. 566]

AYES—234

Abraham	DesJarlais	Hunter
Aderholt	Diaz-Balart	Hurd (TX)
Allen	Dold	Hurt (VA)
Amodei	Donovan	Issa
Babin	Duffy	Jenkins (KS)
Barletta	Duncan (SC)	Jenkins (WV)
Barr	Duncan (TN)	Johnson (OH)
Barton	Ellmers (NC)	Johnson, Sam
Benishek	Emmer (MN)	Jolly
Bilirakis	Farenthold	Joyce
Bishop (MI)	Fincher	Katko
Bishop (UT)	Fitzpatrick	Kelly (MS)
Blackburn	Fleischmann	Kelly (PA)
Blum	Fleming	King (IA)
Bost	Flores	King (NY)
Boustany	Forbes	Kinzinger (IL)
Brady (TX)	Fortenberry	Kline
Brat	Foxx	Knight
Bridenstine	Franks (AZ)	LaHood
Brooks (AL)	Frelinghuysen	LaMalfa
Brooks (IN)	Garrett	Lamborn
Buchanan	Gibbs	Lance
Buck	Gibson	Latta
Bucshon	Gohmert	LoBiondo
Burgess	Goodlatte	Long
Byrne	Gowdy	Loudermilk
Calvert	Granger	Love
Carter (GA)	Graves (GA)	Lucas
Carter (TX)	Graves (LA)	Luetkemeyer
Chabot	Graves (MO)	Lummis
Chaffetz	Griffith	MacArthur
Clawson (FL)	Grothman	Marchant
Coffman	Guinta	Marino
	Guthrie	McCarthy
	Hanna	McCaul
	Hardy	McClintock
	Harper	McHenry
	Harris	McKinley
	Hartzler	McMorris
	Heck (NV)	Rodgers
	Hensarling	McSally
	Herrera Beutler	Meadows
	Hice, Jody B.	Meehan
	Hill	Messer
	Holding	Mica
	Hudson	Miller (FL)
	Huelskamp	Miller (MI)
	Huizenga (MI)	Moolenaar
	Hultgren	



Mooney (WV)  
Mullin  
Mulvaney  
Murphy (PA)  
Neugebauer  
Newhouse  
Noem  
Nugent  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Pittenger  
Pitts  
Poliquin  
Posey  
Price, Tom  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)

Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce  
Russell  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shinkus  
Shuster  
Simpson  
Sinema  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Stefanik  
Stewart  
Stivers  
Stutzman  
Thompson (PA)  
Thornberry

Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Westmoreland  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

## NOES—191

Adams  
Aguilar  
Amash  
Ashford  
Bass  
Beatty  
Becerra  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brooks (AL)  
Brown (FL)  
Brownley (CA)  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Costa  
Courtney  
Crowley  
Cuellar  
Cummins  
Davidson  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
DeSaulnier  
Deuth  
Dingell  
Doggett  
Doyle, Michael  
F.  
Duckworth  
Edwards  
Ellison  
Engel  
Eshoo  
Esty  
Farr  
Foster

Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Gosar  
Graham  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hahn  
Hastings  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Honda  
Hoyer  
Huelskamp  
Huffman  
Israel  
Jackson Lee  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Jones  
Jordan  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Kildee  
Kilmer  
Kind  
Kuster  
Labrador  
Langevin  
Larson (WA)  
Larson (CT)  
Lawrence  
Lee  
Levin  
Lewis  
Lieu, Ted  
Lipinski  
Loebach  
Lofgren  
Lowenthal  
Lowey  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lynch  
Maloney,  
Carolyn  
Maloney, Sean  
Massie  
Matsui  
McCollum  
McDermott  
McGovern  
McNerney  
Meeks

Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Nolan  
Norcross  
O'Rourke  
Pallone  
Pascarella  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Rangel  
Rice (NY)  
Richmond  
Roybal-Allard  
Ruiz  
Ruppersberger  
Ryan (OH)  
Sánchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schiff  
Schradler  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sherman  
Sires  
Slaughter  
Smith (WA)  
Speier  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Wilson (SC)  
Yarmuth

## NOT VOTING—6

Black  
Kirkpatrick

Poe (TX)  
Pompeo

Rush  
Sanchez, Loretta

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1520

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.

## PFC JAMES DUNN VA CLINIC

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 3283) to designate the community-based outpatient clinic of the Department of Veterans Affairs in Pueblo, Colorado, as the “PFC James Dunn VA Clinic”, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado (Mr. LAMBORN) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 423, nays 0, answered “present” 1, not voting 7, as follows:

[Roll No. 567]

YEAS—423

Abraham  
Adams  
Aderholt  
Aguilar  
Allen  
Amash  
Amodei  
Ashford  
Babin  
Barletta  
Barr  
Barton  
Bass  
Beatty  
Becerra  
Benishak  
Bera  
Beyer  
Bilirakis  
Bishop (GA)  
Bishop (MI)  
Bishop (UT)  
Blackburn  
Blum  
Blumenauer  
Bonamici  
Bost  
Boustany  
Boyle, Brendan  
F.  
Brady (PA)  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Brown (FL)  
Brownley (CA)  
Buchanan  
Buck  
Bucshon  
Burgess  
Bustos  
Butterfield  
Byrne  
Calvert  
Capps  
Capuano

Cárdenas  
Carney  
Carson (IN)  
Carter (TX)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chabot  
Chaffetz  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clawson (FL)  
Clay  
Cleaver  
Clyburn  
Coffman  
Cohen  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Connolly  
Conyers  
Cook  
Cooper  
Costa  
Costello (PA)  
Courtney  
Cramer  
Crawford  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummins  
Curbelo (FL)  
Davidson  
Davis (CA)  
Davis, Danny  
Davis, Rodney  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene

Denham  
Dent  
DeSantis  
DeSaulnier  
DesJarlais  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Dold  
Donovan  
Doyle, Michael  
F.  
Duckworth  
Duffy  
Duncan (SC)  
Duncan (TN)  
Edwards  
Ellison  
Ellmers (NC)  
Emmer (MN)  
Engel  
Eshoo  
Esty  
Farenthold  
Farr  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foster  
Foxy  
Frankel (FL)  
Franks (AZ)  
Frelinghuysen  
Fudge  
Gabbard  
Gallego  
Garamendi  
Garrett  
Gibbs  
Gibson  
Gohmert  
Goodlatte  
Gosar

Gowdy  
Graham  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Grayson  
Green, Al  
Green, Gene  
Griffith  
Grijalva  
Grothman  
Guinta  
Guthrie  
Gutiérrez  
Hahn  
Hanna  
Hardy  
Harper  
Harris  
Hartzler  
Hastings  
Heck (NV)  
Heck (WA)  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins  
Hill  
Himes  
Hinojosa  
Holding  
Honda  
Hoyer  
Hudson  
Huelskamp  
Huffman  
Huizenga (MI)  
Hultgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Israel  
Issa  
Jackson Lee  
Jeffries  
Jenkins (KS)  
Jenkins (WV)  
Johnson (GA)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jolly  
Jones  
Jordan  
Joyce  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kelly (MS)  
Kelly (PA)  
Kennedy  
Kildee  
Kilmer  
Kind  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kline  
Knight  
Kuster  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larsen (CT)  
Latta  
Lawrence  
Lee  
Levin  
Lewis  
Lieu, Ted  
Lipinski  
LoBiondo  
Loebach  
Lofgren  
Long  
Loudermilk  
Love  
Lowenthal  
Lowey  
Lucas

Luetkemeyer  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lummis  
Lynch  
MacArthur  
Maloney,  
Carolyn  
Maloney, Sean  
Marchant  
Marino  
Massie  
Matsui  
McCarthy  
McCaul  
McClintock  
McCollum  
McDermott  
McGovern  
McHenry  
McKinley  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Meehan  
Meeks  
Meng  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Moore  
Moulton  
Mullin  
Mulvaney  
Murphy (FL)  
Murphy (PA)  
Nadler  
Napolitano  
Neal  
Neugebauer  
Newhouse  
Noem  
Nolan  
Norcross  
Nugent  
Nunes  
O'Rourke  
Olson  
Palazzo  
Pallone  
Palmer  
Pascarella  
Paulsen  
Payne  
Pearce  
Pelosi  
Perlmutter  
Perry  
Peters  
Peterson  
Pingree  
Pittenger  
Pitts  
Pocan  
Poliquin  
Polis  
Posey  
Price (NC)  
Price, Tom  
Quigley  
Rangel  
Ratcliffe  
Reed  
Reichert  
Renacci  
Ribble  
Rice (NY)  
Richmond  
Rigell  
Roebuck  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross

Rothfus  
Rouzer  
Roybal-Allard  
Royce  
Ruiz  
Ruppersberger  
Russell  
Ryan (OH)  
Salmon  
Sánchez, Linda  
T.  
Sanford  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schradler  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Serrano  
Sessions  
Sewell (AL)  
Sherman  
Shinkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Speier  
Stefanik  
Stewart  
Stivers  
Stutzman  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Norcross  
Titus  
Tonko  
Torres  
Trott  
Tsongas  
Turner  
Upton  
Valadao  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Weber (TX)  
Webster (FL)  
Welch  
Wenstrup  
Westerman  
Westmoreland  
Williams  
Wilson (FL)  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yarmuth  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

ANSWERED “PRESENT”—1

Rice (SC)

## NOT VOTING—7

Black Poe (TX) Sanchez, Loretta  
Carter (GA) Pompeo  
Kirkpatrick Rush

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1527

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CARTER of Georgia. Mr. Speaker, I was unavoidable detained. Had I been present, I would have voted “yea” on rollcall No. 567.

### WATER RESOURCES DEVELOPMENT ACT OF 2016

The SPEAKER pro tempore. Pursuant to House Resolution 892 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5303.

Will the gentleman from Georgia (Mr. COLLINS) kindly take the chair.

□ 1528

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5303) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes, with Mr. COLLINS of Georgia (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole House rose on Tuesday, September 27, 2016, amendment No. 25 printed in House Report 114-790 offered by the gentlewoman from Washington (Ms. HERRERA BEUTLER) had been disposed of.

#### AMENDMENT NO. 10 OFFERED BY MR. GRAVES OF LOUISIANA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Louisiana (Mr. GRAVES) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

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

[Roll No. 568]

## AYES—190

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Babin  
Barr  
Barton  
Benishek  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Blackburn  
Boustany  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buck  
Bucshon  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Chaffetz  
Clawson (FL)  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comstock  
Conaway  
Cramer  
Crawford  
Crenshaw  
Culberson  
Davidson  
Dent  
DeSantis  
DesJarlais  
Duncan (SC)  
Duncan (TN)  
Ellmers (NC)  
Farenthold  
Fincher  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foxx  
Franks (AZ)  
Frelinghuysen  
Garrett  
Gibbs  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Hanna  
Hastings  
Heck (NV)  
Heck (WA)  
Higgins  
Himes  
Hinojosa  
Honda  
Hoyer  
Huffman  
Hultgren  
Israel  
Jackson Lee  
Jeffries  
Jenkins (WV)  
Johnson (GA)  
Johnson (OH)  
Johnson, E. B.  
Joyce  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kelly (PA)  
Kennedy  
Kildee  
Kilmer  
Kind  
King (NY)  
Kinzinger (IL)  
Kuster  
Lahood  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lee  
Levin  
Lewis  
Lieu, Ted  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham  
Lujan, Ben Ray  
(NM)  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Pittenger  
Pitts  
Poliquin  
Posey  
Price, Tom  
Ratcliffe  
Reichert  
Rice, Jody B.  
Ribble  
Rice (SC)  
Rigell  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ross  
Rothfus  
Rouzer  
Royce  
Russell  
Salmon  
Sanford  
Scalise  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Smith (MO)  
Smith (NE)  
Smith (TX)  
Stewart  
Stutzman  
Thompson (PA)  
Thornberry  
Tipton  
Trott  
Turner  
Wagner  
Walberg  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Westmoreland  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (IA)  
Young (IN)

## NOES—233

Adams  
Aguiar  
Ashford  
Barletta  
Bass  
Beatty  
Becerra  
Bera  
Beyer  
Bishop (GA)  
Blum  
Blumenauer  
Bonamici  
Bost  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (FL)  
Brownley (CA)  
Buchanan  
Bustos  
Butterfield  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Clyburn  
Cohen  
Connolly  
Conyers  
Cook  
Cooper  
Costa  
Costello (PA)  
Courtney  
Crowley  
Cuellar  
Cummings  
Curbelo (FL)  
Davis (CA)  
Davis, Danny  
Davis, Rodney  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Denham  
DeSaulnier  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Dold  
Donovan  
Doyle, Michael  
F.  
Duckworth  
Cohen  
Duffy  
Edwards  
Ellison  
Emmer (MN)  
Engel  
Eshoo  
Esty  
Farr  
Fitzpatrick  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Gibson  
Graham  
Grayson  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hahn

Lynch  
MacArthur  
Maloney,  
Carolyn  
Maloney, Sean  
Matsui  
McCollum  
McDermott  
McGovern  
McKinley  
McNerney  
Meehan  
Meeks  
Meng  
Miller (MI)  
Moore  
Moulton  
Murphy (FL)  
Murphy (PA)  
Nadler  
Napolitano  
Neal  
Nolan  
Norcross  
O'Rourke  
Pallone  
Pascarell  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Rangel  
Reed  
Renacci  
Rice (NY)  
Richmond  
Ros-Lehtinen  
Roskam  
Roybal-Allard  
Ruiz  
Ruppersberger  
Ryan (OH)  
Sanchez, Linda  
T.  
Sarbanes  
Schakowsky  
Schiff  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (NJ)  
Smith (WA)  
Speier  
Stefanik  
Stivers  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Tiberi  
Titus  
Tonko  
Torres  
Tsongas  
Upton  
Valadao  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walden  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth  
Young (AK)  
Zeldin  
Zinke

## NOT VOTING—8

Black McCaul  
Cleaver Poe (TX)  
Kirkpatrick Pompeo

ANNOUNCEMENT BY THE ACTING CHAIR  
The Acting CHAIR (during the vote).  
There is 1 minute remaining.

□ 1533

So the amendment was rejected.  
The result of the vote was announced as above recorded.

Stated against:

Mr. REICHERT. Mr. Chair, on rollcall No. 568, my vote was recorded as an “aye”; it should have been recorded as a “no.”

## PERSONAL EXPLANATION

Mr. POMPEO. Mr. Chair, on rollcall Nos. 565–568, I was unable to cast my vote in person due to a previously scheduled engagement. Had I been present, I would have voted “yea.”

The Acting CHAIR. There being no further amendments, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BOST) having assumed the chair, Mr. COLLINS of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5303) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes, had come to no resolution thereon.

WATER RESOURCES  
DEVELOPMENT ACT OF 2016

The SPEAKER pro tempore. Pursuant to House Resolution 897 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 5303.

Will the gentleman from Illinois (Mr. HULTGREN) kindly take the chair.

□ 1535

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 5303) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes, with Mr. HULTGREN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 10 printed in House Report 114-790 offered by the gentleman from Louisiana (Mr. GRAVES) had been disposed of.

Pursuant to House Resolution 897, no further amendment to the amendment in the nature of a substitute referred to in House Resolution 892 shall be in order except those printed in House Report 114-794.

Each such further amendment shall be considered 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.

AMENDMENT NO. 1 OFFERED BY MR. BYRNE

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114-794.

Mr. BYRNE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_ . GULF COAST OYSTER BED RECOVERY ASSESSMENT.**

(a) DEFINITIONS.—In this section:

(1) GULF STATES.—The term “Gulf States” means each of the States of Alabama, Florida, Louisiana, Mississippi, and Texas.

(2) SECRETARY.—The term “Secretary” means the Secretary of the Army, acting through the Chief of Engineers.

(b) GULF COAST OYSTER BED RECOVERY ASSESSMENT.—The Secretary, in coordination with the Gulf States, shall conduct an assessment relating to the recovery of oyster beds on the coast of Gulf States that were damaged by events including—

- (1) Hurricane Katrina in 2005;
- (2) the Deepwater Horizon oil spill in 2010; and
- (3) floods in 2011 and 2016.

(c) INCLUSION.—The assessment conducted under subsection (b) shall address the bene-

ficial use of dredged material in providing substrate for oyster bed development.

(d) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the assessment conducted under subsection (b).

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Alabama (Mr. BYRNE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, my straightforward amendment calls for the Army Corps of Engineers to perform a gulf coast oyster bed recovery assessment.

Over the last 20 years, the oyster industry on the Gulf Coast has faced some serious challenges. Hurricane Katrina destroyed so many of our oyster reefs. The Deepwater Horizon oil spill blanketed many oyster growing areas and resulted in substantial harvest reductions.

More recently, flooding in 2011 and earlier this year produced increased freshwater discharges into many parts of the Gulf and threw off the mix of fresh- and saltwater that oysters need to thrive.

In 2001, oyster landings in the Gulf totaled 25.5 million pounds; in 2014, which is the most recent data available, oyster landings in the Gulf were down to 19.9 million. This is a dangerous decline that really impacts our oystermen and the overall coastal economies.

This industry is especially important to the Gulf Coast. The oyster industry generated nearly \$100 million in oyster landings by fishermen in the Gulf States in 2014.

And we aren't just talking about the oystermen themselves. Having a successful oyster industry also benefits processors, restaurants, transportation, tourism, wholesalers, and retailers.

Mr. Chairman, I have visited with our local oystermen, and they are really struggling. It is heartbreaking to hear their stories. This is their livelihood, but also a way of life for these Americans. We can and we must do more to support their industry.

My amendment would pave the way for a partnership between the Army Corps of Engineers and the Gulf States to explore ways to improve future prospects for oysters. The assessment will address the beneficial use of dredged material and provide substrate for oyster bed development. Similar work has been done with the oyster industry in the Chesapeake Bay, and it has been a great success.

I also want to point out that improving the oyster beds on the Gulf will also benefit the ecosystem and environment as a whole. As filter feeders, oysters provide significant water quality benefits and, as an important prey spe-

cies, they support finfish, such as redfish and other species, further up the food chain.

States have already been working to improve conditions for the oyster industry through the use of BP settlement money, but further partnerships with the Army Corps of Engineers will go a long way.

I appreciate Chairman SHUSTER and his staff for working with me on this amendment and for all his work on the underlying bill.

Ultimately, I urge my colleagues to stand up for our Gulf Coast oystermen and support my amendment.

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

Mr. DEFAZIO. Mr. Chairman, I claim time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Mr. Chairman, I think the gentleman's amendment has great merit, and I urge Members to support it.

I yield back the balance of my time.

Mr. BYRNE. Mr. Chairman, I would ask everyone to support this very important amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. BYRNE).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. CRAWFORD

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114-794.

Mr. CRAWFORD. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_ . WATER INFRASTRUCTURE FINANCE AND INNOVATION.**

(a) PROJECTS ELIGIBLE FOR ASSISTANCE.—Section 5026(6) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3905(6)) is amended by striking “or a water recycling project” and inserting “a water recycling project, or a project of the Corps of Engineers to provide alternative water supplies to reduce aquifer depletion”.

(b) CREDIT.—Section 5029(b) of the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3908(b)) is amended by adding at the end the following:

“(10) CREDIT.—With respect to a project of the Corps of Engineers to provide alternative water supplies to reduce aquifer depletion, any eligible project costs incurred and the value of any integral in-kind contributions made before receipt of assistance under this subtitle shall be credited toward the 51 percent of project costs to be provided by sources of funding other than a secured loan under this subtitle (as described in paragraph (2)(A)).”.

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Arkansas (Mr. CRAWFORD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas.

Mr. CRAWFORD. Mr. Chairman, first, let me applaud the chairman's efforts and dedication to moving this reauthorization of the Water Resources Development Act. Continued investment in water infrastructure projects is critical to my constituents and communities all over the country who rely on water infrastructure to protect our communities and to strengthen the competitiveness of private enterprise.

The amendment I am offering today builds upon past successes of the chairman and the Transportation and Infrastructure Committee. It seeks to amend the Water Infrastructure Finance Innovation Act, or WIFIA, so that it will better address the problem of groundwater depletion, an issue that is becoming more and more widespread throughout communities all over the United States.

According to the U.S. Geological Survey, groundwater is the source of drinking water for about half of the total U.S. population and nearly all of the rural population. USGS also estimates that groundwater provides over 50 billion gallons per day for agricultural needs. In order to ensure adequate water availability for our communities and our farmers, it is vital to advance infrastructure projects that produce pressure on aquifers that supply groundwater.

In many parts of the country, water availability is at risk due to rates of groundwater pumping that outpace the ability of regional aquifers to recharge. The problem has only grown worse with the recent onslaught of widespread drought.

WIFIA was passed in the 2014 WRDA bill, and is an important tool that will accelerate water infrastructure investment in many important water projects. However, the program does not provide support for alternative water delivery projects aimed at reducing aquifer depletion. My amendment to WRDA clarifies the law to ensure that these types of groundwater conservation projects qualify for WIFIA financing.

Secondly, it makes a technical modification to ensure that WIFIA financing arrangements consider the total cost of the project, which will help advance projects already under construction.

Aquifer depletion threatens our communities and industries that rely on a constant supply of groundwater, so it is critical to support investment in projects that aim to address this serious problem. Therefore, I urge my colleagues to support my amendment.

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

Mr. DEFAZIO. Mr. Chairman, I rise in opposition, although I am not in opposition to the amendment.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Mr. Chairman, I think the gentleman has identified a real and

continuing issue, and I suggest that Members support his amendment.

I yield back the balance of my time. Mr. CRAWFORD. Mr. Chairman, I would like to thank the ranking member and express my appreciation to the chairman for his support of the amendment.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Arkansas (Mr. CRAWFORD).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. CULBERSON

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 114-794.

Mr. CULBERSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. 1. FLOOD MITIGATION AND RIERINE RESTORATION PROGRAM.**

The Secretary shall expedite carrying out the project for flood risk management, Brays Bayou, Texas, authorized by item 6 in section 211(f) of the Water Resources Development Act of 1996 (Public Law 104-303).

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Texas (Mr. CULBERSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CULBERSON. Mr. Chairman, this simple amendment that I am offering today with my colleague and good friend, Congressman AL GREEN of Houston, would direct the Secretary to expedite a project that we both share in Houston, the Brays Bayou flood mitigation project.

□ 1545

It was authorized back in 1996. We have experienced massive flooding in southeast Texas, and tremendous damage to homes and businesses throughout the area that Congressman GREEN and I represent.

It is vital that this project be completed as soon as possible. Expediting this project will remove 29,000 homes and businesses from a 100-year flood plain. The project is essential to reduce the devastation and suffering the people of Houston and Harris County have experienced in recent years.

I am proud to offer the amendment today with my colleague, Mr. AL GREEN of Houston. I want to thank the Rules Committee for making the amendment in order. I especially want to thank Chairman SHUSTER and his very capable committee staff for their assistance with this amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from Texas (Mr. AL GREEN).

Mr. AL GREEN of Texas. Mr. Chairman, I thank the chairperson of the committee, as well as the ranking member. I am so honored to be associated with this amendment.

In Houston, Texas, we have floods that total \$1 billion in damages, and it is not unusual for this to occur within a 1-year period of time. We had the tax day flood and the Memorial Day flood.

I also would call to your attention that we have lost a total of 17 lives in the last two floods. So this amendment is going to go a long way toward preventing flooding. It won't end it all, but it will help us greatly, and it may save some lives.

Mr. CULBERSON. Mr. Chairman, this amendment is very straightforward. We are simply expediting the funding that has already been appropriated, already been authorized, and already set aside for this project to ensure that the Corps gives the Brays Bayou project the same priority and the same urgency that it has, for example, with other projects in the area like Buffalo.

Mr. Chairman, I am proud to work with my colleague, Congressman AL GREEN. I move passage of the amendment.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition, although I am not in opposition to the amendment.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

I congratulate the two gentlemen on a very sensitive and positive bipartisan amendment which expedites a critical authorized and appropriated project.

Mr. AL GREEN of Texas. Will the gentleman yield?

Mr. DEFAZIO. I yield to the gentleman from Texas.

Mr. AL GREEN of Texas. Mr. Chairman, I neglected to thank Mr. CULBERSON.

It really has been a pleasure working with Congressman CULBERSON on this project. This has been something, as the gentleman knows, that our constituents have demanded that we pay some attention to. I hope that this will help to satisfy some of the concerns that have been raised that the gentleman and I have tried to address. So I thank the gentleman.

Mr. DEFAZIO. Mr. Chairman, I yield back the balance of my time.

Mr. CULBERSON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CULBERSON).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. FARENTHOLD

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114-794.

Mr. FARENTHOLD. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

# SEC. \_\_\_\_ . INITIATING WORK ON SEPARABLE ELEMENTS.

With respect to a water resources development project that has received construction funds in the previous 6-year period, for purposes of initiating work on a separable element of the project—

- (1) no new start or new investment decision shall be required; and
- (2) the work shall be treated as ongoing work.

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Texas (Mr. FARENTHOLD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. FARENTHOLD. Mr. Chairman, the Office of Management and Budget has imposed the need for a new start or a new investment determination for projects that have been previously fully authorized and have actually begun work despite a lack of written policy or standards.

Many of these critical projects, like one in the district I represent, the Port of Corpus Christi Channel Improvement Project, which was fully authorized in WRDA 2007 and reauthorized in WRRDA 2014, have been halted even though parts of the project have been completed.

The purpose of my amendment simply states that separate elements of a previously authorized project do not constitute a new start but are, in fact, a continuation and ongoing work. The new start determination and advancing separable elements of the entire project slows things down as we have to get a new start finding on every element. Slowing it down deprives the communities of much-needed improvements and actually raises the entire cost of the project. This amendment considers separable elements to be continuations of the fully authorized project.

The approach taken by the OMB, with respect to considering separable elements as a new start, is counterproductive to the work we have been doing on the Transportation and Infrastructure Committee in streamlining the review process, improving project delivery efforts, facilitating accelerated funding of projects, and reestablishing the Nation's trade and economic prowess with major port infrastructure projects like the Port of Corpus Christi.

Mr. Chairman, I urge members to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. FARENTHOLD).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. SAM JOHNSON OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114-794.

Mr. SAM JOHNSON of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

## SEC. 153. LOWER BOIS D'ARC CREEK RESERVOIR PROJECT, FANNIN COUNTY, TEXAS.

(a) FINALIZATION REQUIRED.—Not later than September 30, 2017, the Secretary shall finalize all permit decisions and publish all decision documents related to the construction of, impoundment of water in, and operation of, the Lower Bois d'Arc Creek Reservoir Project, including any associated water transmission facilities, by the North Texas Municipal Water District in Fannin County, Texas.

(b) INTERIM REPORT.—Not later than June 30, 2017, the Secretary shall report to Congress on the status of the permit decisions and related documents described in subsection (a) and whether or not the Secretary anticipates being able to meet the deadline established in such subsection, including, if applicable, a justification of why the Secretary may fail to meet such deadline.

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Texas (Mr. SAM JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SAM JOHNSON of Texas. Mr. Chairman, I rise today, along with my fellow Texans, PETE SESSIONS, JOHN RATCLIFFE, and EDDIE BERNICE JOHNSON, with an amendment that is absolutely vital for north Texas.

Mr. Chairman, north Texas is no stranger to drought. And with our area booming, the need for water is as great as ever. That is why for years the North Texas Municipal Water District has been working hard to get State and Federal approval to construct the Lower Bois d'Arc Creek Reservoir in Fannin County. In fact, they have been working at it for 10 years.

The good news is that the Texas Commission on Environmental Quality has already issued the State permit for this locally funded project. But here is the bad news: Federal bureaucrats have been holding up the permit for the project, specifically the EPA and Army Corps of Engineers.

There is no end in sight to the delay which will lead to a manmade water crisis. The bottom line is there won't be enough water to meet demand in north Texas without this new reservoir in as few as 4 years.

This isn't simply water for our lawns. It is about having the water to support our fast growing regional economy. Earlier this summer, The Dallas Morning News ran an editorial with the title: "EPA's delay of Fannin County reservoir could threaten North Texas economy," which I include in the RECORD.

[The Dallas Morning News, June 10, 2016]

EPA'S DELAY OF FANNIN COUNTY RESERVOIR COULD THREATEN NORTH TEXAS ECONOMY

For nearly a decade, the North Texas Municipal Water District has tried to build the Lower Bois d'Arc Reservoir in Fannin County to support the rapid growth in cities like Frisco, Plano and other municipalities north and east of Dallas.

The project was moving forward until last year, when the Army Corps of Engineers and

the Environmental Protection Agency abruptly shifted course at the last minute to require a more detailed analysis of the environmental impact to forested wetlands near the proposed reservoir. Completion of the \$1 billion, 16,526-acre project has been delayed from 2020 to possibly 2022.

Federal environmental reviews are complicated matters, but what makes this particularly disturbing is that the EPA appears to be changing the rules in the middle of the process without much regard to real-world consequences for North Texas. The project received its state water rights approval last summer and had expected to secure the necessary federal permits by the end of last year. Those permits would have kept the project on schedule, allowing the reservoir to open in 2020 with enough capacity to provide the region with water through at least 2040.

EPA and Army Corp officials say they are only following the law, but they're also making a high-stakes gamble with the region's economic well-being. Even with normal North Texas temperatures and rainfall, Collin County is on pace to face water supply issues by 2020 unless this reservoir is constructed. A major drought would be even more problematic.

Rest assured, this issue is more serious than brown lawns and restrictive watering schedules. Water rates would soar. Construction would slow, and there could be tense moments for sanitation and fire fighting, too. Emergency water supplies would be difficult to obtain. Dallas and other neighboring water districts would have their own challenges, and water from outside Texas couldn't be tapped without more regulatory battles and technical complications that would make supplies prohibitively expensive.

Dozens of mayors and members of Congress have pressed for faster action only to be told the review will be completed on the regulators' schedule. Frustrated, U.S. Rep. Sam Johnson recently introduced a bill to exempt the project from the Federal Water Pollution Control Act and speed up construction. We don't back this bill, but, like the congressman and various other elected officials, we agree that it is time for this project to move forward at a faster pace.

North Texas' population is expected to mushroom in the next quarter-century. The Army Corps and EPA need to find a way to allow this vital water project to be completed without further delay.

Mr. SAM JOHNSON of Texas. That is why I am offering this amendment which would require the EPA and Army Corps to issue a final permit for the construction of the reservoir no later than September 30, 2017.

North Texans want, need, and deserve this reservoir, a reservoir already approved by the State. I am absolutely committed to getting this done, and I ask all the Members to support this amendment.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I claim the time in opposition, even though I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I would like to express my strong support for this bipartisan amendment which would help the north Texas region meet its future water needs.

The North Texas Municipal Water District has long endeavored to develop a reservoir project in Fannin County, Texas. This project would help address the growing population within the water district which is expected to double to 3.7 million residents within the next 50 years. The project would also support millions of dollars in regional economic growth while helping us to meet the projected north Texas water supply needs through 2040 and beyond.

To date, the North Texas Municipal Water District has faced tremendous obstacles during the permitting process, which has hindered progress on this crucial project. This amendment would simply compel the Environmental Protection Agency and the U.S. Army Corps of Engineers to issue a final permit for the construction of the reservoir no later than September 30 of next year.

The Texas delegation has a long history of coming together and reaching across the aisle to accomplish great things for our State. The process behind this amendment was no different, and I am proud to work with my colleagues to offer this amendment.

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

Mr. SAM JOHNSON of Texas. Mr. Chairman, I thank my friend from Texas, Congresswoman EDDIE BERNICE JOHNSON. She and I have been friends forever.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. SESSIONS), my good friend.

Mr. SESSIONS. Mr. Chairman, I want to stand before this body and thank the gentleman, SAM JOHNSON, and the gentlewoman, EDDIE BERNICE JOHNSON, for their support in this important effort.

Mr. Chairman, what we are doing here today is most important. We are trying to prepare for future generations of people who will be living in Texas who want and need to make sure that we have water reservoirs that are available and prepared for that growth that will occur. This is not a partisan issue, and it is not a political issue. It is a regional issue. It is something that we have worked on very diligently.

Congressman SAM JOHNSON and Congresswoman EDDIE BERNICE JOHNSON have gathered together, and we have worked to make sure that as we talk about this project we have worked with the EPA, we have worked with the Corps of Engineers, we have worked with the North Texas Municipal Water District, and we have made sure that during this process that we have all stuck to our word.

This opportunity that we have today is to make sure that we stick to our word, that all of the organizations who have worked with us know that we have set a date by which this must be done. There are lots of ways for people to slip out, find problems, and ignore the things which are team oriented.

I think that what SAM JOHNSON is doing here today makes real sense, and

that is why last night at the Rules Committee I made sure that we not only made this in order today, but that we can do this together.

I want to thank the gentlewoman from Dallas, Texas (Ms. EDDIE BERNICE JOHNSON), and the gentleman from Plano, Texas (Mr. SAM JOHNSON), for the work that they have done. I thank the gentleman for the time that he has yielded me.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I have no further comments. I just wish to request support for this amendment.

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

Mr. SAM JOHNSON of Texas. Mr. Chairman, I thank both of you all and all our Dallas delegation, the Texas delegation really, for this interest.

My commonsense amendment is intended to prevent a real water crisis—which we are getting close to—by getting the Federal Government to finally issue the needed permit for this vital local reservoir project. I ask all my colleagues to support this amendment. Please pass this amendment. Let's get the water north Texas needs.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SAM JOHNSON). The amendment was agreed to.

□ 1600

AMENDMENT NO. 6 OFFERED BY MR. RIBBLE

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 114-794.

Mr. RIBBLE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:  
**SEC. 1. CONSIDERATION OF USE OF NATURAL AND NATURE-BASED FEATURE.**

In carrying out the design, construction, maintenance, repair, and rehabilitation of development projects, including flood risk reduction, coastal resiliency, and ecosystem restoration projects, the Secretary shall ensure that appropriate consideration is given to the use of natural and nature-based features.

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Wisconsin (Mr. RIBBLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. RIBBLE. Mr. Chairman, I yield myself such time as I may consume.

My amendment is very simple. It is a 40-word technical correction from my perspective. This amendment simply states that the Secretary of the U.S. Corps of Engineers needs to consider—it doesn't mandate anything—it just says they should consider the use of natural and nature-based products when they are looking at various scopes of work.

Let me give you an example, Mr. Chairman. I serve the Eighth Congress-

sional District of Wisconsin and Green Bay is in my district. The waters of Green Bay have been affected by overflows of phosphorus and various nutrients. In this case, as part of the mitigation of trying to retain that phosphorus on the ground rather than in the bay, the Corps of Engineers could use natural berms. They could use weeds and grasses and different landscaping methods that are both aesthetically and technically better in this case.

So my amendment simply says that in this case the Secretary should allow consideration of these products. Not recommend them, not push them, not advocate for them, but simply have them in their consideration as they carry out the design, construction, maintenance, repair, and rehabilitation of water resources in this country.

This amendment is supported by the American Council of Engineering Companies, the American Shore and Beach Preservation Association, the American Society of Civil Engineers, the American Society of Landscape Architects, and about ten others or so.

Mr. Chairman, that is the scope of the amendment.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition, though I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

I want to congratulate the gentleman on his persistence. This is a very commonsense amendment and it could have tremendous benefits nationwide. It is great policy. I congratulate him for his persistence because this amendment was rejected in committee, but things seem different on the floor, and that is great.

I urge our colleagues to support this fully.

I yield back the balance of my time.

Mr. RIBBLE. Mr. Chairman, I also thank the ranking member for his words. I want to thank Chairman SHUSTER as well for recognizing that this amendment has merit.

I recommend that my colleagues support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. RIBBLE).

The amendment was agreed to.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. WOODALL) assumed the chair.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an amendment a bill of the House of the following title:



H.R. 5325. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

#### WATER RESOURCES DEVELOPMENT ACT OF 2016

The Committee resumed its sitting.

AMENDMENT NO. 7 OFFERED BY MR. ROGERS OF KENTUCKY

The Acting CHAIR (Mr. HULTGREN). It is now in order to consider amendment No. 7 printed in House Report 114-794.

Mr. ROGERS of Kentucky. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

#### SEC. \_\_\_\_ . RECREATIONAL ACCESS.

Section 1035 of the Water Resources Reform and Development Act of 2014 (Public Law 113-121; 128 Stat. 1234) is amended—

(1) by striking subsection (b) and inserting the following:

“(b) RECREATIONAL ACCESS.—The Secretary shall allow the use of a floating cabin on waters under the jurisdiction of the Secretary in the Cumberland River basin if—

“(1) the floating cabin—

“(A) is in compliance with, and maintained by the owner to satisfy the requirements of, regulations for recreational vessels, including health and safety standards, issued under chapter 43 of title 46, United States Code, and section 312 of the Federal Water Pollution Control Act (33 U.S.C. 1322); and

“(B) is located at a marina leased by the Corps of Engineers; and

“(2) the Secretary has authorized the use of recreational vessels on such waters.”; and

(2) by adding at the end the following:

“(C) LIMITATION ON STATUTORY CONSTRUCTION.—

“(1) IN GENERAL.—Nothing in this section may be construed to authorize the Secretary to impose requirements on a floating cabin or on any facility that serves a floating cabin, including marinas or docks located on waters under the jurisdiction of the Secretary in the Cumberland River basin, that are different or more stringent than the requirements imposed on all recreational vessels authorized to use such waters.

“(2) DEFINITIONS.—In this subsection, the following definitions apply:

“(A) VESSEL.—The term ‘vessel’ has the meaning given that term in section 3 of title 1, United States Code.

“(B) REQUIREMENT.—The term ‘requirement’ includes a requirement imposed through the utilization of guidance.”.

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Kentucky (Mr. ROGERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Chairman, this small legislative clarification will go a long way to promote tourism and economic opportunity on Corps lakes.

Beautiful Lake Cumberland, in my Congressional District, is the largest man-made lake east of the Mississippi.

Located within a day's drive of 87 million Americans and with over 1,200 miles of pristine coastline, it is the ideal location for families to enjoy a week or a weekend on a houseboat.

Indeed, Lake Cumberland was once the houseboat capital of America, but that all abruptly changed when a major Corps rehabilitation project on the dam coincided with a downturn of the U.S. economy in 2007. The Corps had to lower the lake by some 43 feet to repair damage to Wolf Creek Dam, and the houseboat business was all but decimated.

It took 7 years to complete this project and restore lake levels, but I am proud to say, Mr. Chairman, that Lake Cumberland is now open for business. Unfortunately, the Corps has not been as eager as others to bring back the vibrant houseboat industry that once flourished in this region, or to support the emerging floating cabin industry that promises to make lake life accessible to more and more vacationers and families.

With Chairman SHUSTER's support, we added bipartisan language to the last WRDA bill to ensure that floating cabins, once garnering safety approval by the U.S. Coast Guard, would be permitted on Corps lakes. However, the Corps has since found new and creative ways to continue banning floating cabins from their lakes, particularly through the promulgation of overly burdensome guidance with requirements far more stringent than those health and safety standards expected by the Coast Guard.

The Coast Guard has successfully safeguarded our maritime system since its creation in 1790, and it is, therefore, the Coast Guard that should be the lead Federal agency in regulating the vessels that navigate our Federal waterways. Today's amendment simply reinforces congressional intent to ensure that there is one standard for these floating cabins, and that standard would be set by the U.S. Coast Guard. Safety should always remain our highest priority, and I am confident these cabins will create exciting new opportunities at Lake Cumberland and other Corps lakes.

I urge support of this amendment.

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

The Acting CHAIR (Mr. YODER). The question is on the amendment offered by the gentleman from Kentucky (Mr. ROGERS).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. ROUZER

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 114-794.

Mr. ROUZER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

#### SEC. \_\_\_\_ . NO WAKE ZONES FOR VESSELS.

(a) IN GENERAL.—The Secretary shall work with State and local officials to establish a

no wake zone for vessels in a covered navigation channel if—

(1) State or local law enforcement officers have documented that there exist safety hazards that are a direct result of excessive wakes in the channel;

(2) a State law has been enacted to establish a no wake zone for the channel or waters adjacent to the channel; and

(3) the no wake zone complies with any recommendation made by the Commandant of the Coast Guard to ensure the safety of vessels operating in the zone and the safety of the passengers and crew aboard such vessels.

(b) EXCEPTION.—A no wake zone established pursuant to this section shall not apply to the operation of a towing vessel, as defined in section 2101 of title 46, United States Code.

(c) COVERED NAVIGATION CHANNEL.—In this section, the term “covered navigation channel” means a navigation channel that—

(1) is federally marked or maintained;

(2) is part of the Atlantic Intracoastal Waterway; and

(3) is adjacent to a marina.

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from North Carolina (Mr. ROUZER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. ROUZER. Mr. Chairman, I have come here to the floor this afternoon because there is a specific and, I would argue, unique public safety concern that I have in my district right along the Intracoastal Waterway. Specifically, it is right there at Southport Marina.

Let me give you a visual description of what is taking place there. When you are traveling up the Intracoastal Waterway, particularly from the south, you can't see the Southport Marina at all. There is not a no-wake zone there. Because you can't see the Southport Marina, these boats, particularly the recreational users, fly right on through there.

This is a high traffic area, particularly during the spring and summer months when you have a lot of recreational boaters on the water. This is a growing area. In fact, this has been a public safety concern for some time; so much of a public safety concern, that the State of North Carolina passed a law requiring that this area adjacent to the Southport Marina be a no-wake zone. The problem is the Army Corps of Engineers and the Coast Guard won't recognize it.

So let me give you this mental picture again. You have got the Intracoastal Waterway, you have a marina that most boaters, particularly those speeding up from the south, can't see on the left-hand side. They are flying through there. You have all kinds of boats coming in and out, recreational boats coming in and out of the marina. This is a major accident waiting to happen.

The local sheriff's office is quite concerned about this. The local government and county commissioners, town, and all of the local citizens are quite concerned about this. Again, I want to



stress that there has been so much concern about this that the State of North Carolina passed a law requiring this area to be a no-wake zone.

So this is not an amendment in any way, shape, or form to require or attempt to persuade the Corps of Engineers or Coast Guard to get in the business of no-wake zones. However, it is designed to encourage the Corps and the Coast Guard to work with the locals and the State to address this significant public safety issue.

The amendment is narrowly crafted so as to avoid creating any other speed bump, for example, up and down the Intracoastal Waterway. And there is an exception made for tugboat operators, because I certainly recognize that they have to maintain a certain speed in order to get the cargo through the waterway.

I encourage my colleagues to support the amendment.

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

Mr. DEFAZIO. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from Oregon is recognized for 5 minutes.

Mr. DEFAZIO. Mr. Chairman, I would ask the author—I am a bit puzzled, and we have been unable to get an answer expeditiously from the Coast Guard—you are saying the Coast Guard will not recognize the no-wake zone, but the enforcement would fall to the local harbor patrol or the local authorities. So there is a no-wake zone that the local officials can fine or penalize people who violate it, can they not?

Mr. ROUZER. Will the gentleman yield?

Mr. DEFAZIO. I yield to the gentleman from North Carolina.

Mr. ROUZER. Here is the situation. There is not a no-wake zone there because the Army Corps and the Coast Guard do not recognize it. The State passed a law requiring that there be a no-wake zone, but there is not one because Federal law, obviously, supersedes State law.

Mr. DEFAZIO. Mr. Chairman, reclaiming my time, I think we have got an issue here that doesn't require legislation. I am not going to object to this going forward, but I think we can get the attention of the Coast Guard and figure out what is going on here because I am not aware—and I live on a boat in D.C. and I have spent a lot of time on the water and I have been on the Intracoastal Waterway. I am not aware that the Coast Guard has any authority over locally declared no-wake zones to preempt them, and I am puzzled as to why they would do that in this particular case.

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

Mr. ROUZER. Mr. Chairman, I think the problem specifically is that it is Federal water. I would add, again to paint a mental picture here, you have State and local officials that want to have a no-wake zone; and the only rea-

son why there is not a no-wake zone there is because the Army Corps of Engineers and the Coast Guard do not recognize it. Again, I would suspect that is specifically because it is Federal water.

This amendment is narrowly tailored to address this specific public safety issue. Again, I would encourage my colleagues to support the amendment.

Mr. DEFAZIO. Will the gentleman yield?

Mr. ROUZER. I yield to the gentleman from Oregon.

Mr. DEFAZIO. Mr. Chairman, I am puzzled because, again, I have been on segments of the Intracoastal Waterway, which I guess he is saying are all declared to be Federal waters where there are no-wake zones. So I don't know what the issue is. I would be happy to work with the gentleman on this, and I am not going to object to the amendment at this point.

Mr. ROUZER. Mr. Chairman, reclaiming my time, I appreciate the comments of the ranking member. And to be quite candid, I don't understand why they won't follow it either, which is why I am here.

I greatly appreciate the ranking member and his support, and I look forward to working to get this resolved.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. ROUZER).

The amendment was agreed to.

□ 1615

AMENDMENT NO. 9 OFFERED BY MS. MENG

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 114-794.

Ms. MENG. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_ ICE JAM PREVENTION AND MITIGATION.**

(a) IN GENERAL.—The Secretary may carry out projects under section 205 of the Flood Control Act of 1948 (33 U.S.C. 701s), including planning, design, construction, and monitoring of structural and nonstructural technologies and measures for preventing and mitigating flood damages associated with ice jams.

(b) INCLUSION.—The projects described in subsection (a) may include the development and demonstration of cost-effective technologies and designs developed in consultation with—

- (1) the Cold Regions Research and Engineering Laboratory of the Corps of Engineers;
- (2) universities;
- (3) Federal, State, and local agencies; and
- (4) private organizations.

The Acting CHAIR. Pursuant to House Resolution 897, the gentlewoman from New York (Ms. MENG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Ms. MENG. Mr. Chairman, first, I thank my partner in offering this amendment, Representative ELISE STEFANIK. Our bipartisan amendment is simple. It is identical to language in the Senate-passed WRDA that allows the Army Corps of Engineers to pursue projects and technologies that prevent and mitigate flood damage that is associated with ice jams.

Every year, flooding that results from the piling up of frozen ice in rivers across the United States costs our economy millions of dollars. When free-floating ice catches on obstructions, such as bridge pilings, rocks, or logs, flooding can result upstream from the blockage and, again, downstream when the ice finally releases.

During my time in the New York State Assembly, I can remember hearing horrible stories from my colleagues in upstate New York and wondering what more could be done to prepare for these events. I know that my friend Representative STEFANIK's district has been directly impacted by such floods in the recent past, and I am glad that we could come together today to offer this amendment.

Currently, research is ongoing regarding the best practices in planning, design, and construction of Army Corps projects that would help alleviate future ice jam flooding. I support those efforts and look forward to new technologies and designs that are being developed by local universities, State and local agencies, and even private industry. Together, I know that we can do more to combat the hardships that are created in American communities every year by ice jam flooding, and I appreciate the time today to highlight this terrible problem.

I urge the Army Corps to continue its efforts at the Cold Regions Research and Engineering Laboratory in Hanover, New Hampshire, and I urge my colleagues to support this amendment.

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

Mr. DEFAZIO. Mr. Chairman, I rise in opposition, although I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

I congratulate the gentlewoman on being sensitive to the needs of her district, which has a very real problem, and this is fully within the authority of the Corps. I wish they had more money with which to do more projects around the country. I tried that yesterday, and it didn't work, but I will certainly be happy to support this.

I yield back the balance of my time.

Ms. MENG. Mr. Chairman, I thank the gentleman for his support.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from New York (Ms. MENG).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MS. MOORE

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in House Report 114-794.

Ms. MOORE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_\_. TRIBAL CONSULTATION.**

(a) REVIEW.—Not later than 60 days after the date of enactment of this Act, the Secretary shall begin a review of the policies, regulations, and guidance related to conducting meaningful consultation with Indian tribes regarding Corps of Engineers flood control, environmental restoration, and other projects or requiring the Corps of Engineers to approve a permit that may have an impact on tribal cultural or natural resources.

(b) CONTENTS.—The review required under subsection (a) shall examine and assess the following:

(1) How tribal consultation rules apply to the permitting process, especially for projects not on tribal lands but which may still be contiguous to such lands or affect tribal cultural and natural resources.

(2) How the Corps of Engineers defines meaningful consultation.

(3) Whether the current process adequately considers tribal interests including environmental, social, health and well-being of tribal members.

(4) How the Corps of Engineers informs tribes that it will not consider concerns or alternatives raised during the consultation process.

(5) How the Corps of Engineers determines a project's impact on tribal communities including the Corps ability to protect cultural and natural resources such as water.

(6) The specific situations by which tribes have access to high level Corps of Engineers officials such as the Assistant Secretary of the Army (Civil Works) and the Chief of Engineers to dispute or otherwise direct concerns about pending Corps of Engineers projects or permits, including examples of instances in which the Corps of Engineers provided such access as part of its consultation with a tribe regarding a particular project.

(7) The role of headquarters in overseeing tribal consultation being done at the District and Division levels.

(8) The effectiveness of the dispute resolution process that has been developed to elevate tribal concerns to higher levels of Corps of Engineers oversight and review.

(9) Whether the Corps should undertake a rulemaking process related to its tribal consultation policies and procedures.

(c) CONSULTATION.—In completing the review required under subsection (a), the Secretary shall provide for public and private meetings with Indian tribes and other stakeholders.

(d) REPORT.—Not later than 1 year after beginning the review under subsection (a), the Secretary shall submit to Congress, and publish in the Federal Register, a report on—

(1) the results of the review;

(2) any proposed changes to the tribal consultation policies determined necessary as a result of the review; and

(3) if the Secretary determines that no changes to the tribal consultation policies are necessary, the justification for such determination.

The Acting CHAIR. Pursuant to House Resolution 897, the gentlewoman

from Wisconsin (Ms. MOORE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE. Mr. Chairman, I will be brief.

We are all aware of the latest controversy surrounding the failure of the Federal Government to consult with Native American tribes. Wisely, the Obama administration has postponed work on the Dakota Access pipeline while it meets to hear tribes' concerns about the inadequacy of the consulting process in that case and, more broadly, across the Federal Government. In the bill before us, Mr. Chairman, we are authorizing billions of dollars in Army Corps of Engineers projects and providing direction for work it is doing in almost every community throughout our great country.

There is no question that the Corps' responsibility to undertake this work and the indigenous people's desire and ability to protect their cultural and natural resources will continue to clash, and we know that tribes continue to be frustrated by how Federal agencies, including the Army Corps, do their so-called consulting with them. I share this frustration.

I would love to go much further with this amendment, but my amendment, Mr. Chairman, simply requires the Army Corps to work with tribes to review its current consultation policies. Let me just read a little bit, Mr. Chairman, because it sounds good on paper.

"All federally recognized Tribes are sovereign governments and will be treated with respect. . . . The trust responsibility will be honored and fulfilled. . . . The Federal Government has a unique legal and political relationship with Tribal governments that recognizes self-government and self-determination," et cetera.

I include in the RECORD this policy.

DEPARTMENT OF THE ARMY,  
U.S. ARMY CORPS OF ENGINEERS,  
Washington, DC, November 1, 2012.

Memorandum for Commanders, Directors and Chiefs of Separate Offices, U.S. Army Corps of Engineers

Subject: Tribal Consultation Policy

1. This memorandum affirms and formalizes current tribal consultation procedures for the U.S. Army Corps of Engineers (USACE).

2. The interaction between the federal government and federally recognized Indian Tribes (including Alaska Natives) has its origins in the U.S. Constitution and has been upheld and defined through Treaties, U.S. Supreme Court cases, various statutes and regulations, presidential documents and policies, including the Department of Defense American Indian and Alaska Native Policy, and the USACE Tribal Policy Principles, recently reissued on 10 May 2010.

3. The Policy provides an outline of our responsibilities to federally recognized Tribes as well as a framework for consulting with them. It is purposefully general in nature because each of the 565 federally recognized American Indian and Alaska Native Tribes are distinct and separate governments, requiring a consultation process that may be completely unique to them.

4. USACE recognizes the sovereign status of Tribal governments and our obligation for pre-decisional government-to-government consultation. USACE also recognizes the unique role Tribes play as partners in water resources projects and seeks to develop relationships with all Tribes who may need our assistance in their capacity building and self-determination.

5. USACE has an excellent tribal program coordinated by a tribal liaison at Headquarters and a point of contact or liaison in each District and Division office. These experts are ready to support you and answer any questions you have regarding tribal policies.

6. An accountable process to interact with Tribes is mandated in Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, 06 Nov 2000, and Presidential Memorandum, Tribal Consultation, 05 Nov 2009. Please ensure that your staff is aware of and abides by our Consultation Policy to ensure effective and mutually beneficial relationships with tribal partners.

THOMAS P. BOSTICK,

Lieutenant General, U.S. Army Commanding.

U.S. ARMY CORPS OF ENGINEERS

TRIBAL CONSULTATION POLICY

1. References.

a. U.S. Constitution, Articles I, Section 8; Article VI.

b. National Historic Preservation Act.

c. American Indian Religious Freedom Act.

d. Archaeological Resources Protection Act.

e. Native American Graves Protection and Repatriation Act.

f. Religious Freedom Restoration Act.

g. Executive Order 13007, Indian Sacred Sites, 24 May 1996.

h. Department of Defense American Indian and Alaska Native Policy, 20 Oct 1998.

i. Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, 06 Nov 2000.

j. Engineer Regulation 1105-2-100, Planners Guidance Notebook, 22 Apr 2000.

k. Department of Defense Instruction Number 4710.02: DoD Interactions with Federally Recognized Tribes, 14 Sep 2006.

l. Army Regulation 200-1, Environmental Protection and Enhancement, 13 Dec 2007.

m. Engineer Regulation 1130-2-540, Project Operations—Environmental Stewardship Operations and Maintenance Guidelines and Procedures, 11 Aug 2008.

n. Presidential Memorandum, Tribal Consultation, 5 Nov 2009.

o. USACE Tribal Policy Principles, 18 Feb 1998 and 10 May 2010.

p. Announcement of Presidential support for the United Nations Declaration on the Rights of Indigenous Peoples, Public Papers of the President, December 16, 2010.

2. Purpose. On November 5, 2009, President Barack Obama issued a Memorandum to the heads of all federal agencies entitled Tribal Consultation (74 Fed Reg 57881) reaffirming Executive Order 13175, Consultation and Coordination with Indian Tribal Governments (65 Fed Reg 67249) signed by President William J. Clinton on November 6, 2000. E.O. 13175 requires all federal agencies to formulate "an accountable process to ensure meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications." This document affirms the U.S. Army Corps of Engineers' (USACE) commitment to engage in consultation with federally recognized Tribes.

3. Background. There are responsibilities to Tribes resulting from the Federal Trust Doctrine, as well as from Treaties, statutes, regulations, Executive Orders and agreements between the United States government and tribal governments. Department of

Defense American Indian and Alaska Native Policy, Department of Defense Instruction number 4710.02: DoD Interactions with Federally Recognized Tribes, and US Army Corps of Engineers Tribal Policy Principles (Attachment 1) provide guidance.

For the purposes of this policy, the following definitions are applied:

a. Tribe: Indian Tribes as defined in E.O. 13175, "an Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe pursuant to the Federally Recognized Indian Tribe List Act of 1994, 25 USC 479a."

b. Consultation: Open, timely, meaningful, collaborative and effective deliberative communication process that emphasizes trust, respect and shared responsibility. To the extent practicable and permitted by law, consultation works toward mutual consensus and begins at the earliest planning stages, before decisions are made and actions are taken; an active and respectful dialogue concerning actions taken by the USACE that may significantly affect tribal resources, tribal rights (including treaty rights) or Indian lands.

4. Applicability. This regulation applies to all HQUSACE elements, Major Subordinate Commands, District Commands, the Institute for Water Resources, the Humphreys Engineering Center Support Activity, and the Engineer Research and Development Center.

5. General Policy. The Tribal Policy Principles.

a. All federally recognized Tribes are sovereign governments and will be treated with respect.

(1) Sovereignty is the foundation of tribal governments.

(2) Tribes are responsible for their own governance and management.

b. The Trust responsibility will be honored and fulfilled.

(1) The federal government has a unique legal and political relationship with Tribal governments that recognizes self-government and self-determination.

(2) USACE is committed to supporting projects and programs beneficial to Tribes through partnership with them.

(3) USACE will ensure that it addresses Tribal concerns regarding protected tribal resources, tribal rights (including treaty rights) and Indian lands.

(4) USACE will protect and allow access to protected tribal resources under USACE jurisdiction to the extent practicable, and will work to develop and implement access policies as needed.

(5) USACE will share information that is not otherwise controlled or classified information.

c. USACE will maintain a government-to-government relationship with Tribes.

(1) Tribes have a unique and distinctive political and legal relationship with the United States.

(2) A Tribe may have access to the Chief of Engineers, the Assistant Secretary of the Army (Civil Works), and other high level individuals if the need arises.

(3) While most interaction will be staff to staff, decision making will be leader to leader (the head of the Tribe and the district commander), with the assistance of the local subject matter expert (typically, the Tribal Liaison).

d. Consultation will be an integral, invaluable process of USACE planning and implementation.

(1) When appropriate, potentially affected Tribes, as determined by the Corps, including Tribes whose aboriginal territories extend to the lands where an activity would occur, will be contacted by letter, telephone

or e-mail sufficiently early to allow a timely review of the proposed action. If contacted Tribes notify USACE that other Tribes are potentially affected, USACE has the responsibility to notify those Tribes as well.

(2) Any activity that has the potential to significantly affect protected tribal resources, tribal rights (including treaty rights) and Indian lands-individual projects, programs, permit applications, real estate actions, promulgation of regulations and policies—regardless of land status, will be reviewed at the district level by an individual who effectively interacts with Tribes, usually the Tribal Liaison.

(3) Consultation will be conducted at the district or division level under the guidance of an individual who effectively interacts with Tribes, usually the Tribal Liaison, unless there is a request for HQUSACE (and/or OASA (CW) in the case of Civil Works) input, or if HQUSACE determines input is necessary.

(4) Commands will ensure that all Tribes with an interest in a particular activity that has the potential to significantly affect protected tribal resources, tribal rights (including treaty rights) and Indian lands are contacted and their comments taken into consideration.

(5) Consultation procedures for individual projects or programs may be developed at the local level to meet the needs of particular Tribes(s).

(6) In recognition of the varied organizations and customs of different Tribes, written protocols for consultation procedures may be considered and implemented at the local level with a specific Tribe.

(7) A dispute resolution process will be developed during the consultation process, including a provision to elevate the consultation to higher USACE and/or Tribal levels.

(8) Requests for consultation by a Tribe to USACE will be honored.

e. USACE will support Tribal self-determination, self reliance and capacity building by:

(1) Partnering with Tribes on studies, projects, programs and permitting procedures will be supported and promoted to the extent permitted by law and policy.

(2) To the extent permitted by law and policy, provide information on opportunities to compete for requests for proposals or other potential contracts with USACE.

(3) Sharing appropriate information on USACE programs, policies and procedures, and public documents.

(4) Utilizing Tribal knowledge for planning purposes and to inform operational activities.

(5) Supporting Tribal efforts to lease and operate water resource projects and lands, where appropriate.

(6) Identifying and implementing, within existing authority, other capacity-building opportunities as they occur.

f. Protection of natural and cultural resources.

(1) USACE recognizes the importance of strict compliance with the Native American Graves Protection and Repatriation Act (NAGPRA), the National Historic Preservation Act (NHPA) and other statutes concerning cultural and natural resources.

(2) USACE acknowledges that compliance with the above statutes may not comprise the full range of consultation, nor of cultural property and resource protection.

(3) To the extent allowed by law, USACE will protect the location of historic properties, properties of religious and cultural significance, and archaeological resources, in consultation with and when requested by the affected Tribe(s).

6. Responsibilities of Commanders and other USACE officials interacting with federally recognized Tribes.

a. Build relationships with Tribes soon after each change of command by face-to-face interaction at the local headquarters or at tribal offices when at all possible.

b. Identify and remove procedural impediments to working with Tribes whenever possible.

c. Share appropriate Corps procedures, regulations and organizational information with Tribes.

d. Maintain open lines of communication through consultation with Tribes during the decision making process for those matters that have the potential to significantly affect protected tribal resources, tribal rights (including treaty rights) and Indian lands.

e. Provide Tribes with points of contact on project-related issues, and issues in general.

f. Encourage partnerships on projects with Tribes wherever possible.

g. Encourage collaborative partnerships by other federal and state agencies with Tribes to further their goals and projects.

7. Education. To develop a proactive well-informed workforce, in-house training, workshops, and an annual meeting of USACE tribal liaisons have been developed and should be attended by Corps employees who interact with Tribes-liaisons, project managers, program managers, real estate professionals, regulators, leaders, contracting specialists, etc.

8. Accountability. To assess the effectiveness of USACE Tribal consultation, professionals who interact with Tribes will keep records of consultation meetings and other tribal interactions. These records will be accessible and can be made available for purposes of reporting to OMB through DoD as per the reporting requirement in the Presidential Proclamation of 5 Nov 2009. The report will be synthesized at HQUSACE and transmitted to DoD (OSD) on a yearly basis. A copy of this report will be distributed to federally recognized Tribes upon request.

9. Implementation. USACE will incorporate the six Tribal policy principles, including pre-decisional consultation, into its planning, management, budgetary, operational, and legislative initiatives, management accountability system and ongoing policy and regulation development processes.

10. General Provision: This policy does not establish new requirements, but reaffirms procedures and policies already in place, clarifies responsibilities and establishes clear measures of implementation success.

Ms. MOORE. Let me be clear. We may need a formal rulemaking process, but this amendment today doesn't block any pending project or permit process. I do think it is appropriate, when questions are raised about inadequate consultation, that we do something here. It is my hope that this report will guide Congress within a year, when we consider the next WRDA bill, so that the chairman, the ranking member, and the underlying bill, itself, will make clear that their support for taking up WRDA bills on a regular 2-year cycle will include tribal consultation. Again, these consultations look good on paper, but my amendment wants to formalize the consultation process and get a report.

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

Mr. DEFAZIO. Mr. Chairman, I rise in opposition, although I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

I congratulate my good friend, the gentlewoman from Wisconsin, for bringing forward this important amendment.

I think the key thing is what she said at the end, which is that the process may look good on paper but that that is not good enough when we are dealing with sovereign nations.

I have restored a tribe in my district and have worked a lot on tribal issues in my 28 years on the Natural Resources Committee. I have put an amendment into the FAST Act to allow tribal governance to take control of their Federal transportation funds so that the State isn't nicking money off the top and so that they actually can exert their sovereignty, and we have done that in some other areas for the tribes. This is, really, a critical amendment.

There is a real issue here. The tribes say, in the case of this pipeline, that they were not adequately consulted with. The Corps says, well, the box is checked. Thanks to the President, we are going to have a review of what really happened here. Obviously, this is not the only instance, and we need a broader review. We need to be sure that the Corps is fully cognizant of and recognizes the sovereignty of tribal nations so that they have in place a real and full consultation process for anything that may affect any tribe or reservation in the United States.

I think this is a great amendment and very timely, and I urge my colleagues to support it.

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

Ms. MOORE. Mr. Chairman, I thank the ranking member, and I thank the committee for being sensitive to the needs of native peoples to be included and involved in things that concern their sovereignty and self-governance.

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

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE). The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. PETERS

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in House Report 114-794.

Mr. PETERS. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_ . STRUCTURAL HEALTH MONITORING.**

(a) IN GENERAL.—The Secretary shall design and develop a structural health monitoring program to assess and improve the condition of infrastructure constructed and maintained by the Corps of Engineers, including research, design, and development of systems and frameworks for—

(1) response to flood and earthquake events;

(2) pre-disaster mitigation measures;

(3) lengthening the useful life of the infrastructure; and

(4) identifying risks due to sea level rise.

(b) CONSULTATION AND CONSIDERATION.—In developing the program under subsection (a), the Secretary shall—

(1) consult with academic and other experts; and

(2) consider models for maintenance and repair information, the development of degradation models for real-time measurements and environmental inputs, and research on qualitative inspection data as surrogate sensors.

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from California (Mr. PETERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. PETERS. Mr. Chairman, my amendment would enable the Army Corps of Engineers to use the best technology available to ensure our infrastructure is structurally sound and avoid the loss of property, money, and lives. Specifically, it directs the Secretary of the Army to use structural health monitoring to evaluate its construction projects and current infrastructure to mitigate damage from floods, earthquakes, sea level rise, and other disasters both before and after a major event.

The increased frequency and magnitude of the extreme weather events have high recovery costs for the Federal Government. In 2012, Superstorm Sandy caused an estimated \$50 billion in damages and forced more than 775,000 people to flee their homes. The Federal Government provided \$136 billion in assistance, amounting to \$1,160 per taxpayer. These costs can be prevented. Research has shown that every \$1 spent on preparedness saves \$4 in disaster recovery costs. How we prepare before disaster strikes determines how much we spend and, more importantly, how many lives we save.

Successful planning and preparation require consultation with experts and access to the best available data with structural health monitoring sensors that can detect in near realtime the existence, location, and severity of the damage to infrastructure. Data from these sensors can provide essential information on the condition of infrastructure, ranging from bridges to skyscrapers, following a natural disaster like an earthquake; but effective management of these structures is not one size fits all. Access to realtime-specific data through structural health monitoring technology will enable the Army Corps to prioritize buildings and structures that need immediate maintenance. By working proactively rather than reactively, we can avoid further damage and higher costs.

Data show we will only be more likely to see more extreme weather, sea level rise, and floods that can significantly damage our buildings and bridges in the future. Those disasters are not only costly but dangerous. We need to provide the groups responsible

for maintaining our Nation's infrastructure the tools they need to do so.

I thank the chairman, the ranking member, and the committee for considering this amendment. I ask my colleagues to support this smart, commonsense amendment.

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

Mr. DEFAZIO. Mr. Chairman, I rise in opposition, although I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Mr. Chairman, I yield myself such time as I may consume.

I congratulate the gentleman from California on a very thoughtful amendment. Actually, I am having a personal experience with this right now. Since we have discovered we have a major fault off of southern Oregon, the Corps has decided that they need to come back in and bore and reevaluate the dams on my Willamette River system. This should be, I would think, a pretty routine thing for the Corps.

I asked: Why do you have to do that?

They said: Back when we built those dams, we didn't know about it, and we aren't really quite sure of their seismic stability.

I think there are probably many, many, many other Corps projects in California, Oregon, and elsewhere that need that kind of scrutiny; so what the gentleman is doing is shining a light on a problem. As I mentioned earlier, the Corps has a \$2.5 billion backlog on O&M. This will come out of the O&M budget. I am happy to send this mandate to the Corps.

In revisiting my objections to the bill yesterday, which is going to cause me to vote against the bill, underspending the tax which is levied on all imported goods—paid for by all Americans who buy imported goods—and diverting that money to other programs when the Corps has critical needs like this is stupid. I really regret, again, that my harbor maintenance trust fund amendment was pulled out of the bill, but this just underlines the need for the Corps to have more resources.

I urge a positive vote on this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. PETERS).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. QUIGLEY

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in House Report 114-794.

Mr. QUIGLEY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_ . EXPEDITED COMPLETION OF AUTHORIZED PROJECT FOR FLOOD CONTROL.**

The Secretary shall expedite the completion of the project for flood control,

Chicagoland Underflow Plan, Illinois, phase 2, as authorized by section 3(a)(5) of the Water Resources Development Act of 1988 (Public Law 100-676; 102 Stat. 4013) and modified by section 319 of the Water Resources Development Act of 1996 (Public Law 104-303; 110 Stat. 3715) and section 501 of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 334).

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Illinois (Mr. QUIGLEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. QUIGLEY. Mr. Chairman, residents and businesses in the Chicagoland area are vulnerable to significant urban flooding that has the potential to cost millions of dollars and to endanger the lives and livelihoods of hundreds of thousands of people.

To address this problem, Congress authorized the Chicagoland Underflow Plan as a flood risk management project in the Water Resources Development Act of 1988. A key component of the plan is the construction of the McCook Reservoir, which is a major flood damage reduction reservoir. This benefits the city of Chicago and 36 suburbs by aiding flood mitigation. It also helps to protect thousands of structures and millions of people.

According to the Army Corps' 2015 fact sheet to Congress, the reservoir is already 65 percent complete and would offer significant benefits to Chicago residents and businessowners. It is also among the Army Corps' most economical projects, boasting a 3 to 1 benefit-to-cost ratio. The second phase of the construction in McCook has a 9 to 1 benefit-to-cost ratio.

Since its authorization in the late 1980s, the congressional intent of this project has been clear: it is for flood risk management, and it is constructed to help alleviate flooding problems in the metropolitan area of Chicago.

□ 1630

However, the Army Corps omitted funding for the critical second stage of this project in their FY17 budget due to the mistaken belief that stage two is related to water pollution control which is not handled by the Corps. It is, in fact, for flood control and is fully authorized and documented in the Corps' system as such. That is why my amendment would ensure that the Army Corps continues to do McCook as flood damage reduction system, consistent with legislative intent, and expedites the completion of this vital public work.

After many years of strong support for one of the Corps' most competitive flood protection projects, now is not the time to abandon funding for McCook. The livelihood of too many families and businesses are at stake.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chair, I claim the time in opposition, although I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Mr. Chair, I yield myself such time as I may consume.

I want to congratulate the gentleman for shining a spotlight on this. This is something that is critical to his district and region, and it was authorized in WRDA in 1988. It is past time that this received positive consideration and moved forward, and I think his amendment will help in that effort with that. I urge Members to support the amendment.

I yield back the balance of my time.

Mr. QUIGLEY. Mr. Chair, I want to thank Chairman SHUSTER for his support. I want to thank the ranking member for his comments. And I want to thank all who have worked on this project for so long. We are getting close.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. QUIGLEY).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. VELA

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in House Report 114-794.

Mr. VELA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_ CAMERON COUNTY, TEXAS.**

(a) RELEASE.—As soon as practicable after the date of enactment of this Act, the Secretary shall execute and file in the appropriate office a deed of release, amended deed, or other appropriate instrument effectuating the release of the interests of the United States in certain tracts of land located in Cameron County, Texas, as described in subsection (e).

(b) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require that any release under this section be subject to such additional terms and conditions as the Secretary considers appropriate and necessary to protect the interests of the United States.

(c) COSTS OF CONVEYANCE.—The Brownsville Navigation District shall be responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, associated with the releases.

(d) DESCRIPTION.—The Secretary shall release all or portions of the interests in the following tracts as determined by a survey to be paid for by the Brownsville Navigation District, that is satisfactory to the Secretary:

(1) Tract No. 1: Being approximately 1,277.80 acres as conveyed by the Brownsville Navigation District of Cameron County, Texas, to the United States by instrument dated September 22, 1932, and recorded at volume 238, pages 578 through 580, in the Deed Records of Cameron County, Texas, to be released and abandoned in its entirety, save and except the approximately 347.40 acres.

(2) Tract No. 2: Being approximately 842.28 acres as condemned by the United States by the Final Report of Commissioners dated May 6, 1938, and recorded at volume 281, pages 486 through 488, in the Deed Records of Cameron County, Texas, to be released and abandoned in its entirety, save and except

approximately 158.14 acres comprised of an approximately 500 ft. wide strip centered on the centerline of the Brownsville Ship Channel.

(3) Tract No. 3: Being approximately 362.00 acres as conveyed by the Manufacturing and Distributing University to the United States by instrument dated March 3, 1936, and recorded at volume "R", page 123, in the Miscellaneous Deed Records of Cameron County, Texas, to be released and abandoned in its entirety.

(4) Tract No. 5: Being approximately 10.91 acres as conveyed by the Brownsville Navigation District of Cameron County, Texas, by instrument dated March 6, 1939, and recorded at volume 293, pages 113 through 115, in the Deed Records of Cameron County, Texas (said 10.91 acres are identified in said instrument as the "Third Tract"), to be partially released as to the land portion of the tract.

(5) Tract No. 9: Being approximately 552.82 acres as condemned by the United States by the Final Report of Commissioners dated May 6, 1938, and recorded at volume 281, pages 483 through 486, in the Deed Records of Cameron County, Texas, to be released and abandoned in its entirety, save and except approximately 88.04 acres comprised of an approximately 450 ft. wide strip along the new centerline of the Brownsville Ship Channel.

(6) Tract No. 10: Being approximately 325.02 acres as condemned by the United States by the Final Report of Commissioners dated May 7, 1935, and recorded at volume 281, pages 476 through 483, in the Deed Records of Cameron County, Texas, to be released and abandoned in its entirety, save and except approximately 61.58 acres comprised of an approximately 500 ft. wide strip centered on the new centerline of the Brownsville Ship Channel.

(7) Tract No. 11: Being approximately 8.85 acres as conveyed by the Brownsville Navigation District of Cameron County, Texas, to the United States by instrument dated January 23, 1939, and recorded at volume 293, pages 115 through 118, in the Deed Records of Cameron County, Texas (said 8.85 acres are identified in said instrument as the "First Tract"), to be released and abandoned in its entirety, save and except a narrow area along the channel.

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Texas (Mr. VELA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. VELA. Mr. Chairman, I rise today in support of my amendment, which is cosponsored by Representative FARENTHOLD and provides for the release of Army Corps easements on certain tracts of land that are located at the Port of Brownsville in Cameron County, Texas. This amendment was written in conjunction with the Army Corps of Engineers, and they have signed off on this language. The purpose of this release of land is to allow for economic growth at the Port of Brownsville. These tracts of land are the property of the port and have been under easement to the Army Corps for decades.

These easements were originally granted to the Army Corps in the 1930s, 1940s, and 1950s, but have never been used. Returning control of the property to the Port of Brownsville will not

hinder Army Corps projects at the port.

Under my amendment, parts of seven tracts would be released subject to the conditions that the Secretary considers appropriate and necessary to protect the interests of the United States.

The Port of Brownsville is responsible for all reasonable and necessary costs, including real estate transaction and environmental documentation costs, making the amendment budget-neutral.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chairman, I rise in opposition, although I am not in opposition.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Mr. Chairman, again, I want to congratulate the gentleman on his amendment. I can confirm that the Corps of Engineers has said they have no objection to this. I guess just somehow, they couldn't get through the bureaucracy to release the land until the gentleman from Texas (Mr. VELA) brought this amendment to the floor. So the gentleman is doing a public service for his constituents and I believe the Nation, holding onto property unnecessarily. I recommend our colleagues support this amendment.

I yield back the balance of my time.

Mr. VELA. Mr. Chair, I thank the chairman, ranking member, Representative FARENTHOLD, the Army Corps, and the committee staff for their work on this amendment. I urge my colleagues to support the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. VELA).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MR. HUIZENGA OF MICHIGAN

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in House Report 114-794.

Mr. HUIZENGA of Michigan. Mr. Chair, I rise to offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_ . GREAT LAKES NAVIGATION SYSTEM.**

Section 210(d)(1)(B) of the Water Resources Development Act of 1986 (33 U.S.C. 2238(d)(1)(B)) is amended in the matter preceding clause (i) by striking "For each of fiscal years 2015 through 2024" and inserting "For each fiscal year".

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Michigan (Mr. HUIZENGA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. HUIZENGA of Michigan. Mr. Chair, I am offering this amendment because Great Lakes ports and harbors are facing a crisis. I want to thank the chairman of the committee for his will-

ingness to work on this situation, not just in this bill but in previous bills as well.

The Great Lakes navigation system is a critical international waterway that extends from the western end of Lake Superior to the Gulf of St. Lawrence Seaway on the Atlantic Ocean, a distance of over 2,400 miles. The U.S. portion of the system includes 140 harbors and over 600 miles of maintained navigation channels. This system can handle 200 million tons of cargo that generate and sustain around 130,000 good-paying jobs and an \$18 billion support to our economy in the eight Great Lakes States and around the country.

However, 16 million cubic yards of sediment clogged these ports and waterways in the Great Lakes. It is estimated that it would cost nearly \$200 million to make them fully functional.

In addition, the critical Soo Locks, joining Lake Superior and Lake Huron, require \$115 million to complete maintenance rehabilitation while Great Lakes breakwaters and jetties need \$250 million for repairs. We must act before the crisis in the Great Lakes grows even worse.

Just 2 years ago, the House overwhelmingly passed the Water Resources Reform and Development Act 412-4, and it was later signed into law. WRRDA 2014 included a provision that temporarily set aside 10 percent of Army Corps priority funding for the Great Lakes navigation system.

Consistent with the spirit of WRRDA 2014, my amendment provides the 140 federally maintained commercial and recreational Great Lakes ports and harbors with access to dependable funding by ensuring that the set-aside does not expire. These Federal harbor channels, like Pentwater, White Lake, Ludington, Muskegon, Holland, and Grand Haven in my district, are the lifeblood of these communities.

The Federal Government must meet its obligation to communities across the Great Lakes region. These ports and harbors are engines of economic growth that create jobs for American workers, farmers, and manufacturers.

As the chairman knows, it would be my preference to ensure that ports and harbors across our Nation are properly maintained by using the harbor maintenance trust fund for its intended purpose: harbor maintenance.

By working together since 2011, we have made significant progress. In fiscal year 2011, only 47 percent of the harbor maintenance tax that was paid into the HMTF was used to dredge and maintain our harbors because this trust fund was raided, frankly, to pay for unrelated projects.

Because of the progress we have made, the harbor maintenance trust fund will retain 76 percent of the revenues that are intended for water infrastructure improvements and harbor dredging under this year's Appropriations Committee-passed funding bill. This is a huge win for coastal communities in all of these different States and, frankly, for our entire Nation.

I look forward to building on the success in the future and would like to thank the chairman for working with us.

I reserve the balance of my time.

Mr. DEFAZIO. Mr. Chair, I claim the time in opposition, although I am definitively not in opposition.

The Acting CHAIR. Without objection, the gentleman from Oregon is recognized for 5 minutes.

There was no objection.

Mr. DEFAZIO. Mr. Chair, I want to congratulate the gentleman on this, creating a permanent set-aside for this critical harbor maintenance in the Great Lakes.

I have a similar amendment targeted toward small ports in the base bill. But, as the gentleman mentioned, what this points to is the fact that the Corps is stretched too thin. They have a \$2.5 million backlog on operations and maintenance, yet there is \$9.8 billion in the nonexistent harbor maintenance trust fund. That is, there is \$9.8 billion in taxes that has been paid by shippers and passed on to consumers that hasn't been spent on harbor maintenance.

Were we to create a harbor maintenance trust fund next year and, say, it was to be fully obligated, we would have an additional \$500 million in current revenues to invest in operations and maintenance, let alone the \$9.8 billion that harbor maintenance and construction is owed from past collections.

So I think this is an excellent amendment. I recommend it to my colleagues. The Great Lakes need this sort of attention, but we have got to get to the underlying problem which is insufficient funds.

I thank the gentleman for his support also on that issue.

I urge a positive vote, and I yield back the balance of my time.

Mr. HUIZENGA of Michigan. Mr. Chair, may I inquire of the balance of my time.

The Acting CHAIR. The gentleman from Michigan has 2-minutes remaining.

Mr. HUIZENGA of Michigan. Mr. Chair, I yield 1 minute to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Chairman, I thank my friend from Michigan, and I rise to support his amendment which establishes a permanent use of priority funds for the Great Lakes navigation system.

Mr. Chairman, the 2014 WRRDA bill included a temporary provision to set aside these funds for the Great Lakes to address the maintenance backlog. The Huizenga amendment continues this effort and ensures the 140 federally maintained ports and harbors on the Great Lakes, including the Port of Monroe in my district, have dependable funding as they continue to move over 200 million tons of cargo each year, and, I would add, Mr. Chairman, without producing any potholes, needing no guardrails or bridges.

They sustain good jobs and drive economic growth in Michigan and across



the country. I urge support of this amendment and the adoption of the amendment.

Mr. HUIZENGA of Michigan. Mr. Chair, I appreciate the work that both the chairman and the ranking member put into this particular issue that is so important to those of us that border the Great Lakes. I urge my colleagues to pass this amendment.

I yield back the balance of my time. The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. HUIZENGA). The amendment was agreed to.

AMENDMENT NO. 15 OFFERED BY MR. JOYCE

The Acting CHAIR. It is now in order to consider amendment No. 15 printed in House Report 114-794.

Mr. JOYCE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_ . GREAT LAKES RESTORATION INITIATIVE.**

Section 118(c)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)(7)) is amended—

(1) by striking subparagraphs (B) and (C) and inserting the following:

“(B) FOCUS AREAS.—In carrying out the Initiative, the Administrator shall prioritize programs and projects, to be carried out in coordination with non-Federal partners, that address the priority areas described in the Initiative Action Plan, including—

“(i) the remediation of toxic substances and areas of concern;

“(ii) the prevention and control of invasive species and the impacts of invasive species;

“(iii) the protection and restoration of nearshore health and the prevention and mitigation of nonpoint source pollution;

“(iv) habitat and wildlife protection and restoration, including wetlands restoration and preservation; and

“(v) accountability, monitoring, evaluation, communication, and partnership activities.

“(C) PROJECTS.—

“(i) IN GENERAL.—In carrying out the Initiative, the Administrator shall collaborate with other Federal partners, including the Great Lakes Interagency Task Force established by Executive Order No. 13340 (69 Fed. Reg. 29043), to select the best combination of programs and projects for Great Lakes protection and restoration using appropriate principles and criteria, including whether a program or project provides—

“(I) the ability to achieve strategic and measurable environmental outcomes that implement the Initiative Action Plan and the Great Lakes Water Quality Agreement;

“(II) the feasibility of—

“(aa) prompt implementation;

“(bb) timely achievement of results; and

“(cc) resource leveraging; and

“(III) the opportunity to improve inter-agency, intergovernmental, and inter-organizational coordination and collaboration to reduce duplication and streamline efforts.

“(ii) OUTREACH.—In selecting the best combination of programs and projects for Great Lakes protection and restoration under clause (i), the Administrator shall consult with the Great Lakes States and Indian tribes and solicit input from other non-Federal stakeholders.

“(iii) HARMFUL ALGAL BLOOM COORDINATOR.—The Administrator shall designate a

point person from an appropriate Federal partner to coordinate, with Federal partners and Great Lakes States, Indian tribes, and other non-Federal stakeholders, projects and activities under the Initiative involving harmful algal blooms in the Great Lakes.”;

(2) in subparagraph (D)—

(A) by striking clause (i) and inserting the following:

“(i) IN GENERAL.—Subject to subparagraph (J)(ii), funds made available to carry out the Initiative shall be used to strategically implement—

“(I) Federal projects;

“(II) projects carried out in coordination with States, Indian tribes, municipalities, institutions of higher education, and other organizations; and

“(III) operations and activities of the Program Office, including remediation of sediment contamination in areas of concern.”;

(B) in clause (ii)(I), by striking “(G)(i)” and inserting “(J)(i)”;

(C) by inserting after clause (ii) the following:

“(iii) AGREEMENTS WITH NON-FEDERAL ENTITIES.—

“(I) IN GENERAL.—The Administrator, or the head of any other Federal department or agency receiving funds under clause (ii)(I), may make a grant to, or otherwise enter into an agreement with, a qualified non-Federal entity, as determined by the Administrator or the applicable head of the other Federal department or agency receiving funds, for planning, research, monitoring, outreach, or implementation of a project selected under subparagraph (C), to support the Initiative Action Plan or the Great Lakes Water Quality Agreement.

“(II) QUALIFIED NON-FEDERAL ENTITY.—For purposes of this clause, a qualified non-Federal entity may include a governmental entity, nonprofit organization, institution, or individual.”; and

(3) by striking subparagraphs (E) through (G) and inserting the following:

“(E) SCOPE.—

“(i) IN GENERAL.—Projects may be carried out under the Initiative on multiple levels, including—

“(I) locally;

“(II) Great Lakes-wide; or

“(III) Great Lakes basin-wide.

“(ii) LIMITATION.—No funds made available to carry out the Initiative may be used for any water infrastructure activity (other than a green infrastructure project that improves habitat and other ecosystem functions in the Great Lakes) for which financial assistance is received—

“(I) from a State water pollution control revolving fund established under title VI;

“(II) from a State drinking water revolving loan fund established under section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12); or

“(III) pursuant to the Water Infrastructure Finance and Innovation Act of 2014 (33 U.S.C. 3901 et seq.).

“(F) ACTIVITIES BY OTHER FEDERAL AGENCIES.—Each relevant Federal department or agency shall, to the maximum extent practicable—

“(i) maintain the base level of funding for the Great Lakes activities of that department or agency without regard to funding under the Initiative; and

“(ii) identify new activities and projects to support the environmental goals of the Initiative.

“(G) REVISION OF INITIATIVE ACTION PLAN.—

“(i) IN GENERAL.—Not less often than once every 5 years, the Administrator, in conjunction with the Great Lakes Interagency Task Force, shall review, and revise as appropriate, the Initiative Action Plan to guide the activities of the Initiative in addressing

the restoration and protection of the Great Lakes system.

“(ii) OUTREACH.—In reviewing and revising the Initiative Action Plan under clause (i), the Administrator shall consult with the Great Lakes States and Indian tribes and solicit input from other non-Federal stakeholders.

“(H) MONITORING AND REPORTING.—The Administrator shall—

“(i) establish and maintain a process for monitoring and periodically reporting to the public on the progress made in implementing the Initiative Action Plan;

“(ii) make information about each project carried out under the Initiative Action Plan available on a public website; and

“(iii) provide to the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works a yearly detailed description of the progress of the Initiative and amounts transferred to participating Federal departments and agencies under subparagraph (D)(ii).

“(I) INITIATIVE ACTION PLAN DEFINED.—In this paragraph, the term ‘Initiative Action Plan’ means the comprehensive, multi-year action plan for the restoration of the Great Lakes, first developed pursuant to the Joint Explanatory Statement of the Conference Report accompanying the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010 (Public Law 111-88).

“(J) FUNDING.—

“(i) IN GENERAL.—There is authorized to be appropriated to carry out this paragraph \$300,000,000 for each of fiscal years 2017 through 2021.

“(ii) LIMITATION.—Nothing in this paragraph creates, expands, or amends the authority of the Administrator to implement programs or projects under—

“(I) this section;

“(II) the Initiative Action Plan; or

“(III) the Great Lakes Water Quality Agreement.”.

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Ohio (Mr. JOYCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. JOYCE. Mr. Chair, I rise today in support of my amendment. I would like to start today by thanking Chairman SHUSTER, subcommittee Chairman GIBBS, and the rest of the members of the Transportation and Infrastructure Committee for the committee's thorough review of the Great Lakes Restoration Initiative; here and after, GLRI. The GLRI ensures we work together as a country to protect and preserve one of our most important national treasures and economic assets, the Great Lakes.

According to recent estimates, if the Great Lakes region were a country its GDP would be the third largest in the world. The Great Lakes currently generate 1.5 million jobs and \$60 billion in wages annually and provides the foundation for a \$30 billion tourism economy. Whether it is manufacturing, mining, engineering, agriculture, or fishing, the Great Lakes support a wide variety of jobs and industries, but the Lakes' importance doesn't stop there.

The Great Lakes does not just provide jobs; it provides a resource. You see, the Great Lakes holds 6 quadrillion gallons of fresh water. They contain 95 percent of the surface fresh water in the United States and more

than 20 percent of the world's surface freshwater. It provides drinking water to 46 million people.

The text of this amendment is the same as the text of the Great Lakes Restoration Initiative Act of 2016, which just passed this House unanimously on April 26, 2016.

I offer my amendment today in hopes that it will finally pass in the Senate, which overwhelmingly passed a similar provision in their WRDA bill. The difference between the House and Senate versions are small but they are important. This amendment includes important changes to current law that reflect feedback from the Government Accountability Office and key stakeholders.

My amendment enhances the non-Federal stakeholder outreach the EPA is required to conduct to ensure regular consultation with States and tribes and better communication with NGOs.

This amendment also includes a coordinator to address harmful algal blooms in Lake Erie which reduces duplication and increases transparency. It requires more robust, adaptive management by the EPA and the Great Lakes Interagency Task Force to update the GLRI action plan every 5 years.

None of these changes were included in the Senate bill. Adding them to the House WRDA bill will make sure these thoughtful provisions, which enhance transparency, accountability, and local planning, are maintained as we fight to get this bill passed.

I reserve the balance of my time.

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Mr. SHUSTER. Mr. Chairman, I claim the time in opposition, but I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, this is a good amendment that I support. It authorizes, as my colleague explained, the Great Lakes Restoration Initiative. Mr. JOYCE has championed this bill and worked very hard, as has Ms. KAPTUR, on this important issue.

In fact, the GLRI bill passed through the Committee on Transportation and Infrastructure and passed the House by a voice vote, so I firmly stand behind Mr. JOYCE's amendment. I support it and would urge all my colleagues to support the amendment.

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

Mr. JOYCE. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Ohio (Ms. KAPTUR), who has also been very active in this campaign.

Ms. KAPTUR. Mr. Chairman, I thank Congressman JOYCE for yielding, and I urge strong support of his amendment. I thank him for his vigilant and necessary championing of our Great Lakes, the largest body of freshwater

on the face of the Earth. I want to thank Chairman SHUSTER, Ranking Member DEFAZIO, and Subcommittee Chairman GIBBS for helping us to elevate to national importance and to large numbers of our citizenry the sheer magnitude of what these freshwater seas actually represent for our country and the world.

The Great Lakes Restoration Initiative has been very effective in beginning to address the severe and unique concerns confronting our Great Lakes. During the first 5 years of GLRI, Federal agencies and their partners removed 42 beneficial-use-impairment listings in 17 areas of concern, quadrupling the number of beneficial use impairments removed in the preceding 22 years. For example, this year the Environmental Protection Agency made an important designation at the Black River area of concern near Lorain, Ohio. It is the largest EPA GLRI investment, and it will bring that area of concern to completion, an area so critically damaged by decades of industrial waste that drains directly into Lake Erie, our life source.

Programs like the GLRI, which have proven effective, deserve our praise and support. As such, I urge my colleagues to vote in favor of Mr. JOYCE's amendment to protect one of our greatest national and global treasures, the Great Lakes, which represent and contain 20 percent of the world's freshwater. Just to put it on the record, God isn't making any more freshwater. This equals 20% of all that exists. We have to take care of it and shepherd it into the future.

Mr. SHUSTER. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentleman from Pennsylvania has 4½ minutes remaining. The gentleman from Ohio has 45 seconds remaining.

Mr. SHUSTER. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Chairman, I want to thank Mr. JOYCE for his leadership on this amendment and his bipartisan efforts to ensure resources to protect and restore the Great Lakes ecosystem. In April, the House joined together to unanimously pass Mr. JOYCE's amendment to formally authorize the Great Lakes Restoration Initiative program, the same goal as his amendment today.

The Great Lakes are a vast, strategic resource, and a source of pride for the State of Michigan and all surrounding States, and our country, as well, as a whole, with this massive, very special resource. I encourage my colleagues to vote in support of this amendment and help protect and preserve the Great Lakes for the benefit of our environment and the economy for generations to come.

Mr. SHUSTER. Mr. Chairman, I will say my piece if I could. It is with a heavy heart that I come to the House floor today. My mother passed away

early this morning, Pat Shuster—Patricia Shuster. I want to thank all my colleagues for their condolences and kind words.

Some may wonder why am I here today. Well, it is what my mother would have wanted. In fact, she would have insisted that I do my job and finish my work. So I know my mother is smiling down on me today.

Mom, my work is almost done. I love you and will miss you forever.

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

Mr. JOYCE. Mr. Chairman, when it comes to the Great Lakes, I know I can sound like a broken record. In fact, some have recently called me here the Great Lakes guy. I am proud of that, and I am proud to support this amendment, proud to stand up for one of our country's greatest natural resources and economic powerhouses. I hope you all join me in support to protect and preserve our national treasure, the Great Lakes.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Ohio (Mr. JOYCE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. DEFAZIO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

AMENDMENT NO. 16 OFFERED BY MR.

BRIDENSTINE

The Acting CHAIR. It is now in order to consider amendment No. 16 printed in House Report 114-794.

Mr. BRIDENSTINE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 72, strike lines 19 through 21.

At the end of title II, add the following:

**SEC. 2. TULSA AND WEST TULSA, ARKANSAS RIVER, OKLAHOMA.**

(1) IN GENERAL.—The Secretary shall conduct a study to determine the feasibility of modifying the projects for flood risk management, Tulsa and West Tulsa, Oklahoma, authorized by section 3 of the Act of August 18, 1941 (55 Stat. 645; chapter 377).

**(2) REQUIREMENTS.—**

(A) IN GENERAL.—In carrying out the study under paragraph (1), the Secretary shall address project deficiencies, uncertainties, and significant data gaps, including material, construction, and subsurface, which render the project at risk of overtopping, breaching, or system failure.

(B) ADDRESSING DEFICIENCIES.—In addressing deficiencies under subparagraph (A), the Secretary shall incorporate current design standards and efficiency improvements, including the replacement of mechanical and electrical components at pumping stations, if the incorporation does not significantly change the scope, function, or purpose of the project.

(3) PRIORITIZATION TO ADDRESS SIGNIFICANT RISKS.—In any case in which a levee or levee

system (as defined in section 9002 of the Water Resources Reform and Development Act of 2007 (33 U.S.C. 3301)) is classified as a Class I or II under the levee safety action classification tool developed by the Corps of Engineers, the Secretary shall expedite the project for budget consideration.

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Oklahoma (Mr. BRIDENSTINE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. BRIDENSTINE. Mr. Chairman, I yield myself such time as I may consume.

While the current version of the bill includes language for a feasibility study on the Tulsa-West Tulsa levees, this amendment simply strengthens the language by aligning the House version of the bill with the already Senate-passed bill. It requires the Army Corps of Engineers to prioritize funding for construction if the study finds the levees are at a high risk for failure. In order to get priority, the Corps feasibility study must conclude that the Tulsa levees are category 1 or 2, the highest safety risk.

The current infrastructure that encompasses the 20 miles of levees in the Tulsa system was constructed over 70 years ago, rendering the levees woefully outdated. In fact, the Corps has assessed that the levees are among the most high-risk levees in the country. These levees protect billions of dollars' worth of infrastructure, including homes and businesses and even energy production facilities. The potential loss of life and destruction of property in the event of a breach would be absolutely devastating to my district.

Mr. Chairman, this amendment simply aligns the House bill with the Senate bill and helps protect life and property. I urge a "yes" vote on this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. BRIDENSTINE).

The amendment was agreed to.

AMENDMENT NO. 17 OFFERED BY MR. COURTNEY

The Acting CHAIR. It is now in order to consider amendment No. 17 printed in House Report 114-794.

Mr. COURTNEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III, add the following:

**SEC. \_\_\_\_ STONINGTON HARBOR, CONNECTICUT.**

The portion of the project for navigation, Stonington Harbor, Connecticut, authorized by the Act of May 23, 1828 (4 Stat. 288; chapter 73) that consists of the inner stone breakwater that begins at coordinates N. 682,146.42, E. 1231,378.69, running north 83.587 degrees west 166.79' to a point N. 682,165.05, E. 1,231,212.94, running north 69.209 degrees west 380.89' to a point N. 682,300.25, E. 1,230,856.86,

is no longer authorized as a Federal project beginning on the date of enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Connecticut (Mr. COURTNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Connecticut.

Mr. COURTNEY. Mr. Chairman, I yield myself such time as I may consume.

This is a simple amendment that adds to the list of projects deauthorized through WRDA a stone breakwater in Stonington Harbor in Stonington, Connecticut.

If the amendment passes, it will return the breakwater to the town of Stonington. I can report confidently that all the stakeholders in that region, the town of Stonington, and the State of Connecticut strongly support this amendment.

It is a breakwater that was built in 1827, operated for a number of years; but in the mid-20th century, the Army Corps abandoned the wharf, and it has really deteriorated since as a result of storms, Hurricanes Donna and Gloria and Superstorm Sandy. The town created an Old Stonington Harbor Wharf/Breakwater Task Force, which, again, has put together a reconstruction plan. It has received funding from the State of Connecticut. All of this is on standby, subject to deauthorization, which the Army Corps tells us is necessary for legal title to switch.

Again, it is a simple amendment. I want to, again, salute the hard work of the task force, which was headed by Peter Tacy; the First Selectman of Stonington, Rob Simmons, who was my predecessor in the Second Congressional District seat; and also to State senator Andy Maynard, who worked hard on this project and is retiring from the Connecticut General Assembly.

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

Mr. SHUSTER. Mr. Chairman, I claim time in opposition, but I do not oppose the bill.

The Acting CHAIR. Without objection, the gentleman from Pennsylvania is recognized for 5 minutes.

There was no objection.

Mr. SHUSTER. Mr. Chairman, I support Mr. COURTNEY's amendment and urge adoption of it.

I reserve the balance of my time.

Mr. COURTNEY. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, I rise for the purpose of engaging Chairman SHUSTER in a colloquy with respect to the Kildee-Moolenaar amendment that the House will consider shortly. First, I thank him for his efforts, and for the efforts of Ranking Member DEFAZIO, as well as Speaker RYAN, Leader PELOSI, and Mr. HOYER, who late in the evening yesterday worked to reach an agreement on this amendment.

The amendment authorizes \$170 million for the Corps of Engineers to replace public and private infrastructure in communities such as my hometown of Flint that have received an emergency declaration due to lead contamination in their drinking water. My constituents have been waiting for the help they need for more than a year since they were told their drinking water was poisoned. This is a very important step toward getting them the help they deserve and putting this aid on the President's desk.

As the chairman knows, the Senate has passed \$220 million to assist communities like Flint with lead issues in an overwhelmingly bipartisan vote of 95-3. That package includes funding for water infrastructure replacement and for programs to help address the impacts of lead exposure on children and pregnant women nationwide. It also creates a Federal advisory committee to study the effects of lead exposure on communities, and it suggests ways to reduce it.

To my friend, Mr. SHUSTER, do I have your commitment to bridge the gap between my amendment and the Senate package so that the final bill we send to the President provides the much-needed relief to my constituents and the families of Flint?

Mr. SHUSTER. Will the gentleman yield?

Mr. KILDEE. I yield to the gentleman from Pennsylvania.

Mr. SHUSTER. I thank the gentleman and recognize that this is an important issue to him and his constituents back home in Michigan. In 2016, no one, no one should be afraid to drink the water that comes out of their tap. That is something I think we all can agree on. It is in that spirit that I have committed to working together as we bridge the differences between the two Chambers that these bills will ensure a mutually agreeable solution. I am committed to getting this vital infrastructure bill to the President's desk. I look forward to working with the gentleman and those on the other side of the aisle to move this forward.

Mr. KILDEE. Mr. Chairman, I thank the gentleman. I look forward to working with the chairman on this and working to successfully get this bill out of the House today so that we can work on it with the Senate.

Mr. SHUSTER. Mr. Chairman, I yield back the balance of my time.

Mr. COURTNEY. Mr. Chairman, again, I want to thank the ranking member's support for my amendment and also the chairman of the Committee on Transportation and Infrastructure for his support. I want to express my deepest condolences for his loss.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Connecticut (Mr. COURTNEY).

The amendment was agreed to.

AMENDMENT NO. 18 OFFERED BY MR. NEWHOUSE

The Acting CHAIR. It is now in order to consider amendment No. 18 printed in House Report 114-794.

Mr. NEWHOUSE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. \_\_\_\_ . KENNEWICK MAN.**

(a) **DEFINITIONS.**—In this section:

(1) **CLAIMANT TRIBES.**—The term “claimant tribes” means the Confederated Tribes of the Colville Reservation, the Confederated Tribes and Bands of the Yakama Nation, the Nez Perce Tribe, the Confederated Tribes of the Umatilla Reservation, and the Wanapum Band of Priest Rapids.

(2) **DEPARTMENT.**—The term “Department” means the Washington State Department of Archaeology and Historic Preservation.

(3) **HUMAN REMAINS.**—The term “human remains” means the human remains that—

(A) are known as Kennewick Man or the Ancient One, which includes the projectile point lodged in the right ilium bone, as well as any residue from previous sampling and studies; and

(B) are part of archaeological collection number 45BN495.

(b) **TRANSFER.**—Notwithstanding any other provision of Federal law, including the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), or law of the State of Washington, not later than 90 days after the date of enactment of this Act, the Secretary, acting through the Chief of Engineers, shall transfer the human remains to the Department, on the condition that the Department, acting through the State Historic Preservation Officer, disposes of the remains and repatriates the remains to claimant tribes.

(c) **TERMS AND CONDITIONS.**—The transfer shall be subject to the following terms and conditions:

(1) The release of the human remains to the claimant tribes is contingent upon the claimant tribes entering into agreement with the Department.

(2) The claimant tribes are in agreement as to the final burial place of the human remains.

(3) The claimant tribes are in agreement that the human remains will be buried in the State of Washington.

(4) The claimant tribes are in agreement that the Department will take custody of the human remains upon the transfer by the Secretary.

(d) **COST.**—The Corps of Engineers shall be responsible for any costs associated with the transfer.

(e) **LIMITATIONS.**—

(1) **IN GENERAL.**—The transfer shall be limited solely to the human remains portion of the archaeological collection.

(2) **SECRETARY.**—The Secretary shall have no further responsibility for the human remains transferred pursuant to subsection (b) after the date of the transfer.

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Washington (Mr. NEWHOUSE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. NEWHOUSE. Mr. Chairman, I am pleased to offer this bipartisan amendment that is based on the text of H.R. 4131, the Bring the Ancient One Home

Act of 2015, which was bipartisan legislation introduced by the gentleman from Washington (Mr. HECK), my friend and colleague. I was very proud to cosponsor this bill, and I am honored to lead this amendment with my Pacific Northwest colleagues: Representatives HECK, KILMER, and WALDEN. I appreciate their commitment to this important issue.

Mr. Chairman, 20 years ago the skeletal remains of a human being determined to be roughly 9,000 years old were found on Federal land near the Columbia River in my central Washington district. These remains are often referred to as the Kennewick Man, but the tribes prefer the more respectful name of The Ancient One, which is how I will refer to him.

Because The Ancient One was found on lands managed by the Army Corps of Engineers, the nearly fully intact skeleton was turned over to the Corps.

□ 1700

The tribes involved—the Yakama Nation, the Confederated Tribes of the Colville Reservation, the Nez Perce Tribe, the Confederated Tribes of the Umatilla and the Wanapum Band of Priest Rapids—have, for two decades, worked to repatriate the Ancient One and return him for proper burial that would follow practices used by these Columbia Basin tribes for thousands of years; or, as they say, for time immemorial. The tribes believe that the spirit of the Ancient One cannot rest until he is reburied, and I think it is important that we respect that belief.

The Native American Graves Protection and Repatriation Act, or NAGPRA, was enacted into law in 1990 to address the treatment of Native American cultural items, including human remains, with the goal of returning these items to tribes. In other words, NAGPRA was enacted to facilitate the return of skeletal remains such as the Ancient One.

In January of 2000, both the Corps of Engineers and the Interior Department determined the Ancient One was indeed of Indian descent and should be returned for proper burial. In June of 2015, University of Copenhagen geneticists released findings that clearly tied the DNA of the Ancient One to modern Native Americans, and a subsequent study by the University of Chicago reached similar conclusions.

Mr. Chairman, my amendment would simply return the Ancient One back to the Columbia Basin tribes, who are in total agreement that he should be reburied. I urge my colleagues to support the enactment of this commonsense amendment.

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

Mr. HECK of Washington. Mr. Chairman, I claim the time in opposition, although I am not opposed.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. HECK of Washington. Mr. Chairman, initially, I would like to invoke an expression from Indian Country in the Northwest. I raise my hands in respect first to the chair of the standing committee, Mr. SHUSTER, who has my deepest condolences, and to my friends, Mr. NEWHOUSE, Mr. WALDEN, and my roommate, Mr. KILMER.

The story of the Ancient One, or Kennewick Man, as he is known, is very familiar to those of us who live in the Northwest. As the gentleman from Washington indicated, two college students stumbled upon a skull of the Ancient One on the waters of the Columbia River 20 years ago. That accident unearthed one of the most important archeological discoveries in North American history. Think about it: a skeleton virtually fully intact that is 9,000 years old. Since that time, as has been indicated, the five tribes of the region have struggled for two decades for their right to properly honor, as is their cultural way, and rebury their ancestor.

But there is another story here that I think is important to tell. For generations, American archeologists and collectors raced across the West to collect native artifacts that they shipped back to museums or, more sadly, sold for a profit. Those museums were filled for years with Indian remains from graves, burial platforms, and battlefields that were desecrated, desecrated simply because the nonnative people did not understand the heritage and culture of native people. This era of looting and desecration is, in fact, a stain on our Nation's history.

Thankfully, that wasn't the case with the remains of the Ancient One. This is, in part, because in 1990, in its wisdom, this institution passed a law to protect Indian remains and cultural items from desecration.

In the last 26 years since its enactment, that law has allowed the Federal Government to return thousands of remains and artifacts to native tribes, and that is exactly what this amendment will do. It would enforce our existing laws and return the Ancient One to the five tribes in the Columbia River Basin, which they have fought for for two decades. They fought against a group of scientists that seek to study these remains in order to learn more about how humans first populated North America.

I don't mean to impugn the motives of these scientists. We all want to support greater scientific discovery; but, frankly, these efforts to prevent the reburial of the Ancient One ignore these tribes' sovereign rights, traditions, and, in fact, their most sacred beliefs.

Throughout American history, the Federal Government and the American people have not always—if we are honest with one another—upheld our vital responsibility to respect the treaty rights of the peoples who have been here since time immemorial. It is something we continue to struggle with—I get that—but we can't let it happen here again.

As my friend from Washington said, the science is settled. The Ancient One is in fact an ancestor of the native peoples of the Columbia River Basin, and he belongs with them. We need to do everything in our power to ensure he is returned as quickly as possible. That is why I was honored to introduce the Bring the Ancient One Home Act, along with my colleagues here. That is why I am so proud to work closely with Mr. NEWHOUSE, Mr. WALDEN, and Mr. KILMER on this amendment.

Mr. Chairman, it has been 20 years, and that is 20 years too long. It is vital that we act now to properly honor the Ancient One. For that reason, I urge adoption of this amendment.

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

Mr. NEWHOUSE. Mr. Chairman, I yield 2 minutes to the gentleman from Washington (Mr. KILMER).

Mr. KILMER. Mr. Chairman, I thank my good friends, Representative NEWHOUSE and Representative HECK, for taking the lead on this effort.

I rise today in support of this amendment because the Ancient One has been separated from his family for far too long. It is time he return home.

For 20 years, as you heard my colleague point out, the Ancient One has been stuck in limbo while the scientists and lawyers have debated what the Native American community knew to be true: that he is their ancestor. Now that three independent DNA analyses have confirmed his ancestry to the native people of the Columbia Plateau, the U.S. Army Corps of Engineers must expedite his repatriation so that his descendants may honor his life.

This legislation will help speed up the process and ensure that the Ancient One's descendants have the opportunity to lay his remains to rest in their ancestral burial grounds. Only then will the Ancient One's story finally be complete and will his spirit be able to rest. That is why I support the amendment, and I urge my colleagues to do the same.

Mr. NEWHOUSE. Mr. Chairman, I would urge all of my colleagues to accept this amendment. It is very important to the native people of central Washington.

I, again, want to extend my thanks to Representative HECK, Representative WALDEN, and Representative KILMER. I would like to extend a word of condolence to Chairman SHUSTER. We are all part of an extended family, and I want to make sure that he understands that we share with him his loss.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. NEWHOUSE).

The amendment was agreed to.

AMENDMENT NO. 19 OFFERED BY MR. KILDEE

The Acting CHAIR. It is now in order to consider amendment No. 19 printed in House Report 114-794.

Mr. KILDEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title I, add the following:

**SEC. 1. ADDITIONAL ASSISTANCE.**

Section 219 of the Water Resources Development Act of 1992 (Public Law 102-580; 106 Stat. 4835) is amended by adding at the end the following:

“(g) **ADDITIONAL ASSISTANCE.**—Notwithstanding any limitation on project purposes identified in subsections (c) or (f), or limitation on authorization, the Secretary may provide additional assistance under subsection (a), and assistance for construction, to any community identified in subsection (c) or (f), in any State for which the President has declared an emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), as a result of the presence of chemical, physical, or biological constituents, including lead or other contaminants in the eligible system, for the repair or replacement of public and private infrastructure.

“(h) **AUTHORIZATION OF APPROPRIATIONS.**—For the purposes under paragraph (g), there is authorized to be appropriated \$170,000,000 to remain available until expended.”

The Acting CHAIR. Pursuant to House Resolution 897, the gentleman from Michigan (Mr. KILDEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. KILDEE. Mr. Chairman, this amendment is something, obviously, I have been working on for some time. It would bring urgently needed aid to my hometown of Flint, Michigan.

For over a year, the Flint water crisis has been public, and we have not yet been able to act here in Congress. It has been even longer since the residents of Flint have been drinking or using water that is basically poisoned with lead—2 full years.

To be clear, what happened in Flint was a failure of government at every level of government. Through this amendment, Congress can take its rightful place in fulfilling its obligation and its responsibility to help my hometown recover.

The amendment would authorize \$170 million to restore the safety of water infrastructure in communities like my hometown of Flint that have lead in their water. More importantly, it would create a concrete commitment from both bodies of Congress to get aid for my hometown to the President's desk.

The Senate passed similar legislation by a vote of 95-3. This amendment would ensure that the House also supports communities like Flint that are suffering with this terrible problem.

We have just waited an awful long time for this. We have worked very hard to get this amendment in a bipartisan fashion to the floor. I want to thank all my friends, but particularly Mr. MOOLENAAR, who cosponsors this amendment with me.

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

Mr. MOOLENAAR. Mr. Chairman, I ask unanimous consent to claim the

time in opposition, though I am not opposed to it.

The Acting CHAIR. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. MOOLENAAR. Mr. Chairman, I yield myself 1 minute.

First, I also want to congratulate and express my appreciation to my colleague, friend, and neighbor from Flint, Mr. KILDEE, for his work on this and for his advocacy of his hometown.

I wanted to say, Mr. Chairman, the crisis in Flint was caused by failures of government at all levels. The Federal Government played a significant role in causing this crisis, and Congress has held multiple hearings to investigate. Members on both sides of the aisle have found fault with the Federal Government's actions in Flint.

Today, the House has the opportunity to acknowledge those failures and do right by the people of Flint. While the Federal Government failed, the pipes in Flint were damaged beyond repair and residents were poisoned with lead. That is why fixing the water infrastructure in Flint is a proper role for the Federal Government and a step forward for the city and its residents.

I urge my colleagues to support the amendment.

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

Mr. KILDEE. Mr. Chairman, may I ask how much time I have remaining.

The Acting CHAIR. The gentleman from Michigan (Mr. KILDEE) has 3½ minutes remaining.

Mr. KILDEE. Mr. Chairman, I reserve the balance of my time.

Mr. MOOLENAAR. Mr. Chairman, I yield 1½ minutes to the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Mr. Chairman, listen, we all know what happened in Flint was a tragic failure at every level, and folks there are rightly tired of the finger pointing. They want answers.

Is it asking too much for the EPA to tell folks when lead levels are too high? I say no. This is why this very body passed the Kildee-Upton bill earlier this year, 416-2, that would force the EPA to alert families when lead levels are too high.

Is it asking too much for us to tackle this problem in a fiscally responsible manner? I say no. That is why we have a responsible solution right in front of us. This provision will be fully paid for when conferred with the Senate.

Is it asking too much for our kids to have access to safe drinking water? I say no. I was just in Flint with my friend, Mr. KILDEE. We ought to be focused on working together to get the job done.

Folks in Flint have been asking these questions for more than 2 years now. And you know what? They deserve answers, action, and results. It is time to stand up and deliver.

Mr. KILDEE. Mr. Chairman, I reserve the balance of my time.

Mr. MOOLENAAR. Mr. Chairman, I yield 1 minute to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. I thank the gentleman for yielding.

Mr. Chairman, I am so thankful that Congress is stepping up finally to do the right thing by providing assistance to the people of Flint.

Flint has suffered a manmade disaster because of the failure of government at every level of government: the local level, the county level, the State level, and, certainly, the Federal level. Certainly, the State of Michigan has acknowledged their responsibility and has been taking some corrective action, but this disaster is beyond the ability of the city, county, and State to deal with. It requires the Federal Government to accept culpability as well and to buck up, and it is entirely appropriate and necessary that we do so.

Helping the people of Flint, Mr. Chairman, especially the children—these are American children, these are American babies, not from some other foreign country where we give plenty of foreign aid—speaks to who we are as a people.

□ 1715

And we are Americans, compassionate, never turning our back on our own when they need help; and certainly our fellow American citizens of Flint need our country's—this country's—help right now.

So I will be very proud to vote “yes,” and I urge all of my colleagues to do the same.

Mr. KILDEE. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. HUIZENGA), my friend and member of the Financial Services Committee.

Mr. HUIZENGA of Michigan. I thank the gentleman for yielding.

Mr. Chairman, this is going to be from the heart. My family is originally from Flint, on my mom's side. I have had very many fond memories growing up as a child going and visiting aunts and uncles and cousins. I have recently visited those who have been affected, and it is tragic.

Mr. Chairman, the simple fact is that if these were folks that had been affected by the breach of a dam or by a nuclear plant meltdown, we would not be turning our backs on them; we would be taking care of them. We should be doing the exact same thing with the folks in Flint.

These folks have experienced failure of government at all levels for decades: local, State, and the Federal Government. That has been well acknowledged. But what we have not talked about is how we are going to then care for those citizens.

Let's fix the management issues, but, more importantly, let's care for our fellow citizens and make sure that those children, especially, are going to

have the same opportunity as every other child in Michigan and the United States.

Mr. MOOLENAAR. Mr. Chairman, just in closing, I want to compliment everyone who has been involved in this bipartisan solution. It is an example of Congress working together to solve a problem.

This is something that those of us—and many of us have traveled to Flint—have listened to the stories of the families of children who have been poisoned. It is a tragedy on the national level. Presidential candidates have been there.

This is something concrete that Congress can do to move the ball forward and help Flint with its healing and making a huge difference in the lives of residents in Michigan.

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

Mr. KILDEE. Mr. Chairman, I yield myself such time as I may consume.

I just want to say how much I appreciate the efforts on behalf of my home community by my colleagues on both sides of the aisle. As you have heard, Congressman MOOLENAAR, my neighbor, has been there right along.

Congresswoman MILLER stepped up immediately after this crisis became known and articulated a need for Federal intervention very early in the process. Mr. HUIZENGA obviously has been there, with roots in Flint, and has come to my community.

There is not much more I can say about what Mr. UPTON has been willing to do, working with me initially on legislation to reform the EPA's obligations regarding notification and now, of course, working with us to get this amendment before the House of Representatives.

It broke my heart when this whole episode began, to see my own hometown, the place that has given me virtually everything that I have, go through the worst crisis that it could ever even imagine, a crisis that was a threat to its very existence. So I am grateful for the help of Members of Congress on both sides of the aisle.

Mr. Chairman, I yield 1 minute to the gentleman from New Jersey (Mr. PALLONE), the ranking member of the Committee on Energy and Commerce.

Mr. PALLONE. Mr. Chairman, I thank the gentleman from Michigan for yielding, and I am happy to support this amendment.

The people of Flint have gone over 2 years without clean drinking water in their homes. They are still being exposed, still being harmed. I think it is a disgrace that we are still fighting about providing them with essential Federal aid.

I want to commend my colleague Mr. KILDEE and Democratic leaders in the House and the Senate who kept attention on the plight of this community and worked tirelessly for the opportunity to offer this amendment.

I hope to see this amendment pass shortly, but our work will not be done.

We will have to work to go to conference with the House and the Senate WRDA bills and ensure that the people of Flint receive the funds that they need.

Safe drinking water is essential to every person in this country, and provisions to ensure safe drinking water should not be a partisan issue. So I urge my colleagues to join me in voting “yes” on this amendment.

Mr. KILDEE. Mr. Chairman, again, I thank my colleagues. I hope and pray that I have strong bipartisan support for this effort. It has surely been demonstrated by my friends who have spoken.

This is one of those issues that should and ought to transcend some of the divisions that often occupy this House. It is a matter simply of doing what is right for the people of my hometown and the people of this country, and it means a lot to me that so many have stood with me in this time. I urge my colleagues to support this amendment.

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

Ms. BONAMICI. Mr. Chair, I rise today in support of H.R. 5303, the Water Resources Development Act of 2016.

Across the country, my colleagues and I hear from communities and businesses about the need to invest in infrastructure. The federal investment in infrastructure has fallen to a paltry level, and our communities are feeling the consequences of this every day. Not only does investing in infrastructure put people to work, it also allows for the efficient movement of people and goods, an essential aspect of commerce, economic growth, and public safety. The lack of robust investment threatens our global competitiveness and the safety and quality of life of our constituents.

The original Water Resources Development Act (WRDA) bill included language that would set a schedule to direct all of the Harbor Maintenance Trust Fund (HMTF) revenues to be used for the maintenance of U.S. harbors instead of the current process of transferring a portion to the Treasury to cover unrelated debts. Our nation's harbors, ports, and waterways have a backlog of important projects that are key to our country's competitiveness. By moving HMTF funding off-budget, it would have provided much-needed funding for these projects. As the Senate and House negotiate the final legislation, I support directing all Harbor Maintenance Trust Fund revenues to be used for harbor maintenance.

I applaud Ranking Member DEFAZIO for securing a set-aside of at least 10 percent of the revenues from the HMTF to be used for small ports. This provision will benefit many communities in Oregon that rely on small ports to get goods to market, which will help local economies thrive. These small ports can't compete for Harbor Maintenance funding alongside the large, deep-draft ports, so a set-aside is vital to their survival.

Additionally the Willamette Falls at the end of the Oregon Trail and the Willamette Locks were an important element of American settlement of the West. Repair and reopening of the Willamette Falls Locks is an essential part of the future economic and cultural heritage of the area. A final disposition study of the Locks



is underway by the Army Corps of Engineers. It is important that this study fully consider all economic, recreational, historic, and cultural significance of the locks at the national, state, or local level.

The Columbia River is a powerful economic force in Oregon. It helps carry goods to market and provides food to tribal populations and others. We must reduce pollution and contamination of this critical resource. I joined my colleagues Reps. BLUMENAUER and DEFAZIO in introducing H.R. 2469, the Columbia River Basin Restoration Act of 2015, which includes grants for projects that help preserve and protect the waterway. As the Senate and House negotiate the final legislation, I support the inclusion of the Columbia River Restoration Act in the final bill.

I share the frustration of so many families in Oregon and across the nation whose children have been exposed to lead in their school drinking water and their neighborhoods. Families shouldn't have to worry about whether the drinking water in their homes or schools poses serious risks to their children's health. The Flint, Michigan crisis continues, and children and families desperately need aid to restore quality drinking water. I supported Rep. KILDEE's amendment to bring aid needed to communities suffering from water contamination emergencies.

Invasive mussels have destroyed infrastructure in Western States and are costly to eradicate once they've multiplied. Accordingly, prevention is important. Watercraft inspection stations help protect the Columbia River basin from being permeated by zebra and quagga mussels. I am pleased that Rep. HERRERA BEUTLER's amendment was adopted to allow funds to be used for watercraft inspection stations in Northwestern states.

I am supporting this bill today and will continue working with my colleagues to dedicate HMTF revenue for its intended purpose.

Ms. JACKSON LEE. Mr. Chair, I rise in strong support of the Kildee Amendment to H.R. 5303, the "Water Resources Development Act," which authorizes variety of U.S. Army Corps of Engineers water resources development projects, feasibility studies, and relationships with nonfederal project sponsors.

Specifically, I would like to congratulate my colleague Representative DAN KILDEE who represents Michigan's 5th District on his amendment, which bring much needed relief to the people of Flint Michigan who have gone without safe potable water for over 2 years.

The Kildee Amendment provides \$170,000,000 in funding to repair and replace the damaged water pipes that are the source of the toxic lead and chemical laced water flowing to Flint, Michigan homes.

For the past two years, Flint, Michigan has lived in a state of fear of the water flowing from the faucets in their homes.

It is beyond shocking and unacceptable that tens of thousands of citizens have been exposed to toxic levels of lead in their drinking water.

The trust and ability to protect our citizens' basic right to clean water has been shaken nationally by the severity and length of time this disaster has been allowed to fester without Congressional action.

Each of us in this body has a duty to ensure justice and protection of our citizens.

This was not a disaster in hiding, it was in plain sight for 2 years, but Congress refused

to act until forced to do so by a deadline that they could not control.

We must not let the plight of Flint and the provision of relief let us forget that we must:

- address the harms caused;
- get an accounting of what happened;
- understand how the water was poisoned;
- make the lives of people damaged by this tragedy whole;
- find justice for those lives that may have been lost; and
- determine and provide for the long-term health needs of those impacted.

Flint, Michigan like so many communities across the nation really felt the brunt of the financial crisis created by the abuse of new home lending practices and deceptive investment schemes that hid the weaknesses in the economy until the great recession spread across the nation beginning in late 2008.

The financial damage done to communities like Flint in the form of steep declines in property values, which caused significant declines in property tax income.

This was not just Flint's problem, but a national reality—for financially strapped cities, towns, school boards, and municipal governments.

This shared economic crisis resulted in new leadership being sent to Congress and to governors' mansions across the nation.

Michigan was one state that turned to new leadership to solve problems and restore fiscal health to the state and local economies.

Governor Rick Snyder of Michigan was sworn into office in 2011 to solve problems and restore fiscal health to his state.

On December 1, 2010, Michael Brown took office as Flint's state-appointed emergency manager.

One of the first acts of the newly elected leaders in the state of Michigan was to drastically change the powers that could be exercised under the state's emergency manager law to include special provisions regarding the declaration of a local government financial emergency.

Over the 22 years the original emergency management law had been in place only 7 jurisdictions had been under emergency management, but following the 2011 changes to that law 10 jurisdictions were placed under emergency management.

On Election Day in 2011 the state declared that an emergency financial manager should assume control over the city of Flint.

The conditions in Flint are a cautionary tale on what happens when money has more value than people in the minds of those charged under public oath to serve, defend and protect Constitutional Rights.

On April 25, 2014, the city of Flint switches water supply from Lake Huron, which cost the city about \$1 million each month to the Flint River to save money.

The Flint River had long been known by residents to be contaminated by industrial pollution.

The water out of the Flint River was not safe, but it could have been treated to prevent the erosion of lead pipes that contaminated the water, the introduction bacteria and other toxins into the homes, schools, workplaces, and churches of the community, but that would have cost money.

Shortly after the switch citizens began to complain about the color, taste, order, and reported rashes.

In August and September 2014, city officials issued boil water directives to citizens after a coliform bacterium was found in the water.

Some people may be more vulnerable to contaminants in drinking water than the general population.

Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections if exposed to water born bacteria.

Several deaths are under investigation because they may be linked to the polluted water sent to Flint residents' homes.

In October 2014 the Michigan Department of Environmental Quality blames cold weather, aging pipes, and a population decline for the poor water quality.

In January 2015, the Detroit water systems offers to reconnect Flint, and would waive the \$4 million connection fee, but 3 weeks later the state appointed emergency manager declined the offer.

In February 2015, a memo from Governor Snyder's office plays down the problem and states that the water is not an imminent "threat to public health."

In February 2015—the same month the governor's office declared that the water was safe tests revealed that it contained 104 parts per billion of lead in drinking water drawn from taps in the home of Lee Anne Walters one of today's witnesses.

The Environmental Protection Agency requires action when levels reach 15 parts per billion of lead contamination, but scientist state there is no safe level of lead contamination.

On February 27, Miguel Del Toral an EPA expert reported that the state was testing water in a manner that would profoundly underestimate lead levels.

On March 12, 2015, Veolia a consultant group hired by Flint reports that the city's water meets state and federal standards, but fails to report on lead levels.

Elevated levels of lead can cause serious health problems, especially for pregnant women and young children.

Infants and young children are typically more vulnerable to lead in drinking water than the general population.

While the state declared the water safe to drink and the EPA received assurances that testing was being performed and the results showed no worries, behind the scenes something very different was happening in state offices located in Flint Michigan.

On January 9, 2015, e-mails among Flint government employees at the Department of Technology, Management and Budget, Michigan Department of Environmental Quality, and the Office of Drinking Water and Municipal Assistance.

The emails revealed that employees at government departments in the city of Flint were concerned about Flint's water quality and in response the state paid for water coolers to be placed in government offices located in the city of Flint on each occupied floor, and positioned near the water fountain, so state workers could choose which water to drink.

The core concern of the emails was the levels of a group of chemical compounds called "TTHM" or "total tri-halomethanes, that were identified in the Flint drinking water.

TTHM are produced when organic matter in natural water reacts chemically with chlorine disinfectants.

Chlorine disinfectants are added to drinking water to destroy the microbial pathogens that could make consumers sick or even kill them.

Disinfection byproducts TTHM can be minimized in drinking water by reducing organic matter in water before chlorination—in other words through treating the water.

While the people of Flint Michigan continue to complain about the taste and smell of the water—which ranged from a dull grey grime to rust color in appearance government officials provided themselves with access to bottled water at the taxpayers' expense.

The amount of chlorination added to the water in excess of what should have been created another problem—people were now consuming and bathing in water contaminated with TTHM.

The amount of chlorination added to the water in excess of what should have been created another problem—people were now.

Flint Mayor Karen Weaver announced that her goal would be to replace 13,000 lead pipes at a cost of \$2–3,000 for each pipe for a total of about \$42 million.

No one knows the reality of undertaking a massive effort such as what will be needed, so the cost could easily be much higher than estimates.

Flint cannot be another Katrina where the poor, people of color and marginalized are shut out of jobs as well as the political and decision making processes regarding their homes, neighborhoods or city.

Replacing the lead pipes of Flint must include the cost of repairing homes that will be damaged to access the pipes; repaving driveways, or re-sodding lawns that are dug up to get to pipes, and restoring sidewalks that are damaged to access pipe.

The repair and restitution of potable water to residents of Flint will not be the end of the story.

We must recognize and acknowledge that there will be long term health consequences for every person exposed to the toxic water for 2 years.

There are health impacts for children, their parents, and grandparents that cannot and should not be ignored.

Our next step must be a public fund to compensate those who have long term health impacts or diminished ability to be productive over the full course of their work careers.

We will continue to work to help the people of Flint, Michigan in order to restore them to health and eliminate their fear.

In closing, let me again express my appreciation and thanks to Congressman KILDEE for his steadfastness in advocating his amendment and to Energy and Commerce Chair UPTON, Congressman CONYERS, and Congresswoman BRENDA LAWRENCE for their tireless efforts to ameliorate the suffering of the people of Flint Michigan.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. KILDEE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. MASSIE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

#### ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 114-794 on which further proceedings were postponed, in the following order:

Amendment No. 15 by Mr. JOYCE of Ohio.

Amendment No. 19 by Mr. KILDEE of Michigan.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

#### AMENDMENT NO. 15 OFFERED BY MR. JOYCE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. JOYCE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

#### RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 407, noes 18, not voting 6, as follows:

[Roll No. 569]

AYES—407

Abraham  
Adams  
Aderholt  
Aguilar  
Allen  
Amodei  
Ashford  
Babin  
Barletta  
Barr  
Barton  
Bass  
Beatty  
Becerra  
Benishchek  
Bera  
Beyer  
Bilirakis  
Bishop (GA)  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Blumenauer  
Bonamici  
Bost  
Boustany  
Boyle, Brendan F.  
Brady (PA)  
Brady (TX)  
Bridenstine  
Brooks (IN)  
Brown (FL)  
Brownley (CA)  
Buchanan  
Buck  
Bucshon  
Burgess  
Bustos  
Butterfield  
Byrne  
Calvert  
Capps  
Capuano  
Cárdenas  
Carney  
Carson (IN)  
Carter (GA)  
Carter (TX)  
Cartwright  
Castor (FL)

Castro (TX)  
Chabot  
Chaffetz  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clawson (FL)  
Clay  
Cleaver  
Clyburn  
Coffman  
Cohen  
Cole  
Collins (NY)  
Comstock  
Conaway  
Connolly  
Conyers  
Cook  
Cooper  
Costa  
Costello (PA)  
Courtney  
Cramer  
Crawford  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Curbelo (FL)  
Davidson  
Davis (CA)  
Davis, Danny  
Davis, Rodney  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Dent  
DeSantis  
DeSaulnier  
DesJarlais  
Deutch  
Diaz-Balart  
Dingell  
Doggett  
Dold  
Donovan  
Doyle, Michael F.

Duckworth  
Duffy  
Edwards  
Ellison  
Ellmers (NC)  
Emmer (MN)  
Engel  
Eshoo  
Esty  
Farenthold  
Farr  
Fincher  
Fitzpatrick  
Fleischmann  
Fleming  
Flores  
Forbes  
Fortenberry  
Foster  
Fox  
Frankel (FL)  
Costa  
Frelinghuysen  
Fudge  
Gabbard  
Gallagher  
Garamendi  
Garrett  
Gibbs  
Gibson  
Gohmert  
Goodlatte  
Gowdy  
Graham  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Grayson  
Green, Al  
Green, Gene  
Griffith  
Grijalva  
Grothman  
Guinta  
Guthrie  
Gutiérrez  
Hahn  
Hanna  
Hardy  
Harper  
Harris  
Hartzler  
Hastings

Heck (NV)  
Heck (WA)  
Hensarling  
Herrera Beutler  
Higgins  
Hill  
Himes  
Hinojosa  
Holding  
Honda  
Hoyer  
Hudson  
Huelskamp  
Huffman  
Huizenga (MI)  
Hultgren  
Hunter  
Hurd (TX)  
Hurt (VA)  
Israel  
Issa  
Jackson Lee  
Jeffries  
Jenkins (KS)  
Jenkins (WV)  
Johnson (GA)  
Johnson (OH)  
Johnson, E. B.  
Johnson, Sam  
Jordan  
Joyce  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kelly (MS)  
Kelly (PA)  
Kennedy  
Kildee  
Kilmer  
Kind  
King (IA)  
King (NY)  
Kinzinger (IL)  
Kline  
Knight  
Kuster  
Labrador  
LaHood  
LaMalfa  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latta  
Lawrence  
Lee  
Levin  
Lewis  
Lieu, Ted  
Lipinski  
LoBiondo  
Loeb  
Loeb  
Long  
Loudermilk  
Love  
Lowenthal  
Lowe  
Lucas  
Luetkemeyer  
Lujan Grisham  
(NM)  
Luján, Ben Ray  
(NM)  
Lynch  
MacArthur  
Maloney,  
Carolyn  
Maloney, Sean  
Marchant  
Marino  
Matsui  
McCarthy

McCaul  
McCollum  
McDermott  
McGovern  
McHenry  
McKinley  
McMorris  
Rodgers  
McNerney  
McSally  
Meadows  
Meehan  
Meeks  
Meng  
Messer  
Mica  
Miller (FL)  
Miller (MI)  
Moolenaar  
Mooney (WV)  
Moore  
Moulton  
Mullin  
Murphy (FL)  
Murphy (PA)  
Nadler  
Napolitano  
Neal  
Neugebauer  
Newhouse  
Noem  
Nolan  
Norcross  
Nugent  
Nunes  
O'Rourke  
Olson  
Palazzo  
Pallone  
Pascarella  
Paulsen  
Payne  
Pearce  
Pelosi  
Perlmutter  
Perry  
Peters  
Peterson  
Pingree  
Pittenger  
Pitts  
Pocan  
Poliquin  
Vela  
Pompeo  
Posey  
Price (NC)  
Price, Tom  
Quigley  
Rangel  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (NY)  
Rice (SC)  
Richmond  
Rigell  
Rohy  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney (FL)  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Roybal-Allard  
Royce  
Ruiz  
Ruppersberger  
Russell  
Ryan (OH)

Salmon  
Sánchez, Linda T.  
Sarbanes  
Scalise  
Schakowsky  
Schiff  
Schrader  
Schweikert  
Scott (VA)  
Scott, Austin  
Scott, David  
Sensenbrenner  
Serrano  
Sessions  
Sewell (AL)  
Sherman  
Shimkus  
Shuster  
Simpson  
Sinema  
Sires  
Slaughter  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Speier  
Stefanik  
Stewart  
Stivers  
Stutzman  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Titus  
Tonko  
Torres  
Trott  
Tsongas  
Turner  
Upton  
Valadao  
Van Hollen  
Vargas  
Veasey  
Vela  
Velázquez  
Vislosky  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Webster (FL)  
Welch  
Wenstrup  
Westerman  
Westmoreland  
Williams  
Wilson (FL)  
Wilson (SC)  
Wittman  
Womack  
Yarmuth  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Young (IN)  
Zeldin  
Zinke

#### NOES—18

Amash  
Brat  
Brooks (AL)  
Collins (GA)  
Duncan (SC)  
Duncan (TN)

Franks (AZ)  
Gosar  
Hice, Jody B.  
Jones  
Lummis  
Massie

McClintock  
Mulvaney  
Palmer  
Sanford  
Weber (TX)  
Woodall

#### NOT VOTING—6

Denham  
Kirkpatrick

Poe (TX)  
Ribble

Rush  
Sanchez, Loretta

□ 1744

Messrs. BROOKS of Alabama and Mr. WEBER of Texas changed their vote from “aye” to “no.”

Mr. RODNEY DAVIS of Illinois changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 19 OFFERED BY MR. KILDEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. KILDEE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 284, noes 141, answered “present” 1, not voting 5, as follows:

[Roll No. 570]

AYES—284

Abraham	Courtney	Gutiérrez
Adams	Cramer	Hahn
Aderholt	Crawford	Hanna
Aguilar	Crowley	Hardy
Amodei	Cuellar	Hastings
Ashford	Culberson	Heck (NV)
Barletta	Cummings	Heck (WA)
Bass	Curbelo (FL)	Herrera Beutler
Beatty	Davis (CA)	Higgins
Becerra	Davis, Danny	Himes
Benishkek	Davis, Rodney	Hinojosa
Bera	DeFazio	Honda
Beyer	DeGette	Hoyer
Bilirakis	Delaney	Huffman
Bishop (GA)	DeLauro	Huizenga (MI)
Bishop (MI)	DelBene	Hurd (TX)
Blumenauer	Denham	Israel
Bonamici	Dent	Issa
Bost	DeSaulnier	Jackson Lee
Boustany	Deutch	Jeffries
Boyle, Brendan	Diaz-Balart	Jenkins (KS)
F.	Dingell	Jenkins (WV)
Brady (PA)	Doggett	Johnson (GA)
Brooks (IN)	Dold	Johnson, E. B.
Brown (FL)	Donovan	Jolly
Brownley (CA)	Doyle, Michael	Kaptur
Buchanan	F.	Katko
Bucshon	Duckworth	Keating
Bustos	Duffy	Kelly (IL)
Butterfield	Edwards	Kennedy
Calvert	Ellison	Kildee
Capps	Engel	Kilmer
Capuano	Eshoo	Kind
Cárdenas	Esty	King (NY)
Carney	Farr	Kinzing (IL)
Carson (IN)	Fitzpatrick	Kline
Cartwright	Fleischmann	Kuster
Castor (FL)	Fleming	Lance
Castro (TX)	Fortenberry	Langevin
Chu, Judy	Foster	Larsen (WA)
Cicilline	Frankel (FL)	Larson (CT)
Clark (MA)	Frelinghuysen	Lawrence
Clarke (NY)	Fudge	Lee
Clay	Gabbard	Levin
Cleaver	Gallago	Lewis
Clyburn	Garamendi	Lieu, Ted
Cohen	Gibson	Lipinski
Cole	Graham	LoBiondo
Comstock	Granger	Loebsack
Connolly	Graves (LA)	Loggren
Conyers	Grayson	Love
Cook	Green, Al	Lowenthal
Cooper	Green, Gene	Lowey
Costa	Grijalva	
Costello (PA)	Guinta	

Lujan Grisham (NM)	Pocan	Smith (WA)
Luján, Ben Ray (NM)	Poliquin	Speier
Lynch	Polis	Stefanik
MacArthur	Pompeo	Stivers
Maloney, Carolyn	Price (NC)	Swalwell (CA)
Maloney, Sean	Quigley	Takano
Marino	Rangel	Thompson (CA)
Matsui	Reed	Thompson (MS)
McCarthy	Reichert	Thompson (PA)
McCollum	Rice (NY)	Titus
McDermott	Richmond	Tonko
McGovern	Rigell	Torres
McHenry	Roby	Trott
McNerney	Rogers (AL)	Tsongas
Meehan	Rogers (KY)	Turner
Meeks	Rooney (FL)	Upton
Meng	Ros-Lehtinen	Valadao
Miller (MI)	Roskam	Van Hollen
Moolenaar	Ross	Vargas
Moore	Roybal-Allard	Veasey
Moulton	Royce	Vela
Murphy (FL)	Ruiz	Velázquez
Murphy (PA)	Ruppersberger	Visclosky
Nadler	Ryan (OH)	Wagner
Napolitano	Sánchez, Linda T.	Walberg
Neal	Sarbanes	Walden
Neal	Scalise	Walorski
Nolan	Schakowsky	Walters, Mimi
Norcross	Schiff	Walz
Nugent	Schrader	Wasserman
Nunes	Scott (VA)	Schultz
O'Rourke	Scott, David	Waters, Maxine
Pallone	Serrano	Watson Coleman
Pascrell	Sewell (AL)	Welch
Paulsen	Sherman	Wilson (FL)
Payne	Shimkus	Womack
Pelosi	Shuster	Yarmuth
Perlmutter	Simpson	Young (AK)
Peters	Sinema	Young (IA)
Peterson	Sires	Young (IN)
Pingree	Slaughter	Zinke
	Smith (NJ)	

NOES—141

Allen	Guthrie	Noem
Babin	Harper	Olson
Barr	Harris	Palazzo
Barton	Hartzler	Palmer
Bishop (UT)	Hensarling	Pearce
Black	Hice, Jody B.	Perry
Blackburn	Hill	Pittenger
Blum	Holding	Pitts
Brady (TX)	Hudson	Posey
Brat	Huelskamp	Price, Tom
Brodstine	Hultgren	Ratcliffe
Brooks (AL)	Hunter	Renacci
Buck	Hurt (VA)	Rice (SC)
Burgess	Johnson (OH)	Roe (TN)
Byrne	Johnson, Sam	Rohrabacher
Carter (GA)	Jones	Rokita
Carter (TX)	Jordan	Rothfus
Chabot	Kelly (MS)	Rouzer
Chaffetz	Kelly (PA)	Russell
Clawson (FL)	King (IA)	Salmon
Coffman	Knight	Sanford
Collins (GA)	Labrador	Schweikert
Collins (NY)	LaHood	Scott, Austin
Conaway	LaMalfa	Sensenbrenner
Crenshaw	Lamborn	Sessions
Davidson	Latta	Smith (MO)
DeSantis	Long	Smith (NE)
DesJarlais	Loudermilk	Smith (TX)
Duncan (SC)	Lucas	Stewart
Duncan (TN)	Luetkemeyer	Stutzman
Elmners (NC)	Lummis	Thornberry
Emmer (MN)	Marchant	Tiberi
Farenthold	Massie	Tipton
Fincher	McCauley	Walker
Flores	McClintock	Weber (TX)
Forbes	McKinley	Webster (FL)
Fox	McMorris	Wenstrup
Franks (AZ)	Rodgers	Westerman
Garrett	McSally	Westmoreland
Gibbs	Meadows	Williams
Gohmert	Messer	Wilson (SC)
Goodlatte	Mica	Wittman
Gosar	Miller (FL)	Woodall
Gowdy	Mooney (WV)	Yoder
Graves (GA)	Mullin	Yoho
Graves (MO)	Mulvaney	Zeldin
Griffith	Neugebauer	
Grothman	Newhouse	

ANSWERED “PRESENT”—1

Amash

NOT VOTING—5

Kirkpatrick	Ribble	Sanchez, Loretta
Poe (TX)	Rush	

□ 1755

Mr. ROTHFUS changed his vote from “aye” to “no.”

Mr. JOYCE changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. EMMER of Minnesota). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. YODER) having assumed the chair, Mr. EMMER of Minnesota, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5303) to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, and for other purposes, and, pursuant to House Resolution 897, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

MOTION TO RECOMMIT

Mr. DEFAZIO. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DEFAZIO. I am opposed to the bill.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. DeFazio moves to recommit the bill H.R. 5303 to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with the following amendment:

At the end of title IV, add the following:

**SEC. \_\_\_\_ NO CORPS FUNDING FOR SOCCER FIELDS, BASEBALL FIELDS, BASKETBALL COURTS, OR SPLASH PARKS.**

Notwithstanding item 1 of the table in section 401(a)(8), the Secretary may not carry out the project for the Upper Trinity River, Modified Central City, Fort Worth, Texas—

(1) if the Secretary determines that any portion of the project is for the construction of a soccer field, baseball field, basketball

court, or splash park using Federal funds provided through the Corps of Engineers; or (2) notwithstanding section 116 of the Energy and Water Development Appropriations Act, 2005 (Public Law 108-447; 118 Stat. 2944), until the Secretary has determined that the project is economically justified.

Mr. SHUSTER (during the reading). Mr. Speaker, I ask unanimous consent that the reading be dispensed with.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Oregon is recognized for 5 minutes.

□ 1800

Mr. DEFAZIO. Mr. Speaker, as we have heard over 2 days, the Corps' budget is tight—a \$2.4 billion backlog in operations and maintenance and, after today, a \$74 billion backlog in authorized projects. Now, deep in this bill is a line item that provides an authorization for an \$810 million lavish waterfront development project in Fort Worth, Texas. My amendment simply guarantees fiscal discipline and regular order in two parts.

First, it guarantees that no Corps of Engineers funds will be used to build soccer fields, baseball fields, basketball courts, or splash parks as part of the project. Second, it requires the Secretary of the Army to determine that the project is economically justified. That is it. That is all this does.

The proponents of this will say there are no funds that are going to be used for soccer fields, baseball fields, basketball courts, or splash parks. However, this has been extracted from the Web site of the developer of the project. This is the official Web site. These are all included.

They say: We are going to use local funds.

There is a little gimmick here. Corps projects that have been authorized and have been found to be economically beneficial have to have local cost sharing. In this case, big parts of the local cost share are these things which are not qualified for a Corps project.

They say: Those aren't going to be Federal funds.

This is going to reduce the burden on the local people to match, and it is going to increase the burden on the taxpayers. In fact, if this does not authorize these things, all the Secretary has to do is to say they are not going to be constructed with Federal funds. If Members don't want to take my word for it, listen to the Taxpayers for Common Sense and National Taxpayers Union.

"The legislation authorizes funding for a project in Fort Worth, Texas, costing more than \$800 million. The Upper Trinity River project is portrayed as a flood damage reduction effort, but is really a massive economic development initiative that would divert precious Corps resources to construct soccer and baseball fields, basketball courts, and even a splash park.

Money spent on a splash park in Fort Worth is money that cannot be spent to further the Corps' core mission areas. At the least, we urge you to remove or limit the funds. . . . " If I am wrong and the National Taxpayers Union is wrong, the Secretary only has to confirm that.

Secondly, we are going to require the Secretary to determine the project as economically justified. Why would Congress insist on economically justifying a \$510 million Federal project? A better question might be: Why wouldn't you insist on this?

Every other chief's report in this bill had to go through an economic analysis by the Corps of Engineers and be found to be a net benefit to the taxpayers of the United States. This project did not. Yes, there was a private analysis done that said this is a great project, but there was no study done by the chief's office, and it has not been economically justified.

This project started out as an earmark in 2004 at a cost of \$220 million. In this bill, it is a renewed earmark at \$810 million, and the Federal share has gone from \$110 million to \$527 million. Anybody out there who has a need for a port or a harbor or anything else, think about that as you are in a very long line, and \$527 million is going to get ahead of you with an earmarked project which includes these sorts of features.

I urge Members to observe regular order, not to do an earmark by any other name, and require this project to be economically justified and not to construct sports facilities.

SEPTEMBER 27, 2016.

DEAR REPRESENTATIVE: While less expensive and problematic than the Senate version of the Water Resources Development Act (S. 2848), we urge you to oppose H.R. 5303, the "Water Resources Development Act of 2016." Instead of much needed reform, this legislation piles billions of dollars in additional water projects on the U.S. Army Corps of Engineers' plate. The legislation also makes policy changes that will be costly to taxpayers.

The largest challenge facing the Corps of Engineers water resources program is the lack of a prioritization system for allocating the limited available tax dollars. The legislation directs the executive branch to better explain its budgeting decisions, but this should not serve as an abdication of congressional authority. Congress should develop the criteria and metrics to prioritize Corps projects in the three primary mission areas (navigation, flood/storm damage reduction, and environmental restoration). The executive branch should be required to allocate funds in the budget request in a transparent manner through merit, competitive, or formula systems developed by Congress. Lawmakers could then conduct oversight, hold the administration accountable, and adjust the systems, criteria, and metrics as needed.

H.R. 5303 fails to include such a prioritization system. It does many other things, however. Between committee consideration and the floor, the bill grew by over \$6 billion. A provision from the Water Resources Reform and Development Act of 2014 dedicating maintenance dredging funds to emerging ports is made permanent. It doesn't make sense to invest in a port that is

continually "emerging." It also extends set-asides for "donor" and "energy" ports without reforming the massive cross-subsidies in the existing maintenance dredging program. The legislation authorizes funding for a project in Fort Worth, Texas, costing more than \$800 million. The Upper Trinity River project is portrayed as a flood damage reduction effort, but is really a massive economic development initiative that would divert precious Corps resources to construct soccer and baseball fields, basketball courts, and even a splash park. Money spent on a splash park in Fort Worth is money that cannot be spent to further the Corps' core mission areas. At the least, we urge you to remove or limit the funds for this project.

Again, we urge you to oppose H.R. 5303 the "Water Resources Development Act of 2016."

Sincerely,

RYAN ALEXANDER,  
*Taxpayers for Common Sense.*

PETE SEPP,  
*National Taxpayers Union.*

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

Mr. SHUSTER. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. SHUSTER. Mr. Speaker, the gentleman is correct. We are going to stand up and say that the Corps of Engineers and the non-Federal sponsor have made it clear that it is not responsible for constructing baseball fields, basketball courts, and soccer fields. Not only has the Corps said to us that it is not included in this—they have confirmed, and they have reconfirmed—but, in fact, an independent board did a cost-benefit analysis on this. An independent board did one. This motion simply stops the forward motion of this bill.

When I became chairman, I committed to making sure that, in every Congress, we would pass a WRDA bill and get back to regular order like we used to do, but there was a 7-year gap; so here, today, we have a bill. It is not perfect by any means, but it is a good bill.

I look around this Chamber, and there are Members here who have projects in this that are important to their districts and that are important to their States. Most importantly, it is important to the Nation that we move this bill forward. If we delay on this bill, we are going to delay these jobs. This is a critical bill for us. It does some very, very good things. There are good benefits in here.

First, it reasserts congressional authority by restoring the 2-year cycle to WRDA. It restores congressional authority. That means we in this House and in the Senate—in Congress—get to tell the administration what they are going to do. We are not going to sit here and have them direct us and say this is what we will do. We don't know who those faceless, nameless bureaucrats are, and I am tired of that. I will not let that happen on my watch. There is a return to regular order. As I said, there are unelected bureaucrats making those decisions for us.

Secondly, it is fiscally responsible. We authorize over \$9 billion in projects, but we de-authorize. We have taken it, and we have balanced it out so it is fiscally responsible.

Finally, it keeps American jobs in America by strengthening our competitiveness—not Republican and Democratic jobs, American jobs. In each Member's district and in each Member's State, this bill is going to help America be competitive so that our goods and products can go out of these ports efficiently to world markets and so they can come in and get on our store shelves efficiently and save Americans money.

This is an important economic development bill for this Nation. Let's get this bill done. Let's get into conversations with the Senate, and let's get this on the President's desk. Let's help strengthen America.

I urge a "no" vote on this.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

#### RECORDED VOTE

Mr. DEFAZIO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 181, noes 243, not voting 7, as follows:

[Roll No. 571]

#### AYES—181

Adams	Cohen	Grayson
Aguilar	Connolly	Green, Al
Ashford	Conyers	Green, Gene
Bass	Cooper	Grijalva
Beatty	Costa	Gutiérrez
Becerra	Courtney	Hahn
Bera	Crowley	Hastings
Beyer	Cuellar	Heck (WA)
Bishop (GA)	Cummings	Higgins
Blumenauer	Davis (CA)	Himes
Bonamici	Davis, Danny	Hinojosa
Boyle, Brendan	DeFazio	Honda
F.	DeGette	Hoyer
Brady (PA)	Delaney	Huffman
Brooks (AL)	DeLauro	Israel
Brown (FL)	DelBene	Jackson Lee
Brownley (CA)	DeSaulnier	Jeffries
Bustos	Deutch	Johnson (GA)
Butterfield	Dingell	Johnson, E. B.
Capps	Doggett	Jones
Capuano	Duckworth	Kaptur
Cárdenas	Edwards	Keating
Carney	Ellison	Kelly (IL)
Carson (IN)	Engel	Kennedy
Cartwright	Eshoo	Kildee
Castor (FL)	Esty	Kilmer
Castro (TX)	Farr	Kind
Chu, Judy	Foster	Kuster
Cicilline	Frankel (FL)	Langevin
Clark (MA)	Fudge	Larsen (WA)
Clarke (NY)	Gabbard	Larson (CT)
Clay	Galleo	Lawrence
Cleaver	Garamendi	Lee
Clyburn	Graham	Levin

Lewis	Pallone	Sherman
Lieu, Ted	Pascrell	Sinema
Lipinski	Payne	Sires
Loeb sack	Pelosi	Slaughter
Lofgren	Perlmutter	Smith (WA)
Lowenthal	Peters	Speier
Lujan Grisham	Peterson	Swalwell (CA)
(NM)	Pingree	Takano
Luján, Ben Ray	Pocan	Thompson (CA)
(NM)	Polis	Thompson (MS)
Lynch	Price (NC)	Titus
Maloney,	Quigley	Tonko
Carolyn	Rangel	Torres
Maloney, Sean	Rice (NY)	Tsongas
Matsui	Richmond	Van Hollen
McCollum	Roybal-Allard	Vargas
McGovern	Ruiz	Vela
McNerney	Ruppersberger	Velázquez
Meeks	Ryan (OH)	Visclosky
Meng	Sanchez, Linda	Walz
Moore	T.	Wasserman
Moulton	Sarbanes	Schultz
Murphy (FL)	Schakowsky	Schiff
Nadler	Schiff	Schrader
Napolitano	Schrader	Scott (VA)
Neal	Scott (VA)	Scott, David
Nolan	Scott, David	Serrano
Norcross	Serrano	Sewell (AL)
O'Rourke	Sewell (AL)	

#### NOES—243

Abraham	Fox	Massie
Aderholt	Franks (AZ)	McCarthy
Allen	Frelinghuysen	McCaul
Amash	Garrett	McClintock
Amodei	Gibbs	McHenry
Babin	Gibson	McKinley
Barletta	Gohmert	McMorris
Barr	Goodlatte	Rodgers
Barton	Gosar	McSally
Benishek	Gowdy	Meadows
Bilirakis	Granger	Meehan
Bishop (MI)	Graves (GA)	Messer
Bishop (UT)	Graves (LA)	Mica
Black	Graves (MO)	Miller (FL)
Blackburn	Griffith	Miller (MI)
Blum	Grothman	Moolenaar
Bost	Guinta	Mooney (WV)
Boustany	Guthrie	Mullin
Brady (TX)	Hanna	Mulvaney
Brat	Hardy	Murphy (PA)
Bridenstine	Harper	Neugebauer
Brooks (IN)	Harris	Newhouse
Buchanan	Hartzer	Noem
Buck	Heck (NV)	Nugent
Bucshon	Hensarling	Nunes
Burgess	Herrera Beutler	Olson
Byrne	Hice, Jody B.	Palazzo
Calvert	Hill	Palmer
Carter (GA)	Holding	Paulsen
Carter (TX)	Hudson	Pearce
Chabot	Huelskamp	Perry
Chaffetz	Huizenga (MI)	Pittenger
Clawson (FL)	Hultgren	Pitts
Coffman	Hunter	Poliquin
Cole	Hurd (TX)	Pompeo
Collins (GA)	Hurt (VA)	Posey
Collins (NY)	Issa	Price, Tom
Comstock	Jenkins (KS)	Ratcliffe
Conaway	Jenkins (WV)	Reed
Cook	Johnson (OH)	Reichert
Costello (PA)	Johnson, Sam	Renacci
Cramer	Jolly	Ribble
Crawford	Jordan	Rice (SC)
Crenshaw	Joyce	Rigell
Culberson	Katko	Roby
Curbelo (FL)	Kelly (MS)	Roe (TN)
Davidson	Kelly (PA)	Rogers (AL)
Davis, Rodney	King (IA)	Rogers (KY)
Denham	King (NY)	Rohrabacher
Dent	Kinzinger (IL)	Rokita
DeSantis	Kline	Rooney (FL)
DesJarlais	Knight	Ros-Lehtinen
Diaz-Balart	Labrador	Roskam
Dold	LaHood	Ross
Donovan	LaMalfa	Rothfus
Duffy	Lamborn	Rouzer
Duncan (SC)	Lance	Royce
Duncan (TN)	Latta	Russell
Ellmers (NC)	LoBiondo	Salmon
Emmer (MN)	Long	Sanford
Farenthold	Loudermilk	Scalise
Fincher	Love	Schweikert
Fitzpatrick	Lucas	Scott, Austin
Fleischmann	Luetkemeyer	Sensenbrenner
Fleming	Lummis	Sessions
Flores	MacArthur	Shimkus
Forbes	Marchant	Shuster
Fortenberry	Marino	Simpson

Smith (MO)	Upton	Williams
Smith (NE)	Valadao	Wilson (SC)
Smith (NJ)	Veasey	Wittman
Smith (TX)	Wagner	Womack
Stefanik	Walberg	Woodall
Stewart	Walden	Yoder
Stivers	Walker	Yoho
Stutzman	Walorski	Young (AK)
Thompson (PA)	Walters, Mimi	Young (IA)
Thornberry	Weber (TX)	Young (IN)
Tiberi	Webster (FL)	Zeldin
Tipton	Wenstrup	Zinke
Trott	Westerman	
Turner	Westmoreland	

#### NOT VOTING—7

Doyle, Michael	Lowey	Rush
F.	McDermott	Sanchez, Loretta
Kirkpatrick	Poe (TX)	

□ 1812

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

#### RECORDED VOTE

Mr. DEFAZIO. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 399, noes 25, not voting 7, as follows:

[Roll No. 572]

#### AYES—399

Abraham	Castro (TX)	Donovan
Adams	Chabot	Doyle, Michael
Aguilar	Chaffetz	F.
Allen	Chu, Judy	Duckworth
Amodei	Cicilline	Duffy
Ashford	Clark (MA)	Duncan (SC)
Babin	Clarke (NY)	Duncan (TN)
Barletta	Clawson (FL)	Edwards
Barr	Clay	Ellison
Barton	Cleaver	Emmer (MN)
Bass	Clyburn	Engel
Beatty	Coffman	Eshoo
Becerra	Cohen	Esty
Benishek	Cole	Farenthold
Bera	Collins (GA)	Farr
Beyer	Collins (NY)	Fincher
Bilirakis	Comstock	Fitzpatrick
Bishop (GA)	Conaway	Fleischmann
Bishop (MI)	Connolly	Fleming
Bishop (UT)	Conyers	Flores
Black	Cook	Forbes
Blackburn	Cooper	Fortenberry
Blum	Costa	Foster
Blumenauer	Costello (PA)	Fox
Bonamici	Courtney	Frankel (FL)
Bost	Cramer	Frelinghuysen
Boustany	Crawford	Fudge
Brady (PA)	Crenshaw	Gabbard
Brady (TX)	Crowley	Galleo
Brat	Cuellar	Garamendi
Bridenstine	Culberson	Garrett
Brooks (IN)	Cummings	Gibbs
Brown (FL)	Curbelo (FL)	Gibson
Brownley (CA)	Davidson	Goodlatte
Buchanan	Davis (CA)	Gowdy
Buck	Davis, Danny	Graham
Bucshon	Davis, Rodney	Granger
Burgess	DeGette	Graves (GA)
Bustos	Delaney	Graves (LA)
Butterfield	DeLauro	Graves (MO)
Byrne	DelBene	Grayson
Calvert	Denham	Green, Al
Capps	Dent	Griffith
Capuano	DeSantis	Grijalva
Cárdenas	DeSaulnier	Grothman
Carney	DesJarlais	Guinta
Carson (IN)	Deutch	Guthrie
Cartwright	Diaz-Balart	Gutiérrez
Castor (GA)	Dingell	Hahn
Carter (TX)	Doggett	Hanna
Castor (FL)	Dold	Hardy

Harper	Marchant	Sánchez, Linda
Harris	Marino	T.
Hartzler	Massie	Sanford
Hastings	Matsui	Sarbanes
Heck (NV)	McCarthy	Scalise
Heck (WA)	McCaul	Schakowsky
Hensarling	McClintock	Schiff
Herrera Beutler	McCollum	Schrader
Hice, Jody B.	McGovern	Schweikert
Higgins	McHenry	Scott (VA)
Hill	McMorris	Scott, Austin
Himes	Rodgers	Scott, David
Hinojosa	McNerney	Serrano
Holding	McSally	Sessions
Honda	Meadows	Sherman
Hoyer	Meehan	Shimkus
Hudson	Meeks	Shuster
Huffman	Meng	Simpson
Huizenga (MI)	Messer	Sinema
Hultgren	Mica	Sires
Hunter	Miller (MI)	Slaughter
Hurd (TX)	Moolenaar	Smith (MO)
Hurt (VA)	Mooney (WV)	Smith (NE)
Israel	Moore	Smith (NJ)
Issa	Moulton	Smith (TX)
Jackson Lee	Mullin	Smith (WA)
Jeffries	Mulvaney	Speier
Jenkins (KS)	Murphy (FL)	Stefanik
Jenkins (WV)	Murphy (PA)	Stewart
Johnson (GA)	Nadler	Stivers
Johnson (OH)	Napolitano	Stutzman
Johnson, E. B.	Neal	Swalwell (CA)
Johnson, Sam	Newhouse	Takano
Jolly	Noem	Thompson (CA)
Joyce	Nolan	Thompson (MS)
Kaptur	Norcross	Thompson (PA)
Katko	Nugent	Thornberry
Keating	Nunes	Tiberi
Kelly (IL)	O'Rourke	Tipton
Kelly (MS)	Olson	Titus
Kelly (PA)	Palazzo	Tonko
Kennedy	Pallone	Torres
Kildee	Pascrell	Trott
Kilmer	Paulsen	Tsongas
Kind	Payne	Turner
King (IA)	Pearce	Upton
King (NY)	Pelosi	Valadao
Kinzinger (IL)	Perlmutter	Van Hollen
Kline	Peters	Vargas
Knight	Peterson	Veasey
Kuster	Pittenger	Vela
LaHood	Pocan	Velázquez
LaMalfa	Poliquin	Visclosky
Lamborn	Pompeo	Wagner
Lance	Posey	Walberg
Langevin	Price (NC)	Walden
Larsen (WA)	Price, Tom	Walker
Larson (CT)	Quigley	Walorski
Latta	Rangel	Walters, Mimi
Lawrence	Ratcliffe	Walz
Lee	Reed	Wasserman
Levin	Reichert	Schultz
Lewis	Renacci	Waters, Maxine
Lieu, Ted	Ribble	Watson Coleman
Lipinski	Rice (NY)	Weber (TX)
LoBiondo	Rice (SC)	Webster (FL)
Loeb sack	Richmond	Welch
Loftgren	Rigell	Wenstrup
Long	Roe (TN)	Westerman
Loudermilk	Rogers (KY)	Westmoreland
Love	Rohrabacher	Williams
Lowenthal	Rokita	Wilson (FL)
Lowey	Rooney (FL)	Wilson (SC)
Lucas	Ros-Lehtinen	Wittman
Luetkemeyer	Roskam	Womack
Lujan Grisham	Ross	Woodall
(NM)	Rothfus	Yarmuth
Luján, Ben Ray	Rouzer	Yoder
(NM)	Roybal-Allard	Yoho
Lummis	Royce	Young (AK)
Lynch	Ruiz	Young (IA)
MacArthur	Ruppersberger	Young (IN)
Maloney,	Russell	Zeldin
Carolyn	Ryan (OH)	Zinke
Maloney, Sean		

## NOES—25

Aderholt	Huelskamp	Pitts
Amash	Jones	Polis
Brooks (AL)	Jordan	Roby
DeFazio	Labrador	Rogers (AL)
Ellmers (NC)	McKinley	Salmon
Franks (AZ)	Miller (FL)	Sensenbrenner
Gohmert	Neugebauer	Sewell (AL)
Gosar	Palmer	
Green, Gene	Perry	

## NOT VOTING—7

Boyle, Brendan	McDermott	Rush
F.	Pingree	Sánchez, Loretta
Kirkpatrick	Poe (TX)	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1820

Mr. GOHMERT changed his vote from “aye” to “no.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

### EXPRESSING CONCERN OVER THE DISAPPEARANCE OF DAVID SNEDDON, AND FOR OTHER PURPOSES

Mr. STEWART. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence be discharged from further consideration of House Resolution 891, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore (Mr. YOUNG of Iowa). Is there objection to the request of the gentleman from Utah?

There was no objection.

The text of the resolution is as follows:

## H. RES. 891

Whereas David Louis Sneddon is a United States citizen who disappeared while touring the Yunnan Province in the People's Republic of China as a university student on August 14, 2004, at the age of 24;

Whereas David had last reported to family members prior to his disappearance that he intended to hike the Tiger Leaping Gorge in the Yunnan Province before returning to the United States and had placed a downpayment on student housing for the upcoming academic year, planned business meetings, and scheduled law school entrance examinations in the United States for the fall;

Whereas People's Republic of China officials have reported to the Department of State and the family of David that he most likely died by falling into the Jinsha River while hiking the Tiger Leaping Gorge, although no physical evidence or eyewitness testimony exists to support this conclusion;

Whereas there is evidence indicating that David did not fall into the river when he traveled through the gorge, including eyewitness testimonies from people who saw David alive and spoke to him in person after his hike, as recorded by members of David's family and by embassy officials from the Department of State in the months after his disappearance;

Whereas family members searching for David shortly after he went missing obtained eyewitness accounts that David stayed overnight in several guesthouses during and after his safe hike through the gorge, and these guesthouse locations suggest that David disappeared after passing through the gorge, but the guest registers recording the names and passport numbers of foreign overnight guests could not be accessed;

Whereas Chinese officials have reported that evidence does not exist that David was

a victim of violent crime, or a resident in a local hospital, prison, or mental institution at the time of his disappearance, and no attempt has been made to use David's passport since the time of his disappearance, nor has any money been withdrawn from his bank account since that time;

Whereas David Sneddon is the only United States citizen to disappear without explanation in the People's Republic of China since the normalization of relations between the United States and China during the administration of President Richard Nixon;

Whereas investigative reporters and non-governmental organizations with expertise in the Asia-Pacific region, and in some cases particular expertise in the Asian Underground Railroad and North Korea's program, documented historically, to kidnap citizens of foreign nations for espionage purposes, have repeatedly raised the possibility that the Government of the Democratic People's Republic of Korea (DPRK) was involved in David's disappearance; and

Whereas investigative reporters and non-governmental organizations who have reviewed David's case believe it is possible that the Government of North Korea was involved in David's disappearance because—

(1) the Yunnan Province is regarded by regional experts as an area frequently trafficked by North Korean refugees and their support networks, and the Government of the People's Republic of China allows North Korean agents to operate throughout the region to repatriate refugees, such as prominent North Korean defector Kang Byong-sop and members of his family who were captured near the China-Laos border just weeks prior to David's disappearance;

(2) in 2002, North Korean officials acknowledged that the Government of North Korea has carried out a policy since the 1970s of abducting foreign citizens and holding them captive in North Korea for the purpose of training its intelligence and military personnel in critical language and culture skills to infiltrate foreign nations;

(3) Charles Robert Jenkins, a United States soldier who deserted his unit in South Korea in 1965 and was held captive in North Korea for nearly 40 years, left North Korea in July 2004 (one month before David disappeared in China) and Jenkins reported that he was forced to teach English to North Korean intelligence and military personnel while in captivity;

(4) David Sneddon is fluent in the Korean language and was learning Mandarin, skills that could have been appealing to the Government of North Korea;

(5) tensions between the United States and North Korea were heightened during the summer of 2004 due to recent approval of the North Korean Human Rights Act of 2004 (Public Law 108-333) that increased United States aid to refugees fleeing North Korea, prompting the Government of North Korea to issue a press release warning the United States to “drop its hostile policy”;

(6) David Sneddon's disappearance fits a known historical pattern often seen in the abduction of foreigners by the Government of North Korea;

(7) a well-reputed Japanese nonprofit specializing in North Korean abductions shared with the United States its expert analysis in 2012 about information it stated was received “from a reliable source” that a United States university student largely matching David Sneddon's description was taken from China by North Korean agents in August 2004; and

(8) commentary published in the Wall Street Journal in 2013 cited experts looking at the Sneddon case who concluded that “it is most probable that a U.S. national has been abducted to North Korea,” and “there



is a strong possibility that North Korea kidnapped the American". Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) expresses its ongoing concern about the disappearance of David Louis Sneddon in Yunnan Province, People's Republic of China, in August, 2004;

(2) encourages the Department of State and the intelligence community to jointly continue investigations and to consider all plausible explanations for David's disappearance, including the possibility of abduction by the Government of the Democratic People's Republic of Korea;

(3) urges the Department of State and the intelligence community to coordinate investigations with the Governments of the People's Republic of China, Japan, and South Korea and solicit information from appropriate regional affairs and law enforcement experts on plausible explanations for David's disappearance;

(4) encourages the Department of State to work with foreign governments known to have diplomatic influence with the Government of the Democratic People's Republic of Korea;

(5) encourages the intelligence community to assess the possibility of the involvement of the Government of the Democratic People's Republic of Korea in David Sneddon's disappearance and to possibly seek his recovery; and

(6) requests that the Department of State and the intelligence community continue to work with and inform Congress and the family of David Sneddon on efforts to possibly recover David and to resolve his disappearance.

Mr. ROYCE. Mr. Speaker, I include in the RECORD the attached letters between myself and the Chairman of the House Permanent Select Committee on Intelligence regarding House Concurrent Resolution 891, expressing concern over the disappearance of David Sneddon, and for other purposes.

HOUSE OF REPRESENTATIVES, PERMANENT SELECT COMMITTEE ON INTELLIGENCE,

Washington, DC, September 27, 2016.

Hon. ED ROYCE,

Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROYCE: On September 26, 2016, H. Res. 891, "Expressing concern over the disappearance of David Sneddon, and for other purposes," was referred to the Committee on Foreign Affairs, and in addition, to the Permanent Select Committee on Intelligence.

In order to expedite the House's consideration of the resolution, the Permanent Select Committee on Intelligence will forego consideration of the measure. This courtesy is, however, conditioned on our mutual understanding and agreement that it will in no way diminish or alter the jurisdiction of the Permanent Select Committee with respect to any future jurisdictional claim over the subject matter contained in the resolution or any similar measure.

I would appreciate your response to this letter confirming this understanding and would request that you include a copy of this letter in any committee report for the resolution and in the Congressional Record during its floor consideration. Thank you in advance for your cooperation.

Sincerely,

DEVIN NUNES,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
Washington, DC, September 27, 2016.

Hon. DEVIN NUNES,

Chairman, Permanent Select Committee on Intelligence, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for consulting with the Committee on Foreign Affairs on H. Res. 891, a resolution expressing concern over the disappearance of David Sneddon, and for other purposes, and for agreeing to be discharged from further consideration of that resolution.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your Committee, or prejudice its jurisdictional prerogatives on this measure or similar legislation in the future.

I will seek to place our letters on H. Res. 891 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with your Committee as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,  
Chairman.

The resolution was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. STEWART. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to submit statements or extraneous materials for the RECORD on House Resolution 891.

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

There was no objection.

#### REGULATORY RELIEF FOR SMALL BUSINESSES, SCHOOLS, AND NONPROFITS ACT

Mr. WALBERG. Mr. Speaker, pursuant to House Resolution 897, I call up the bill (H.R. 6094) to provide for a 6-month delay in the effective date of a rule of the Department of Labor relating to income thresholds for determining overtime pay for executive, administrative, professional, outside sales, and computer employees, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 897, the bill is considered read.

The text of the bill is as follows:

H.R. 6094

*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 "Regulatory Relief for Small Businesses, Schools, and Nonprofits Act".

#### SEC. 2. EFFECTIVE DATE OF RULE.

(a) EFFECTIVE DATE.—Notwithstanding the effective date set forth in the rule submitted by the Department of Labor relating to exemptions regarding the rates of pay for executive, administrative, professional, outside sales, and computer employees (81 Fed. Reg. 32552 (May 23, 2016)), such rule shall not take effect until June 1, 2017.

(b) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to provide authority for the rule described in subsection (a), nor any part thereof, that is not otherwise provided by law.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce.

The gentleman from Michigan (Mr. WALBERG) and the gentleman from Virginia (Mr. SCOTT) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

#### GENERAL LEAVE

Mr. WALBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 6094.

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

There was no objection.

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

Mr. Speaker, I rise today in strong support of H.R. 6094, the Regulatory Relief for Small Businesses, Schools, and Nonprofits Act. I am proud to introduce this legislation to provide small businesses, colleges, universities, and nonprofit organizations much needed relief from a fundamentally flawed rule that will do more harm than good. It is unfortunate this legislation is necessary in the first place.

For over 2 years, Republicans have urged the Department to update our Nation's overtime rules responsibly. These rules serve as important protections for American workers, but the existing regulatory structure is extremely outdated and complex. The Department should have used this opportunity to modernize overtime rules for the 21st century workforce.

They should have listened to the countless small-business owners, heads of nonprofit organizations, State and local leaders, and college and university administrators who warned that an extreme and partisan rule would lead to harmful consequences. But the Department failed to take a balanced approach and refused to listen. Instead, they stuck by a Washington-knows-best mentality and finalized a rule that was exactly what so many hardworking men and women had feared.

The rule doubles the salary threshold for overtime eligibility and requires further automatic increases every 3 years. And then, to make matters worse, the Department even kept in place the same old regulatory maze that has existed for decades.

As the administration pats itself on the back and rushes to implement a rule in just a few short months, those who will face the real world consequences are scrambling to meet the unrealistic December 1 deadline.

Ernie Macewen, a South Rockwood small-business owner in my district,

said he already opted to hire one less employee this year in anticipation of the rule. He said he has heard from other small-business owners who don't even know the rule exists.

Karen Richard, who owns Culver's restaurants in Ann Arbor and Jackson, is worried the rule will limit opportunities for the young people she employs.

Adrian College is trying to make tough decisions that could impact tuition and services for students, and the time crunch is making the process even more challenging.

Bethany Christian Services in Grand Rapids is concerned the rule will undermine support for children in need.

These stories aren't unique to Michigan. These are the types of stories that are unfolding across the country, yet the administration continues to quickly move toward the December 1 implementation date in total disregard for the challenges facing the small businesses, schools, and nonprofit organizations serving our communities.

Mr. Speaker, the administration should abandon this rule before it limits opportunities for workers, hurts young people striving for an affordable education, burdens hardworking small-business owners, and jeopardizes vital services for vulnerable Americans.

It is time to go back to the drawing board and work toward the balanced, responsible approach we have been fighting for from the start.

Time is running out. The administration and Members of Congress should do the right thing and provide more time to those struggling to implement this rule before an arbitrary and unrealistic deadline. I urge my colleagues to support this commonsense legislation and to help deliver the relief small businesses, schools, and nonprofits in each and every one of our districts so desperately need.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I stand in opposition to H.R. 6094, the inappropriately named Regulatory Relief for Small Businesses, Schools, and Nonprofits Act.

First of all, it is not limited to those. It is for all employers. It would delay the implementation of the overtime rule for 6 months. The rule is currently slated to go into effect on December 1, and working families can't wait another 6 months for a long-overdue adjustment in the overtime rule.

We ought to talk a little bit about what we are talking about. If today you are earning \$10 an hour, if you work more than 40 hours a week, you get time-and-a-half for every hour worked over 40. And if they change that to the same amount, instead of \$10 an hour, \$20,000 a year, you still get time-and-a-half for overtime after 40 hours because your salary is under the approximately \$23,000 threshold.

□ 1830

If you make \$15 an hour, you get time-and-a-half for over 40 hours; but if they change that and call it \$30,000 a year, the hours you work over 40 you not only don't get time-and-a-half, you don't get paid at all. You just worked extra hours because you are over the threshold.

Now, when the threshold was established many years ago, 60 percent of salaried workers were covered by the overtime rule. They were under the threshold and got overtime. But because it wasn't adjusted for inflation, it is now only about 7 percent of salaried workers who get overtime protection. The Department of Labor overtime rule will increase that threshold up to about \$47,000, and this would cover about only 35 percent of salaried workers, but this would still enable millions of Americans to be compensated for work over 40 hours.

Mr. Speaker, the 40-hour workweek used to be the standard workweek, but with this new rule, more workers will benefit from the overtime rule and be able to get time-and-a-half for hours worked over 40 hours. We have heard this is too quick. When the last adjustment was made, under a Republican President, only 4 months were provided to adjust. This rule allowed 6 months. Furthermore, the administration has been working on this for 2 years, so employers have known it was coming.

Now, we will hear exaggerated reports about the impact on universities. Studies have shown that only a few people will be actually affected by the rule, and of those, only a few people will actually routinely work overtime. So the total of those affected and routinely work overtime is about 1 percent of the university employees. Their salary may go up a little bit or they may be only worked 40 hours, in which case there is no adjustment needed. Either way, you are only talking about a small portion of the salary of 1 percent. That is not going to bankrupt universities.

The nonprofits, the same thing, about 1 percent of the employees both routinely work overtime and are affected. Their salary may or may not go up, depending on how you respond because a lot of times you will just make sure that people don't work more than 40 hours a week. They can go home to their families rather than be worked hour after hour after hour.

We have also heard an exaggeration about how it will affect jobs, people will have to lay people off. Actually, one study showed that you will actually create jobs, about 100,000 jobs over the economy, because if an employer has 120 hours that need to be worked, and he is working two people 60 hours a week without paying for the extra hours, with this rule, he may be paying them time-and-a-half, and it may make more sense to hire a third person; so three people work 40 hours a week. That would create, as I said, about 100,000 jobs.

Mr. Speaker, this bill would unnecessarily delay fair pay to millions of workers. The President, thankfully, has said that if this bill ever sees his desk, he will veto it. We can remove that uncertainty just by defeating the bill here and now.

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

Mr. WALBERG. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. KLINE), the chairman of the Committee on Education and the Workforce, a man who we will all miss next year, the wisdom, the leadership, the success that he has brought to this committee, a man who understands that we work together, but sometimes we press forward to do the right thing.

Mr. KLINE. Mr. Speaker, I thank the gentleman from Michigan for his tremendous leadership on this issue and so many more.

I rise today in strong support of H.R. 6094.

In 2014, the Department of Labor began an effort to update Federal overtime rules. There would have been strong bipartisan support for that effort if the Department had pursued a responsible approach. In fact, we have spent years engaging in this issue because we believe Federal overtime rules need to be modernized, both to strengthen protections for workers and to provide more clarity and certainty for employers.

Unfortunately, the Department took a different approach and finalized an extreme rule that will hurt those it is supposed to help. As we have heard from witnesses at hearings and constituents back home, the rule will leave individuals with less flexibility at work and fewer opportunities to further their careers or pursue jobs they want or truly need. We have also learned that the rule will make college less affordable and make it more difficult for charitable organizations to serve people in need.

The purpose of the legislation we are considering today is to provide some relief—even if temporary—to those who will be harmed the most: men and women working hard to grow their own businesses and employees trying to provide a better life for their families, students pursuing the dream of a higher education, and countless Americans relying on nonprofits for help and support.

It took the Obama administration more than 2 years—27 months—to complete this rule, but they have given the American people just 6 months to make the difficult choices necessary to implement it. According to one report, almost half—49 percent—of small businesses aren't even aware the new rule exists. Imagine how many schools and nonprofits are in the same position.

This legislation will give these men and women more time to implement the rule and help mitigate its impact on students, workers, and vulnerable individuals. But the clock is ticking. Important decisions about payroll and

staffing have to be made and quickly. If we fail to act now, it may be too late.

I want to thank Mr. WALBERG for introducing this important legislation and for his continued leadership in championing efforts to responsibly—update Federal overtime rules. I urge my colleagues to support the bill.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume just to acknowledge the retirement of the Chair. I have only been ranking member for this Congress, but we have been able to work together constructively for elementary and secondary education, juvenile justice, career and technical education, Older Americans Act, several higher education bills, all working constructively together. I want to thank the gentleman for his cooperative spirit. We agree on a lot and we are able to work forward. We disagree, as we are on this bill, but we are able to do that in a dignified way and still be able to accomplish a great deal during this Congress. I want to congratulate him on a great career.

I yield 2 minutes to the gentlewoman from Florida (Ms. WILSON), the ranking member of the Subcommittee on Workforce Protections.

Ms. WILSON of Florida. Mr. Speaker, I thank Ranking Member SCOTT.

As ranking member of the Subcommittee on Workforce Protections on the House Committee on Education and the Workforce, I rise to voice my strong opposition to H.R. 6094, which would delay the overtime rule. It is not fair that the men and women teetering on the brink of poverty, people making \$23,660 a year, are asked to work 50, 60, or 70 hours a week with no promise of extra pay. It is not fair that millions of mothers and fathers who are forced to work long hours each week find it almost impossible to give their children the time and attention they deserve, yet they are still deprived of the overtime pay that could lead to the economic security of their families.

The Department's overtime rule will extend long-awaited wage protections to nearly 4.2 million Americans, including 331,000 Floridians. I applaud the Department and the administration for their continued commitment to combating the wage stagnation that has left far too many Floridians working more hours for less pay. My hardworking constituents and Americans across this country deserve a fair day's pay for a fair day's work.

This overtime rule makes us one step closer to this goal. Small-business owners, nonprofits, and higher education institutions have options for complying with this rule, which would not impose any additional cost. Let's make that clear. H.R. 6094 will take \$600 million out of the pockets of 4.2 million American workers who would have gained overtime protections on December 1. This is \$600 million they will never see. That means, for example,

that workers will have less money to spend on their families and their futures.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman.

Ms. WILSON of Florida. Mr. Speaker, as Members of Congress, we are required to serve the will of the people, and millions of working class people want and need this rule now. Polls show that 76 percent of voters say they support the rule. We must do what is best for the American people by ensuring that all Americans are paid a fair day's pay for a fair day's work. I remain steadfast in my commitment to strengthening the wage and hour protections that Americans deserve. It is critical that the overtime rule goes into effect without any changes on December 1, 2016.

Mr. WALBERG. Mr. Speaker, I yield 2½ minutes to the gentleman from Tennessee (Mr. ROE), the distinguished chairman of the Subcommittee on Health, Employment, Labor, and Pensions, and my good friend.

Mr. ROE of Tennessee. Mr. Speaker, I thank the chairman.

I rise today in support of H.R. 6094, the Regulatory Relief for Small Businesses, Schools, and Nonprofits Act, a much-needed piece of legislation that will delay the Department of Labor's misguided proposed overtime rule.

The annual wage in my home State of Tennessee is \$41,300. In my district, the median household income is even lower, \$39,000. The Department's proposed threshold for overtime is \$47,000. That means that well over half the households in my district could be impacted by this ruling.

My question to the Department of Labor is: If over half the workers in an area will be affected by a regulation, where will the money come from?

The government might be able to print money, but if a local mom-and-pop business back home in my district started doing that, it is a felony, and the Secret Service won't be stopping by just to say hello.

The answer is fairly obvious to anyone who has run a business or had to meet a payroll. To comply with the regulation, fewer full-time employees will be hired, and workers will be strictly limited in their hours. While the regulation may give a few employees a pay raise, for many other employees it will result in fewer opportunities and unemployment.

We all want to see wages go up and the economy recover like it has in the past, but that happens by decreasing the number of oppressive regulations to stimulate job creation and business growth, not by adding yet another layer of regulation that could put small companies and nonprofits across my district out of business or cause them to cut back workers' hours and change salaried employees to hourly.

Additionally, if this rule is finalized, the colleges in my district will be af-

fected to the tune of between \$1 million and \$9 million annually, which will only end up raising the price of education, which is already too high.

I want to say in closing that I am an Eagle Scout and very proud to be one. As you may know, the motto of the Scouts is: Be Prepared.

Unfortunately, for groups like the Boy Scouts of America that rely on donations, there is no way that they could be prepared to pay all their employees \$47,476 or more and continue operating. This proposed rule will do nothing but hurt an already ailing economy and force groups like the Boy Scouts to cut back on their operation that helps kids, rich and poor, come together and learn skills they need to be a productive member of society when they grow up.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. TAKANO), the ranking member of the Committee on Veterans' Affairs and a hardworking member of the Committee on Education and the Workforce.

Mr. TAKANO. Mr. Speaker, I thank my friend and colleague from Virginia, the ranking member, Mr. SCOTT, for his leadership on this issue.

I am here to express my strong opposition to H.R. 6094. Prior to the Department of Labor taking action this year, the rules governing overtime were woefully out of date. In 1975, 60 percent of salaried workers had access to overtime protections. Four decades later, that number was just 8 percent. The result is that millions of American workers were denied a fair day's pay for a fair day's work for far too long.

On numerous occasions, my colleagues across the aisle have conceded that the threshold should be increased, but they say that this increase is too much too soon.

Mr. Speaker, with all due respect, an incremental change would have been appropriate three decades ago. Now we need bold action to restore overtime protections for middle class workers.

□ 1845

I find it ironic that this bill is called the Regulatory Relief for Small Businesses, Schools, and Nonprofits Act. After decades of long hours and low pay, it is working families that need relief. This bill takes money out of the pockets of middle class Americans right before the holiday season. In reality, this bill should be called the Grinch Act.

The overtime rule will ensure that 4.2 million Americans will have access to overtime protections. An additional 8.9 million workers will see their overtime protections strengthened. These middle class workers will either get an increase in pay or more time to spend with their families or both. This is plainly one of the most significant steps we can take to support the middle class.

I am not blind to the concerns of the business communities. I have heard from small businesses, institutions of higher education, and nonprofit organizations in my own district who are worried about the impact this rule will have on their bottom lines; but the truth is, while this rule is a big deal for workers, it will not have a significant consequence for businesses. The Department of Labor estimates that the total cost of the rule will amount to less than one-tenth of 1 percent of total U.S. payroll costs. I repeat that: less than one-tenth of 1 percent of total U.S. payroll costs.

Among workers affected by the rule, only one in five regularly work overtime. At universities and colleges, employees whose primary duties are teaching, lecturing, or instructing are exempt from overtime coverage under the Fair Labor Standards Act. Only 3.4 percent of all employees in colleges, universities, and junior colleges will be affected by this rule. Only 0.5 percent of those workers usually work overtime.

And who are these workers? They are the people peeling potatoes in the dining hall, they are the landscapers cutting grass in the quad, and they are the sporting equipment managers who work in multimillion-dollar athletic facilities, but can barely afford to support their families. They deserve to be paid for the hours they work.

Employers have inexpensive options for complying with this rule. For example, they can work with their teams to ensure that their employees are only working 40 hours a week, preventing overwork, as the Fair Labor Standards Act intended.

Yes, we have heard concerns about the overtime rule from the business community, but we have also heard their support. Ranking Member SCOTT and Chairman KLINE received a letter from the American Sustainable Business Council urging Congress to support a full implementation deadline of December 1, 2016. These businesses believe that any delay would be unduly burdensome, as businesses have been preparing for the rule to go into effect this year.

We have also received support from the nonprofits. I will include in the RECORD two letters to the Department of Labor offering support for the rule during the rulemaking process: one with nearly two dozen nonprofits, and another letter with roughly 140 organizations supporting the final rule.

SEPTEMBER 4, 2015.

Re Comments in Support of DOL's Notice of Proposed Rulemaking Defining and Delimiting the Exemptions for Executive, Administrative, Professional, Outside Sales and Computer Employees under the Fair Labor Standards Act, RIN 1235-AA11.

MARY ZIEGLER,  
*Director, Division of Regulations, Legislation and Interpretation, Wage and Hour Division, U.S. Department of Labor, Washington, DC.*

DEAR MS. ZIEGLER: The undersigned are all non-profit organizations that provide direct

services to low-income, marginalized, under-represented, or otherwise disadvantaged communities of people. We all labor under tight budgets as well as a demand for our services that far outstrips what we could ever hope to provide.

We are writing in full support of DOL's efforts to update the Executive, Administrative and Professional (EAP) exemptions to overtime coverage. These are rules which will greatly benefit the vulnerable communities we all strive to serve. Once they are in effect, our clients will see one of three results, all of which are overwhelmingly positive: (1) many will work fewer hours for no less pay, either affording them more time with their families and children, or freeing them up to find a second paying job, so that they can better make ends meet; (2) others will receive more compensation in their current jobs, in the form of overtime pay; and (3) the many unemployed and under-employed people we serve will have new opportunities for jobs or extra hours at their current jobs once the extra hours now worked for free, are spread out among other workers.

While we recognize that our organizations may well have to reclassify some of our own workforce, we welcome the challenge. Just as we do not want our clients to labor under abusive situations, so too must we consider how to best and most humanely use our own human resources. Our management teams welcome the opportunity this will provide to examine the work we are doing, how we are doing it, and look for efficiencies where we can, prioritize our work better, and ensure that our own staff have the same overtime protections that we want for our clients. The justice we seek for our clients in the world must also exist within our own organizations.

The proposed updates to the EAP exemptions are long over-due and we applaud the Department of Labor for taking the necessary steps to make the overtime laws of this country meaningful again.

Thank you for the opportunity to submit these comments.

Sincerely,

CASA  
The Arc of Northern Virginia  
Casa Latina  
Center for Worker Justice  
Community Service Society  
Council on American-Islamic Relations  
Employment Justice Center  
First Shift Justice Project  
Florida Immigrant Coalition  
Maryland Legal Aid  
Massachusetts Coalition for Occupational Safety and Health (MassCOSH)  
Massachusetts Immigrant and Refugee Advocacy Coalition  
North Carolina Justice Center  
Northwest Arkansas Workers' Justice Center  
Public Justice Center  
Restaurant Opportunities Centers United  
Root & Rebound: Reentry Advocates  
Rubicon Programs  
Safer Foundation  
Urban Justice Center  
Worker Justice Center of New York  
YWCA USA.

ECONOMIC POLICY INSTITUTE,  
Washington, DC.

NONPROFIT ORGANIZATIONS IN SUPPORT OF THE  
DEPARTMENT OF LABOR'S NEW OVERTIME  
REGULATIONS

We, the undersigned nonprofit organizations, write in support of the Department of Labor's new overtime regulations. The updated overtime rule is a great victory for working people across the United States.

In its recently announced final regulation, the Department of Labor raised the salary

threshold below which most workers are eligible for overtime pay from \$23,660 to \$47,476. This change will create hundreds of thousands of jobs, extend overtime protections to millions of workers, reduce excessive hours of unpaid work by underpaid employees, and increase salaries for employees earning near the new threshold. In particular, this rule represents an important step toward fairer pay for women and people of color, who are overrepresented in lower-paying jobs and are often required to work additional hours without compensation.

We recognize that many nonprofit organizations will have to think through and solve interesting problems and will face challenges as we make the changes needed to comply with the new regulations. These important changes will not necessarily be easy. Nonetheless, we embrace this opportunity to restore the overtime pay that lower-paid workers toiling more than 40 hours a week are entitled to.

For many nonprofits, including those of us that provide human services or advocate for workers' rights, poverty reduction, or economic and social justice, this is a critical opportunity to improve the working conditions and the economic lives of the people we serve. At the same time, our own workers and the families they support also deserve fair compensation and greater economic security.

As nonprofit organizations more broadly, we are dedicated to improving the public good. It is time to revisit the idea that working for the public good should somehow mean requiring the lowest-paid among us to support these efforts by working long hours, many of which are unpaid.

All of the undersigned nonprofit organizations are committed to complying with the new overtime regulations. We commend the Department of Labor for this significant reform, which will create better jobs and working conditions for millions of working people throughout the country. We support this historic social justice reform.

Signed,

21st Century School Fund; 9to5, National Association of Working Women; 9to5 California; 9to5 Colorado; 9to5 Georgia; 9to5 Wisconsin; A Better Balance; ActBlue; Advocates for Youth; African American Ministers In Action; Agenda Project Action Fund; Alaska People's Action; American Association of University Women; American Family Voices; American Federation of State, County and Municipal Employees (AFSCME); American Federation of Teachers; Americans for Democratic Action (ADA); Anti-Poverty Network of New Jersey.

Ariva; Asian Counseling and Referral Service; Atlanta Women for Equality; Avodah; The Battle of Homestead Foundation; Benedictine Sisters of Baltimore; Bend the Arc Jewish Action; Black Children's Institute of Tennessee; Brevard NOW; Bus Federation; Campaign for America's Future; CASA; Catalyst Miami; Center for American Progress; Center for Community Change; Center for Economic and Policy Research; Center for Law and Social Policy (CLASP); Center for Popular Democracy; Center for Women Policy Studies; Center for WorkLife Law; Center on Policy Initiatives.

The Century Foundation; Children's Law Center (District of Columbia); Class Action; Clergy and Laity United for Economic Justice (CLUE); Clerics of St. Viator (Viatorians); ClimateTruth.org; Coalition on Human Needs; Colorado Fiscal Institute; Colorado Organization for Latina Opportunity and Reproductive Rights (COLOR); Community, Faith and Labor Coalition; Community Forum for Economic Justice; Connecticut

Citizen Action Group (CCAG); Courage Campaign; Delaware Alliance for Community Advancement; Democratic Socialists of America; Democratic Women's Club of Florida; Democracy for America; Demos.

Economic Opportunity Institute; Economic Policy Institute; Elizabeth Coalition to House the Homeless; Emerge Colorado; End Hunger CT; Fair Budget Coalition; Fair World Project; Family Values @ Work; First Shift Justice Project; FRESC: Good Jobs, Strong Communities; Generation Progress; God's Will In Action; Gospel Justice Committee; Greater New York Labor-Religion Coalition; Greater Orlando NOW; HEAL; Human Services Council of New York; Illinois Economic Policy Institute.

Indiana Community Action Association; Indiana Institute for Working Families; Innovation Ohio Education Fund; Institute for Science and Human Values, Inc; Interfaith Worker Justice; Interfaith Center for Worker Justice of San Diego County; Interfaith Coalition for Worker Justice; International Brotherhood of Teamsters; Iowa Coalition Against Domestic Violence; Jobs With Justice; Keystone Research Center; Latino Commission on AIDS; Leadership Conference on Civil and Human Rights; Legal Aid Service of Broward County; Legal Aid Society of the District of Columbia; Los Angeles Alliance for a New Economy (LAANE); Medical Mission Sisters; MomsRising; MoveOn.org.

NAACP; NARAL Pro-Choice Colorado; National Alliance for Partnerships in Equity; National Association of Social Workers; National Black Justice Coalition; National Center for Lesbian Rights; National Center for Transgender Equality; National Council of La Raza (NCLR); National Employment Law Project (NELP); National Employment Lawyers Association; National Low Income Housing Coalition; National Partnership for Women & Families; National Resource Center on Domestic Violence; National Women's Law Center; NETWORK LOBBY; New Jersey Policy Perspective; New Jersey Work Environment Council; Noorvik Boys & Girls Club Alaska; North Carolina Justice Center; One Wisconsin Now; Organize Now; PathStone Corporation; PathWays PA.

People's Action; Pennsylvania Council of Churches; Princeton Community Housing; ProgressOhio; Progressive Change Campaign Committee; Public Health Advocates; Public Justice Center; Sargent Shriver National Center on Poverty Law; Service Employees International Union (SEIU); Sierra Club; Sisters of the Presentation; Social Security Works; South Carolina Community Loan Fund; Southeast Ministry DC; Teens, Training, & Taxes; Toledo Area Jobs with Justice & Interfaith Worker Justice Coalition; The Union of Concerned Scientists; UltraViolet.

United Auto Workers (UAW); United States Student Association; United Steelworkers; URGE: Unite for Reproductive & Gender Equity; Voices for Progress; Washington Community Action Network; Washington Lawyers' Committee for Civil Rights and Urban Affairs; Washington State Labor Council, AFL-CIO; Westland Ecumenical Community Food Pantry; West Virginia Center on Budget and Policy; Wisconsin Council on Children & Families; Wisconsin Faith Voices for Justice Workers' Dignity Project; Women AdvanCe; Women Employed; Women's Law Project; Working America; Working Partnerships USA; YWCA USA.

Mr. TAKANO. Finally, I want to raise objection to the way that this legislation is being considered. H.R. 6094 was brought to the floor as an emergency measure, bypassing regular order.

Mr. Speaker, an emergency is the epidemic of gun violence that kills 91

Americans every day. An emergency is averting a damaging shutdown and funding the Federal Government. Taking \$600 million out of the pockets of hardworking Americans and preventing them from spending time with their families is not an emergency, and that is what H.R. 6094 would do.

This legislation and the way it is being considered is a message to middle class families that they are not a priority for this Congress. I urge my colleagues to vote "no."

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

I would just respond to my friend and colleague, the gentleman from California, that I appreciate the passion that he displays. None of us want to be grinch. My concern, however, is that at Christmastime it won't be the fact that they would get more money as a result of this. The fact is many will lose their jobs. There could be nothing worse at Christmastime than to lose jobs that they have had.

I would also suggest that the reports that were listed are similar reports and probably from similar researchers that told us if we liked our insurance, we could keep it; if we liked our doctor, we could keep him or her.

We are talking about an issue here that relates to people who are salaried. Most of the references that were made of employees by my colleague are people that aren't salaried. We are not talking about them. We are talking about people that are building a resume, an opportunity for flexibility, to meet the needs of their families, to have continued opportunity to grow in their work relationships and responsibilities. Some, as we heard in committee, come to us having started on the grill, went to assistant manager, and ended up owning corporations and leading them.

So I think we need to watch those studies, as well, and what they purport and where they come from.

Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. BOUSTANY), a good friend and a gentleman who understands it from another perspective.

Mr. BOUSTANY. I thank the chairman for yielding time, and I stand in support of this bill.

Mr. Speaker, south Louisiana recently experienced historic flooding that damaged 12,000 businesses, leaving them struggling to survive. Recuperation is one thing, but survival is at stake right now for these businesses.

The Department of Labor's overtime rule would effectively force a choice for these flood-affected employers: either delay the much-needed recovery efforts or rapidly deplete limited funds they have available for recovering, paying for higher labor costs, as dictated by this new rule.

The consequences of this rule are real. They are having a real impact, a detrimental impact. That is why just last week, my home State of Louisiana joined 20 other States in filing a lawsuit challenging this rule.

This rule will force many businesses to unfairly and substantially increase their employment costs. This rule will lead to higher unemployment, in many instances. Small businesses will be really affected in a big way by this, at a time when labor participation is at an all-time low in the workforce—at least, something we haven't seen since the seventies.

We should be encouraging growth. I don't know why our colleagues don't understand the need for economic growth and progrowth policies. We should be encouraging growth of small business and development in the workplace. This rule, instead, would hinder opportunities for employees to move up the career ladder.

That is why I support this bill, the Regulatory Relief for Small Businesses, Schools, and Nonprofits Act. This is really important legislation that will delay the implementation of this ill-conceived, disastrous rule.

I urge my colleagues to support the bill.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 4 minutes to the gentleman from Wisconsin (Mr. POCAN), a member of the Education and the Workforce Committee.

Mr. POCAN. Mr. Speaker, I rise in opposition to H.R. 6094.

There has been a lot of talk about what small businesses think about this law. We put it in the name of the bill. Well, let me give you a perspective of a small-business owner for 29 years.

I am, this week—maybe not right now; they might have left—paying overtime to one of my employees. They are working extra hours because we are extra busy at this time of year.

You know what that means when I pay them extra money? That means I am making more money because we have got more hours that we are billing out. All I am doing is sharing it with the employees who, otherwise, are spending less time with their families. That is why we pay overtime pay. It is a pretty basic concept.

The problem is, if you delay this rule for 6 months, you will deny Americans \$600 million in pay during that time. There will be 4.2 million Americans newly eligible for overtime pay, under the proposed rule. Another 8.9 million working Americans will have their overtime protections strengthened under this rule.

Let's make sure people really understand what it is really about. The current level that is in place for overtime is \$23,400. The Federal poverty line for a family of four, Mr. Speaker, is \$24,300. We are asking people to work overtime—extra hours—for free who are living below the Federal poverty line at the current level. That makes absolutely no sense whatsoever. As an employer, I would feel terrible that I have an employee putting 60 hours a week in and living below the Federal poverty line.

So the problem is there are some employers and some business models that

simply aren't sufficient because they are taking advantage of the current overtime rule because it is so antiquated—it is from 2004—and that is simply why we have to have it increased.

Only 7 percent of the full-time salary workforce right now is under that rule. If you go back to 1975, that was at 60 percent. Even with this rule, we are only bringing that up to a third of full-time salaried workers. It is long overdue.

So what does this bill do? This would delay it for 6 months. Let's be honest. This isn't about delaying it for 6 months. This is about trying to kill the bill outright.

This is about trying not to have an increase in overtime pay. It was very clear from the hearings that a lot of these businesses make money off of their current model. We have seen that in the economy. Wages have generally been flat; although, recently, we have seen a little uptick. Corporate profits have soared. CEO profits have soared. The stock market has soared. The only thing left behind are wages.

This is one of those things to deal with it for someone who could be living on the Federal poverty line, giving free hours to an employer who, I would argue, needs a better business model.

What will happen if this rule goes into effect? One of three things:

First, you will see people working fewer hours for no less pay and able to spend more time with their family or time to get a second job if they need additional money to support their family;

Second, they will receive more compensation in their current jobs in the form of overtime pay;

Third, many unemployed or underemployed people will see new opportunities for jobs or extra hours at their current jobs once those extra hours are no longer worked for free and, instead, spread out among workers.

It is a scare tactic to say that people are going to be fired and lose work before the holidays. I am an employer. I am happy. I make money this week because I am paying someone overtime. I know I am making even more money for my business.

I learned this once when I talked to a very successful businessowner in Wisconsin about taxes. He said, I don't mind paying taxes. If I am making money, I pay taxes. If I am not making money, I am not paying.

That is the way it should be. That is how I look at this. I want to share it with my employees because, if they are making the sacrifice away from their families, that is why we have overtime pay in place. That is why we have this rule in place.

This delay is a bad idea.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield the gentleman from Wisconsin an additional 10 seconds.

Mr. POCAN. Mr. Speaker, I include in the RECORD letters from organization that support the overtime rule.

AFSCME,

Washington, DC, September 26, 2016.

DEAR REPRESENTATIVE: On behalf of the 1.6 million members of the American Federation of State, County and Municipal Employees (AFSCME), I want to express our strong support for the Department of Labor's (DOL) new overtime rule set for implementation on December 1, and urge you to oppose any efforts to overturn, weaken or delay it. In particular, we are strongly opposed to the Regulatory Relief for Small Businesses, Schools, and Nonprofits Act (H.R. 6094), and we urge you to vote no when this bill comes to the House floor for a vote.

This new rule is an overdue and historic update that would raise the salary threshold below which most workers are eligible for overtime pay from \$23,660 to \$47,486. It's a recognition of our country's forward-moving economy and is supported by the overwhelming majority of Americans who believe that too many workers are working too many hours for too little pay—a major step in addressing stagnant incomes and wage inequality. It will benefit 12.5 million people—including 4.2 million parents who together have 7.3 million children under the age of 18.

H.R. 6094 would hurt many hardworking Americans that the updated rule is intended to help, and needlessly delay implementation of the overtime rule. The stated reason for the delay is to lessen the impact on small businesses, nonprofits, and colleges and universities. However, opposition to the overtime rule as it applies to nonprofits and universities is vastly overstated. Many employees of nonprofits who perform charitable operations are not engaged in "commercial sales" or "business transactions" that lead to "enterprise" coverage under the Fair Labor Standards Act (FLSA). For universities, the majority of their workers are already exempt from FLSA overtime coverage, including professors, instructors, coaches, counselors, and most teaching assistants. Also, before the DOL's overtime rule was made final, many businesses, including small businesses, had forced low-level salaried employees to work long hours for no extra compensation. Employees who work in small businesses deserve the same protection as those who work for medium-sized and large businesses. The updated salary level is meant to do one thing—prevent employers from denying a 40-hour workweek and overtime pay to workers.

Americans who are employed in these sectors should not be exploited by employers and work excessive hours, or be denied time with their families. They are no less deserving of protections from working long hours with no pay than any other workers. Experts insist this rule is a critical opportunity to create better jobs and improve the economic lives of low-wage working people.

Updating the FLSA rules requiring overtime pay will provide one of the best economic boosts for working families in many years. H.R. 6094 is a direct attack on American families and workers, which would hinder job creation, weaken protections for millions of workers, and deny millions of workers a fair day's pay for a hard day's work.

AFSCME urges you to support the DOL's new overtime rule, and to oppose H.R. 6094 and other efforts to delay, weaken or repeal the rule.

Sincerely,

SCOTT FREY,  
Director of Federal Government Affairs.

THE LEADERSHIP CONFERENCE ON  
CIVIL AND HUMAN RIGHTS,

Washington, DC, September 27, 2016.

OPPOSE H.R. 6094: THE REGULATORY RELIEF FOR SMALL BUSINESSES, SCHOOLS, AND NON-PROFITS ACT

DEAR REPRESENTATIVE: On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 200 organizations to promote and protect the rights of all persons in the United States, we urge you to oppose H.R. 6094, the Regulatory Relief for Small Businesses, Schools, and Nonprofits Act. This bill would delay the implementation of the Department of Labor's new overtime protections by six months, forcing millions of workers and their families to wait another half year before they become eligible for overtime pay.

The Leadership Conference strongly supports the new overtime rules, which are scheduled to take effect on December 1, 2016. Following a lengthy comment period, the final rule, released in May, was preceded by months of careful consideration by the Department of Labor, which incorporated extensive economic analysis and the feedback from 270,000 letters of comment.

The rule raises the overtime salary threshold from \$23,660 to \$47,476, meaning that more employees putting in long hours will finally get the pay they deserve for their hard work. The Department of Labor estimates that 4.2 million workers currently considered exempt will gain the right to overtime pay, and the Economic Policy Institute projects that 12.5 million workers in total will benefit from the new overtime protections. Women and people of color will benefit significantly as more women, African American and Hispanic salaried managerial and professional workers fall at the lower end of the salary scale.

This month, data from the U.S. Census Bureau showed a substantial increase in income for American households, breaking a long-running pattern of stagnation. It is critical that we build on the progress made in the economic recovery by ensuring that middle-class and working families get a raise, as planned, on December 1 when the new overtime protections take effect.

For these reasons, we urge you to oppose H.R. 6094, which would unnecessarily delay by six months the new overtime rules and the increased income they would bring to working families. Thank you for your consideration.

Sincerely,

WADE HENDERSON,  
President & CEO.  
NANCY ZIRKIN,  
Executive Vice President.

SEPTEMBER 27, 2016.

HOUSE OF REPRESENTATIVES,  
Washington, DC.

DEAR MEMBER OF CONGRESS: I am writing to urge you to support the U.S. Department of Labor's overtime regulation and oppose the Regulatory Relief for Small Businesses, Schools, and Nonprofits Act (H.R. 6094), which would delay its implementation. The new overtime rule that is scheduled to take effect on December 1 would finally end the days when people who work long hours for poverty wages are not required to receive overtime pay. By updating wage and hour protections that have been allowed to erode for decades, the new rule will make a tremendous difference for millions of working women and their families.

The National Partnership for Women & Families is a nonprofit, nonpartisan advocacy group dedicated to promoting fairness



in the workplace, reproductive health and rights, access to quality health care and policies that help women and men meet the dual demands of work and family. For four decades, we have fought for every major policy advance that has helped women and families.

Right now in our country, only hourly workers and salaried workers making less than \$23,660 per year—which is below the poverty line for a family of four—qualify for overtime pay when they work more than 40 hours per week. It has been three decades since the regulations that govern overtime pay in our country have been updated in a meaningful way. In its final regulation, the Department of Labor raised the salary threshold below which most workers are eligible for overtime pay from \$23,660 to \$47,476.

The rule will extend overtime eligibility and protections to millions of women and help them support themselves and their families. The rule will provide or strengthen overtime protections under the Fair Labor Standards Act for as many as 12.5 million salaried workers, 6.4 million of whom are women, boosting economic security for working families across the country. Outdated overtime rules contribute to unfair pay, which has harmful consequences—including for the two-thirds of mothers who are breadwinners or co-breadwinners for their families. In particular, this rule represents an important step toward fairer pay for women and people of color, who are over-represented in lower-paying jobs and are often required to work additional hours without compensation.

Expanding overtime protections will guarantee employees fairer wages and hours. Under the current low and outdated threshold, a promotion to “shift supervisor” for a salary of just \$24,000 a year could cost a woman her overtime pay. The new rule will help to keep millions of workers from being denied the pay they rightfully deserve and their families desperately need. Employers who have been relying on their employees’ free labor now will have to acknowledge the value of the 40-hour workweek by either limiting workers to 40-hour workweeks, thus giving them more time with their families, or compensating them for the hours they work.

This overtime rule is long overdue. It will help end blatant worker exploitation and help restore basic fairness to our nation’s workplaces. It is a historic advance for fair pay. It must not be diminished or delayed. Please support the overtime regulation and vote no when the Regulatory Relief for Small Businesses, Schools, and Nonprofits Act (H.R. 6094) comes to the floor. Working families cannot wait any longer.

Sincerely,

DEBRA L. NESS,  
*President,*

*National Partnership for Women & Families.*

Mr. WALBERG. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. CHABOT), the chairman of the Small Business Committee.

Mr. CHABOT. Mr. Speaker, as chairman of the House Small Business Committee, I want to thank the gentleman from Michigan for his leadership on this issue. I am a cosponsor, and I strongly support passage of this legislation.

The Department of Labor’s overtime rule is yet another one-size-fits-all mandate out of Washington that will have severe negative impacts on small businesses and their employees.

Countless small employers, including small businesses, nonprofits, and coun-

ties, simply do not have the profit margins or budget flexibility to increase the salaries of workers who are currently exempt to the new salary level.

Not only is the 100 percent salary level increase too high, but the compliance timeline is far too short. With the December 1 deadline looming, small businesses are scrambling to figure out how the rule will impact them and what they need to do to comply to stay out of trouble with this Federal Government.

According to a survey by Paychex, 49 percent of businessowners aren’t even aware of the final overtime rule, which is rapidly breathing down their necks.

Over the past year, the Committee on Small Business has heard from countless small businesses that share their concerns about the overtime rule.

□ 1900

Many small businesses currently give their employees flexible schedules, pay increases when they can afford it, and offer career advancement opportunities because employees are the key to their successes. They want to treat their employees well. They don’t need the Federal Government telling them to do that.

The new labor rule would limit the ability of small businesses to provide these benefits, which would have a devastating impact on employee morale. Our committee members, and other officials, including the Chief Counsel for Advocacy at the Small Business Administration, joined small businesses in urging the Department of Labor to change course.

In fact, the Chief Counsel for Advocacy sent the Department of Labor a letter that described numerous problems with the rule and recommended that small businesses be given at least a year or 18 months to comply. Instead, the Department of Labor finalized the rule without addressing small business concerns and made the compliance deadline December 1, providing barely 6 months to comply, when they said that they ought to have at least a year or 18 months.

H.R. 6094, this bill, is critical because it will provide small businesses with 6 more months to figure out how the rule affects them, how to deal with it, and what changes they need to make to stay out of trouble with the Labor Department.

I urge my colleagues to stand up for small businesses and support this bill.

I would, again, thank Congressman WALBERG for his leadership on this.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 1 minute to the gentlewoman from North Carolina (Ms. ADAMS), the ranking member of the Investigations, Oversight, and Regulations Subcommittee of the Small Business Committee.

Ms. ADAMS. Mr. Speaker, I thank the gentleman for yielding.

I rise today in support of the Department of Labor’s overtime rule that will go into effect on December 1, 2016. This

rule will protect 4.2 million workers who are newly eligible for overtime pay and strengthen protections for 8.9 million workers nationwide. Such a change not only puts more money in workers’ pockets, it also strengthens our economy by driving consumer spending.

H.R. 6094 is an attempt to delay the implementation of the overtime rule, taking \$600 million out of the pockets of 4.2 million American workers who would have gained overtime protection on December 1. In North Carolina, 425,000 workers will benefit from the new rule.

I acknowledge the concerns of my colleagues regarding the impact this rule may have on small businesses, universities, and nonprofits. Only 3.4 percent of employees at colleges and universities and junior colleges will be affected by this rule. Of those groups, only one-half percent of employees will be both affected by the rule and regularly work overtime.

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

Mr. SCOTT of Virginia. Mr. Chairman, I yield the gentlewoman an additional 30 seconds.

Ms. ADAMS. Preserving the right to overtime pay is crucial at the time when lower- and middle-income family wages are stagnant. I urge my colleagues to vote against H.R. 6094 and support working families.

Mr. WALBERG. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. THOMPSON), a distinguished member from Pennsylvania.

Mr. THOMPSON of Pennsylvania. I thank the gentleman for yielding.

Mr. Speaker, I rise in strong support of H.R. 6094, the Regulatory Relief for Small Businesses, Schools, and Nonprofits Act introduced by my colleague, Mr. WALBERG. As an original cosponsor of this measure, I am fully supportive of its goal—to put the brakes on the Department of Labor’s final overtime rule and continue to shield workers, small businesses, nonprofits, and educational institutions from its potentially devastating effects.

Under the final rule from the Department of Labor, companies and organizations will be required to pay overtime to employees who make less than \$47,476, more than double the current salary threshold. While there is little doubt that the current overtime rules are in need of modernization, the Department’s drastic approach will do more harm than good, marginalizing economic growth, diminishing access to valuable services provided by nonprofits, and discouraging upward mobility in the workplace.

Mr. Speaker, in the midst of an economy that is still struggling, we simply cannot allow for the enactment of ill-advised policies that make it harder for hardworking Americans to make ends meet. For that reason, I am proud to support this measure, and I ask my colleagues to do the same.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Ms. VELÁZQUEZ), the ranking member of the Small Business Committee.

Ms. VELÁZQUEZ. I thank the gentleman for yielding.

Mr. Speaker, I rise in opposition to this bill. With the minimum wage failing to provide a living wage, Americans are working more hours than ever. Full-time employees are working an average of 47 hours a week. Nearly 40 percent report logging 50 hours or more.

Yet, only 7 percent of salaried workers qualified for overtime last year, down from 62 percent 40 years ago. Updating the rule to restore the purpose of the Fair Labor Standards Act was long overdue.

In New York State, an additional 23 percent of the salaried workforce, nearly 1 million employees, will directly benefit from the new regulations. At a time when lower- and middle-income wages remain stagnant, these changes will be particularly helpful to American families.

Our colleagues on the other side go on about the negative impact on small businesses. Yet, the data shows that this rule will increase payroll less than one-tenth of 1 percent. Furthermore, this money will go directly in the pockets of the middle and working class, who will spend it at their local small businesses. It is not going to diminish job creation in this country. It will increase employment opportunities in this country when those workers will go and spend their money in the local businesses.

They are not going to go and get a loan to find—to buy another home. They will not buy a second home. They will spend it in the local economy.

So, in turn, this provides an economic boost that will create over 120,000 new jobs. This is a win-win regulation.

Let's be clear, no one is asking to be unjustly enriched, only to be fairly compensated for a hard day's work. These ideals are advanced by the DOL's overtime rule.

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

Mr. SCOTT of Virginia. I yield the gentlewoman an additional 30 seconds.

Ms. VELÁZQUEZ. Yet, despite this benefit for millions of Americans, this legislation will delay the rule until June 2017, when I am sure there will be attempts to eliminate this rule completely. I cannot and will not support this attack on workers.

Mr. Speaker, I include in the RECORD this letter from the American Sustainable Business Council in support of the overtime regulations.

# AMERICAN SUSTAINABLE BUSINESS

## COUNCIL,

July 12, 2016.

Hon. JOHN KLINE,

*Chairman, Education and the Workforce Committee, House of Representatives, Washington, DC.*

Hon. ROBERT C. "BOBBY" SCOTT,

*Ranking Member, Education and the Workforce Committee, House of Representatives, Washington, DC.*

DEAR CHAIRMAN KLINE AND RANKING MEMBER SCOTT: On behalf of the businesses represented by the American Sustainable Business Council's, ASBC, network, I write in support of the Department of Labor's recently released overtime rule, and to oppose a Congressional Review Act, CRA, action to roll it back.

ASBC advocates for policy change and market solutions for building a vibrant, sustainable economy. Through its national member network, ASBC represents more than 200,000 business owners, executives and investors from a wide range of industries.

The rule creates certainty and predictability for business owners. Since the announcement of the draft rule in July 2015 and the release of the final rule this spring, businesses have been planning for its implementation on December 1, 2016. In fact, payroll operations companies have been marketing solutions to help employers handle the transition.

Invoking a CRA or other legislative action delaying the overtime rule will create unnecessary and disruptive uncertainty for business owners. Business owners, by nature, are creative at problem solving. When rules are established, they make the necessary decisions to comply. However, when the rules are in flux, business owners react to the uncertainty by holding back on investments in growth and expansion.

When employers set fairer, clearer wages, they earn dividends with happier, more productive employees. That's good news for a businesses' bottom line, and for growing the nation's middle class. High road businesses understand that compensating their employees for extra time spent on the job builds a better work culture.

The American economy is fundamentally a domestic, consumer-driven economy, unlike some countries where growth is fueled by exports and business-to-business spending. The biggest long term threat to our economy is the hollowing out of the middle class, which is losing its capacity for discretionary spending—responsible for about 70 percent of our gross domestic product.

The new overtime rule closes a loophole which has allowed for hourly workers to be deprived of pay by inappropriately classifying them as exempt. Employees are consumers; if they are not earning sufficient wages, demand will remain stagnant. Closing this loophole will help restore consumer spending and give the economy a needed boost.

The overtime rule has been under consideration for some time and businesses have weighed in through the public comment process. Most businesses are moving forward to meet the December deadline for compliance. Congress should not take action to stop the progress the business community is making.

Sincerely,

BRYAN MCGANNON,  
*Policy Director.*

Mr. WALBERG. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama (Mr. BYRNE).

Mr. BYRNE. Mr. Speaker, I thank the gentleman for yielding, and I rise in support of this legislation to require

a 6-month delay in the Department of Labor's new overtime rule. This is an ill-advised regulation that will result in hardworking Americans losing their jobs and less economic growth.

Don't take my word for it. Let's look at what some actual business leaders and organizations had to say about the change.

Richard, a businessman in Birmingham, says that he "will cut back on employee hours as much as possible since raising their compensation is not my option."

Ability Alliance of West Alabama, which provides assistance to more than 600 intellectually disabled individuals wrote that "the untenable financial pressure resulting from the proposed changes would force us into disastrous service reductions and program closures."

Greg from Vinemont, Alabama, is much more direct. He writes that he "will have to lay people off to meet the overtime demands."

First Heritage Credit, LLC wrote to the Department of Labor that "increased costs cannot simply be passed on, and the proposed rule will mean fewer branch openings, fewer new hires, and fewer lending options to the communities we serve."

Our Nation's education institutions will be hit especially hard by the change. A representative from the University of Alabama wrote that "the proposed regulation puts more pressure on the educational system as a whole. Institutions will either reduce the level of services and programs or will be required to maintain services and programs with inadequate staffing. Regardless, the quality of education will suffer."

All told, this change will cost the University of Alabama system \$17 million in just the first year.

These are just a few stories about the reality of the overtime change. These are real people, real families who will suffer.

I think this change should be reworked altogether, but, if that is not an option, we should at least delay this rule in order to provide relief to these businesses and organizations.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota (Mr. ELLISON), the co-chair of the Progressive Caucus.

Mr. ELLISON. I thank the ranking member for the time and for his advocacy for working people.

Mr. Speaker, I include in the RECORD two articles which talk about how the overtime rule is likely to add 100,000 jobs to the economy; one from Goldman Sachs, and the other from the National Retail Federation.

[From the National Retail Federation, Sept. 28, 2016]

## HOW EXPANDING OVERTIME COULD AFFECT RETAILERS

The Department of Labor has proposed a major change in federal regulations governing overtime pay that could have a significant impact on the retail industry.

Under current rules, workers making up to \$455 a week are automatically entitled to overtime if they work more than 40 hours a week. Managers and professionals who make more can be declared exempt, but only if they meet certain conditions such as having supervision of other workers as their primary duty. Under the proposed changes, the wage threshold would be increased to \$970 a week, and the administration is asking whether additional restrictions should be placed on non-supervisory duties managers can perform and still be considered exempt.

To better understand the effects of the proposal, NRF commissioned the research firm Oxford Economics to conduct a study. While raising the threshold would mandate overtime pay for many workers, the analysis found that most employees would not actually see a change in net pay. Instead, many employees would see their hours reduced so that overtime would not be worked, while others would see their base wages, benefits or bonus pay decreased in order to offset the added payroll expense.

The study also found that updating payroll systems, establishing ways to track employee hours and other administrative expenses would cost the restaurant and retail industries alone an estimated \$745 million even if workers saw no additional take-home pay.

(The original study was prepared before the Labor Department proposal was released, and was conducted with projected wage thresholds that might have been proposed. An update has been prepared based on the actual proposal.)

[From Business Insider.com, Sept. 27, 2016]

GOLDMAN SACHS: NEW OBAMA RULE ON OVERTIME LIKELY TO ADD 100,000 JOBS TO ECONOMY

(By Lucy Nicholson, REUTERS)

A new rule from the Obama administration—which will increase the fraction of workers entitled to time-and-a-half overtime pay—is likely to increase total employment in the US in 2017 by about 100,000 jobs, according to Goldman Sachs.

The idea is this: Companies whose workers are covered by the rule will try to avoid paying overtime, and they'll hire additional workers to do this. The point is to keep from asking their existing employees to work more than 40 hours a week.

The rule change affects salaried "executive, administrative and professional" workers, who can currently be exempt from overtime pay if they make as little as \$23,660 a year.

Following implementation of the rule (expected in December) the overtime exemption will apply only to salaried workers making at least \$47,476—making 4.2 million additional Americans eligible for time-and-a-half.

Of those, in any given week about 1 million actually work more than 40 hours.

There are four ways employers may respond to this rule change:

Simply making the overtime payments.

Reducing employees' base pay, in an effort to leave their total compensation unchanged after the new overtime payments—though this can be complicated, especially because the employers don't always know in advance how much overtime each employee will work.

Increasing employees' base pay to exceed the new threshold so they remain exempt from overtime payments. Goldman thinks this is most likely for employees who already earn a salary very close to \$47,476.

Employing more workers and have them work fewer hours, so they do not run afoul of the 40-hour limit.

By examining employer behavior from the last time the overtime threshold was changed, in 2004, Goldman economist Alec Phillips developed a "central" estimate that 100,000 additional jobs will be created in 2017 as employers choose the third option—not a huge amount in an economy creating between 2 and 3 million jobs a year, but not trivial either.

It's important to note that employers who respond to the new overtime pay rule by reducing overtime hours will not be "cheating" or skirting the intent of the rule. The point of the rule is to ensure that lower-income salaried workers get compensated if they have to work extra hours, allowing those workers to collect their salaries without working uncompensated overtime is a meaningful gain for those workers.

The new time-and-a-half payments would also increase some workers' hourly pay, but not for enough workers to show up in the statistics of average hourly earnings, according to the Goldman analysis—so don't expect this rule to drive a boost in wages that can be felt at the economy-wide level.

Mr. ELLISON. Mr. Speaker, one wonders if there could possibly ever have been any small businesses only a few years ago. At its peak, 62 percent of workers were eligible for overtime pay. Today, only 7 percent are eligible. What did they do then? They hired people.

This idea that making it fair for working people who work overtime is somehow going to bring doom and gloom and destruction on small businesses is absolutely nonsense.

It is typical. We hear it all the time. Anything we are going to do for working people just can't possibly be done, or little people themselves will be hurt. This is a constant refrain.

If big, big, big agriculture wants something, they say, oh, we are here for the family farm.

If big, big banks want something, they say, oh, we are here for the community banks.

And if big, big, big businesses want something, and they don't want to pay their overtime, they say, oh, what about the small businesses.

In fact, this bill named for small businesses, folks out there listening should know that the title of this legislation is misleading. The legislation delays the rule for all employers, including small businesses.

But here's the fact. Walmart, are they—do they benefit from the fact that this overtime rule hasn't kept pace?

McDonald's, Burger King, all types of huge businesses which absolutely have the capacity to pay people fairly simply haven't done so.

It is interesting to me that our Republican friends have had the gavels in their hands since 2010 now. They haven't stepped up to improve and update this particular overtime rule.

The administration has done what they have failed to do. And now what do they have to say about it? Oh, it can't possibly happen, can't possibly work, and it is going to make everything worse.

How discouraging it must be to an American worker today. This Congress

won't look at increasing the Federal minimum wage of \$7.25. And the tip wage of \$2.13, a national disgrace, they won't do that. They don't take that up.

They are constantly attacking the Consumer Financial Protection Bureau, which has brought consumers over \$12 billion. And they are constantly trying to cut taxes for the rich, and they don't want to invest in anything for the working people. Yet, they always justify everything they are doing by saying, oh, it would hurt the working people themselves.

This is ridiculous. This argument has no merit. It has to be rejected.

Over the past 35 years, we have failed to meaningfully update our overtime pay regulations. Now is the right time.

As I said, at its peak, 62 percent of workers were eligible for overtime pay. Today, only 7 percent are eligible because we have let the working people down. We have delayed action to help working families long enough, and we can't ask them to wait any longer. I urge a very strong "no."

□ 1915

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield the gentleman an additional 30 seconds.

Mr. ELLISON. I want to say this. It is about real people. One of those real people is Jodi T. from Minneapolis. She said:

I work more than 40 hours a week regularly, and this will make a great deal of difference for me and my family. Lately, I find that businesses will eliminate positions and put more work on existing staff regardless of whether they can handle it within the time and the workday. If they pay overtime, they will bear some of the real costs of these decisions.

Vote "no" on this bill. It is a bad thing.

Mr. WALBERG. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Augusta, Georgia (Mr. ALLEN).

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

Mr. Speaker, I rise today in support of the Regulatory Relief for Small Businesses, Schools, and Nonprofits Act. This legislation works to delay implementation of the Department of Labor's new overtime rule for 6 months.

Without this legislation, the rule goes into effect on December 1, leaving employers scrambling to comply with the new rule and jeopardizing employees' paychecks right before the holiday season—a very bad time.

As a small-business owner who has employed thousands of people, I know the challenges that the business community will face: moving salaried employees to hourly; trouble recruiting qualified, new hires to accept an hourly position; current employees' time being spent monitoring the time clock; and, ultimately, the potential for hours to be cut and paychecks to dwindle.

This is devastating to employees who have worked hard to earn a salaried position. They have earned this position

to be salaried, and then to move to hourly? Many Americans will soon realize they have fewer job prospects, less flexibility in the workplace, and less opportunity to move up the economic ladder. In other words, those who can least afford it will be hit the hardest: small businesses, nonprofits, and educational institutions.

I could stand here before this body, just as Congressman BYRNE did, and tell you stories of all the small businesses in my district and employees that have come to me to warn me of the struggles other employees and families will face because of this overtime rule.

The President is enacting this rule a mere month before he is out of office to try and score cheap political points when he knows he won't be here to clean up the mess. I have to say: I am ashamed, Mr. President. We need to take a step back and hit the pause button.

Unsurprisingly, the administration has no plans to change the rule, so an extra 6-month grace period is crucial to the well-being of our schools, small businesses, and nonprofits.

Mr. Speaker, I urge support of this legislation.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume to respond.

Mr. Speaker, I want to remind people that, of the people affected and the people that routinely work overtime, complying with the rule will add less than one-tenth of 1 percent to U.S. payrolls. The costs to nonprofits and to higher education, way under 1 percent. And the time has been sufficient. The last time this rule was changed, they got significantly less time to comply, and that rule was even more complex than this one.

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

Mr. WALBERG. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. GROTHMAN), my friend and colleague on the committee.

Mr. GROTHMAN. Mr. Speaker, as we look at this bill, what is it about? It is saying that you have got to pay overtime to somebody who is making more than \$47,000 a year. What will that mean? It will mean that employers will say: You had better get out of here; we can't have you working more than 40 hours a week. That is what is going to happen.

I am reminded of a buddy of mine back home in my district. His daughter had a new job working for salary. He told her: Always make sure you are the first person to show up in the morning and the last person to go home at night, and you will advance in that company. She was the first person to show up in the morning and the last person to go home at night, and she is having a very successful career by doing so.

What this bill does is it is kind of an odd thing. It makes it against the law to work hard. Think about that gal

now. Now she won't be able to be the first person to show up in the morning and the last person to go home at night because her boss is going to say: Get out of here.

It is part of a pattern we are, sadly, seeing from this administration of discouraging hard work. Just like ObamaCare, if you work more hours, then you wind up losing your ObamaCare subsidy. You had better not work hard. There is a plethora of welfare programs around here. I don't care if it is the earned income tax credit, food stamps, low-income housing, whatever; if you work hard, then you will lose your subsidy. We are doing all we can in this country to penalize the hardworking.

Furthermore, think just on a day-to-day basis what it means to you as an employee who has worked for salary. Let's say you have to work on a project. It gets near 5 o'clock, and you are not satisfied with your work product. What are you supposed to do? Turn in a bad work product to your boss, or hang around another hour and do a good job? This, in essence, removes the choice from you: I have got to turn in a bad work product because my boss is going to kick me out of here at the end of 8 hours.

So my final plea is this. Come, Republicans; come, Democrats, race to the Chamber and vote for the bill, H.R. 6094, and stand up for the hardworking of our society.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. NORCROSS).

Mr. NORCROSS. Mr. Speaker, I would like to thank the chairman for his advocacy on behalf of all working families in this country—not just today, but throughout his entire career.

Mr. Speaker, I rise in strong opposition to this bill and in support of the updated overtime rule that will combat the exploitation of workers across America and put more money in their pockets.

In 1938, Congress came together to pass the Fair Labor Standards Act, a bill that revolutionized opportunity for Americans by ensuring they were fairly compensated for their work and they would work in safe working conditions. One of the provisions in that piece of legislation was the creation of a 40-hour workweek. In addition, this legislation required employers to compensate employees at time and a half for hours worked beyond a 40-hour workweek. It was a compromise.

They went on to say that there is an exemption for protection of those workers who were considered white-collar employees. As a result of their salary, their benefits, and their high level of work within an organization, they were exempt.

Unfortunately, the wage level which determines who is exempt from these worker protections has been updated only once—only once—in the last 40 years. That is where the problem lies.

The last time it was updated was in 2004, under Republican President Bush—a Republican President.

Today, the threshold wherein an employee is exempt is \$23,660. What this means is somebody making \$24,000 a year is routinely required to work 45, 55, 65 hours a week with not just compensation for the overtime, but they are not needed to be paid at all because they are considered exempt employees. In other words, a family of four could be living under the poverty line and still be considered to earn too much money to be considered for overtime protections.

Mr. Speaker, I support these rules because I know, when American families succeed, our country as a whole succeeds, including the entire business community. This is a partnership working together. This rule simply means updating our laws surrounding worker exploitation by simply adjusting that floor to keep up with inflation.

This is not a Democratic or a Republican bill. This is a worker and business bill.

Twelve years before the success of the Fair Labor Standards Act, Henry Ford created the 40-hour workweek. Mr. Speaker, 117 years ago, Peter J. Maguire, the founder of Labor Day, went on to talk about just creating a 6-day workweek.

This is very simple. The experiment with a \$5 minimum wage, which today would be \$15 an hour with inflation realized, Ford realized that, when his workers could afford to buy the cars they were making and to drive them, his business, his employees, and the economy would do better.

Mr. Speaker, American workers have waited long enough to get a fair day's day for a fair day's work that they certainly deserve.

Mr. Speaker, I urge Members to oppose this bill.

Mr. WALBERG. Mr. Speaker, I yield 2 minutes to the gentlewoman from Missouri (Mrs. HARTZLER.)

Mrs. HARTZLER. Mr. Speaker, I rise in support of H.R. 6094, the Regulatory Relief for Small Businesses, Schools, and Nonprofits Act, a bill I am proud to cosponsor.

This important bill would provide a measure of relief not only for the thousands of small businesses and charitable institutions that would be negatively impacted by the Department of Labor's overtime rule, but also the countless workers who depend on entry- and mid-level employment opportunities.

This rule hurt everyday Americans, raising the cost of living while reducing wages and incomes. Many of the individuals affected by this rule will be forced into part-time employment or be transitioned to jobs with lower hourly wages, no benefits, and no overtime at all.

I have heard from a number of people in my district concerned about the impacts this onerous rule will have for

them. A bank in my district will have to transition 13 of their salaried tellers on staff to hourly wage workers in order to assume the \$129,000 in compliance costs they anticipate from this rule. Schools have expressed concerns that they will be forced to cut staff and limit the educational services of extracurricular activities they provide for our students.

I have heard from faith-based and charitable institutions, too. These institutions often operate with fixed operating budgets and serve the most vulnerable in our society, yet this rule will impose similar financial and staffing burdens on them. A senior care group in my district, for example, has told me this rule will likely lead to a reduction in hiring, meaning fewer seniors will be able to get care.

Mr. Speaker, for the countless families, small businesses, and communities that I serve, I urge my colleagues to vote in favor of this bill and delay this onerous rule.

Mr. SCOTT of Virginia. Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

Mr. WALBERG. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER), a good friend, who has a special take on this.

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of H.R. 6094, the Regulatory Relief for Small Businesses, Schools, and Nonprofits Act.

We are at a crossroads in our country as we are still struggling to build up our economy after the last recession. Since then, businessowners have struggled to not only grow their companies, but also to provide for their employees.

As a small-business owner, I had both the company's and my employees' best interest in mind, as my employees were like a second family to me. I would have wanted nothing more than to ensure they are getting what they need and that they are fully compensated for all of their work. But this rule doesn't do that.

On the surface, this administration is painting this rule as a step forward for American workers, but it is not. Everyone from universities to nonprofits will feel the weight of this rule as they seek to rearrange schedules and reclassify employees so as to prevent compounding negative effects on their organizations.

Universities and colleges will see a sharp jump in payrolls as they have to grapple with how to manage their existing personnel while trying to keep their institution on an upward trajectory. Tuitions will increase. Nonprofit organizations will have to reclassify workers as their annual budgets are stretched to the brink, resulting in a drop in services to the people who need it most.

The Department of Labor spent the last 27 months working on this rule. Since its implementation, they have given businesses a 6-month window to implement it.

I have heard from countless companies, nonprofits, universities, and chambers of commerce who are extremely worried about the impact this will have on their operations. While this rule was intended to ensure employees see an increase in benefits, it will have the direct opposite effect.

This bill would delay the rule for 6 months to allow for a longer look at its effects. It gives Congress more time to find a legislative solution. Mr. Speaker, I have always wanted the best for my employees, and this rule simply doesn't do that.

I applaud Congressman WALBERG, Chairman KLINE, and the Education and the Workforce Committee staff for their hard work in pulling this together.

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

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

Mr. Speaker, the 40-hour workweek used to mean something. It was installed many years ago so that people wouldn't have to work 6 and 7 days a week, 10 or more hours a day. They could work 5 days a week, 8 hours, and have an opportunity to go home. Now the 40-hour workweek only applies to 7 percent of salaried workers, and they can be forced to work 45, 50, 60 hours, with no additional pay.

We have heard the impact on universities. I think the gentleman from Alabama said that it would cost the Alabama system \$17 million. Well, their budget is \$2.4 billion; \$24 million would be 1 percent.

□ 1930

If his number is right—\$17 million—that is still way under 1 percent of their expenditures. But there are a lot of ways to comply with this rule without any cost at all. You can let people go home after 40 hours, or you can honestly restate their salary. If it is \$30,000 and a lot of overtime, call it \$20,000 and they have got to make \$10,000 overtime. They will get the same amount at the end of the year at no cost to the employer, but an honest way to assess the salary. It wouldn't cost anything. So there are ways of complying with this honestly that make the 40-hour workweek mean something.

The new rule only covers about a third of the salaried workers. It is a good rule. It should not be delayed. In fact, it is not being delayed. This is the first step in trying to defeat the rule. This bill should be defeated. Let the people get their salaries on December 1.

I yield back the balance of my time.

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

In closing, I want to remind my colleagues why this legislation is so important.

We all agree our Nation's overtime rules need to be modernized and worker protection should be strengthened. That is not what we are debating today.

Small businesses, nonprofits, and colleges and universities play a critical role in our communities. Right now, they are struggling to implement a fundamentally flawed rule under an unrealistic deadline, and many don't even know about the rule yet. At the very least, they deserve more time. More time would allow small businesses, nonprofits, and colleges and universities to make significant changes and mitigate the impact on workers, students, and individuals in need—for the positive, for the good.

I urge my colleagues to provide that time, even if they stand by the Department's overtime rule. A vote in support of the Regulatory Relief for Small Businesses, Schools, and Nonprofits Act isn't just commonsense; it is the right thing to do.

Mr. Speaker, this is what we are intending to do. We are intending to do the best for our citizens, our employees, and our employers. Shouldn't it be worth an additional 24 weeks to make sure that this is implemented to the positive?

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

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

Pursuant to House Resolution 897, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. SCOTT of Virginia. 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.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 5578. An act to establish certain rights for sexual assault survivors, and for other purposes.

The message also announced that the Senate has passed a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 53. Concurrent Resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 5325.

#### RECESS

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

Accordingly (at 7 o'clock and 33 minutes p.m.), the House stood in recess.

□ 2030

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 8 o'clock and 30 minutes p.m.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO THE BILL H.R. 5325, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017

Mr. COLE, from the Committee on Rules, submitted a privileged report (Rept. No. 114-800) on the resolution (H. Res. 901) providing for consideration of the Senate amendment to the bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### PROVIDING FOR CONSIDERATION OF THE SENATE AMENDMENT TO THE BILL H.R. 5325, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017

Mr. COLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 901 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 901

*Resolved*, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to adoption without intervening motion.

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

Mr. COLE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

#### GENERAL LEAVE

Mr. COLE. 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 Oklahoma?

There was no objection.

Mr. COLE. Mr. Speaker, earlier today, the Rules Committee met and reported a rule for consideration of the Senate amendment to H.R. 5325, the Continuing Appropriations and Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017, and Zika Response and Preparedness Act.

The rule makes in order a motion offered by the chair of the Committee on Appropriations that the House concur in the Senate amendment to H.R. 5325, with 60 minutes equally divided and controlled by the chair and the ranking member of the Committee on Appropriations.

Mr. Speaker, as a member of the Appropriations Committee, I am always disappointed when we are forced to consider continuing resolutions, especially given the work this House has done in the appropriations process this fiscal year.

For 2 years in a row, the House Appropriations Committee was able to complete all 12 appropriations bills—and complete them before the August recess. In addition, this House passed five appropriations bills. Unfortunately, just as in years past, Senate Democrats prevented consideration of many appropriations bills on the floor of that body. This leads us to the unfortunate situation of having to put forward a short-term CR to fund the government through December 9.

I hope that in the weeks and months ahead, the House, Senate, and the President can come to an agreement on a path forward which ensures we are not in this same position in December.

At the same time, I am pleased that this amendment also includes a fully conferenced MILCON-VA bill. The MILCON-VA portion provides a 4 percent increase for the VA, additional resources to address the disability claims backlog, and contains a number of important oversight provisions to make certain our veterans receive the care that they deserve.

The military construction portion provides \$7.9 billion for military family housing, Guard and Reserve facilities, and military bases both in the United States and around the world. This ensures that we can sustain quality housing for 1.3 million military families.

In addition, the MILCON-VA bill maintains a provision which prohibits the closure of Guantanamo Bay and the construction of any facilities to house detainees in the United States or its territories.

Importantly, Mr. Speaker, this amendment also provides a total of \$1.1 billion to fight Zika and offsets \$400 million of this spending. While I would have preferred offsetting the entire amount—and have supported legislation to do just that—I believe this is a reasonable compromise with both the Senate and the administration, both of

whom initially proposed no offsets at all.

When combined with funds already preprogrammed by the administration for Zika response activities, the total available resources to respond to Zika equals \$1.7 billion. This legislation provides the necessary funds for the Centers for Disease Control, the National Institutes of Health, the State Department, and USAID to develop vaccines and diagnostic tests for mosquito control and, in addition, provides healthcare resources to those areas experiencing the highest rates of Zika transmission, all while maintaining the Hyde amendment restrictions barring the use of taxpayer dollars for abortion services.

I am encouraged by the hard work of Chairman ROGERS, Ranking Member LOWEY, and, of course, the Speaker, whose leadership has made all of this possible. While a CR is not the ideal vehicle, the alternative of a government shutdown is not what we have been sent here to Washington to do.

Additionally, I am encouraged that we are finally returning to regular order and passing full-year appropriations measures by the end of the fiscal year. This is the first time since fiscal year 2006, when we passed two bills by the end of the fiscal year, that we have passed any individual appropriations bills through both Chambers of the United States Congress by the September 30 deadline. While we have a long way to go, this is a good first step that we can hopefully build upon next year.

I urge support for the rule and the underlying legislation.

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

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume. I thank my colleague, the gentleman from Oklahoma (Mr. COLE), for yielding me the customary 30 minutes.

Mr. Speaker, the deadline for keeping the government running has been staring us all in the face for months. Yet, the majority is using martial law rule to rush the continuing resolution to the floor just 2 days before the week-end deadline. I wish we had spent the last 4 weeks properly debating the bill under regular order.

Mr. Speaker, I am relieved that a reasonable compromise was reached on a bipartisan amendment to the Water Resources Development Act that will authorize funding for the people of Flint, Michigan, who have been forced to drink and bathe in poisoned water for years. As the only microbiologist in Congress, I can detail the many ways that this is a major public health failure.

The children that have been impacted could suffer everything from neurodevelopmental damage to behavioral changes to anemia to hypertension. These are lifelong impacts, Mr. Speaker, along with a statistically higher risk of incarceration.

This compromise is a positive step forward, but there is much more work



to do at all levels of the government to get the resources needed to help the people of Flint and the United States.

Thankfully, Mr. Speaker, the bill finally provides the resources to tackle the Zika virus more than 7 months after President Obama submitted his funding request to Congress to combat the spread of the virus and accelerate research into finding a vaccine.

I am disappointed that this continues a poison pill that would prevent the Securities and Exchange Commission from moving forward with a rule requiring publicly traded companies to disclose their political spending. This is so important. I think the fact that spending is out of control, money comes in from everywhere and we don't know how much, where it goes, and it is not a good thing for a democracy. I think it is nothing more than an attempt to hide from the American people the identities of the big corporate donors and probably people from all over the world who are sending money in here in hidden ways to affect our campaigns.

If sunlight is the best disinfectant, then we certainly should have spread some sunlight on the SEC to be able to do what we had asked them to do. We are very concerned that electoral spending is increasingly being conducted in the dark.

It is also disappointing that, despite overwhelming bipartisan, bicameral support, the continuing resolution fails to ensure that the Export-Import Bank is able to fully help businesses and workers across the country by restoring a board quorum to the bank.

This continuing resolution is going to avert a crisis in the short term, but it is a clear demonstration of the failure of the majority to do the most basic job: fund the government.

The majority has been so preoccupied with holding more than 60 votes to repeal the Affordable Care Act and investigating nonexistent scandals involving Planned Parenthood that they have allowed the body to lurch from crisis to crisis instead of enacting long-term appropriations. All the while, our infrastructure is crumbling and the cost of college education and college loans and the interest on them, which is crippling, is skyrocketing.

Mr. Speaker, CBS News has highlighted that it costs the taxpayers an estimated \$24 million a week to run the House of Representatives. It is abundantly clear that, under this leadership, taxpayers aren't getting their money's worth. Nonetheless, I am pleased to be here to be part of passing this tonight to prevent the awful crisis of a shutdown, and I think we have all learned lessons there.

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

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

Mr. Speaker, I want to begin by congratulating my friend and thanking her. I know she is committed to the resumption of regular order, and she has

worked that way tirelessly. That is a goal that we share with our friends on the other side of the aisle.

I think it is worth pointing out that you can't have regular order in the House if you don't have regular order in the Senate. The real reason we are here is because the Senate has refused consistently to take up appropriations bills that have been passed by this House.

At some point, you simply quit passing the bills because the Senate isn't going to deal with you. Once we finally have a Senate that will work in regular order—and I hope we do at the beginning of next January—perhaps we can overcome this and get back to the system that I know my friend from New York and I want to see on this floor: passing each individual appropriations bill, doing so in a way that Members can participate, conferences with our friends in the Senate, and then moving forward.

As to Zika, I think it is worth pointing out that nothing has not been done for lack of money. The reality is, when the administration made its initial request for Zika funds, they immediately received a letter from Chairman ROGERS, from Subcommittee Chairman GRANGER on State-Foreign Operations, and from myself, saying: Look, we know this is an emergency. We agree with you. You have billions of dollars of funds. Start spending that money—a bowl of money, so-called—and we will replace that money.

Frankly, they have done that, to their credit. They set aside \$600 million, not all of which has been spent, but that was the responsible thing to do, as Congress studied and look at this problem.

Chairman ROGERS actually led a codel that went to Brazil, Peru, and some of the areas that have suffered from this disease, and we have continued to work. We have twice put on this floor hundreds of millions of dollars for Zika response that our friends on the other side didn't see fit to vote for.

Zika didn't get funded because, frankly, our friends just simply didn't want to pay for it. That has actually been the essence of the dispute, in my opinion. It has not been about Zika. It has been about whether or not you pay for Zika.

The original request from the administration was for \$1.9 billion over a 2-year period to come out of State-Foreign Operations and Labor-HHS, two committees that, in that same period, have \$425 billion to spend. It is not hard to pay for \$1.9 billion out of \$425 billion.

Still, at the end of the day, my friend is absolutely correct: we are here. We have not failed to do anything, but we do need to provide a framework to go forward with guaranteed continuity. I am pleased and proud this does that. Frankly, we reserve the option next fiscal year to look at actually covering other parts of the unfunded spending on Zika.

□ 2045

In terms of the Export-Import Bank, I am going to agree with my friend. I don't know that this was the appropriate vehicle, but I think the point she makes is exactly right. We need to restore this particular institution to full functioning. That has been a matter of some partisan debate, but, actually, I agree with my friends. I support the Export-Import Bank, and I think we need to re-establish it. And if we could have done it in this bill, that would have been fine with me.

But I trust the people that negotiated the final product, and they did try to remove a lot of issues that were controversial and divisive so that, hopefully, we could get a substantial majority of both parties to vote for continuing the government.

I want to end by saying that, again, I want to invite our friends in the Senate to participate in regular order. In some ways they have done that. I want to give them credit for last year and this year passing all 12 appropriations bills at least through the full committee level.

But it was a decision by their leadership not to allow those bills to come to the floor that actually gummed up the works. It is not anything that was done in the House. Indeed, we didn't give up on that process until it became abundantly clear that the Senate wasn't going to move.

We are now, however, at the last moment. My friend is correct in that. I am pleased that we have negotiated together in good faith, frankly, within this body, across the rotunda with the other body, and with the administration, to arrive at something that will get us through the election and give us the time when we return from the election to sit down.

In that period of time, I want to commit to my friend that I will be looking forward to working with her and her colleagues to make sure we fully finish the appropriations process.

There are some in this body that don't want to do that. They want to simply CR or do a continuing resolution to some point in the future next year, dumping off the work of this Congress and this administration on the next administration and the next Congress. That would be a big mistake, in my opinion.

I know my friend feels exactly the same way, so I commit to her, I will do everything I can on my side of the aisle—I know she will on her side—to make sure that we continue the full appropriations process, and we make sure fiscal year 2017 is funded.

The new administration, when it shows up, is going to have a lot to do, whoever that person is. They are going to have to advance their agenda. They are going to have to name the Cabinet members. They are going to have to get them confirmed. They are going to have to write a budget for FY18 by the middle of February. We will have a debt ceiling crisis in March, and we

will have, frankly, the sequester to deal with which, like Halley's Comet, will return on schedule on time. That is plenty for a new President and a new Congress to do.

I would hope we do our job in the so-called lameduck session and make sure that they don't have the additional task of picking up and doing the work that this Congress and this President should have done on their own. So my friend is right on that point.

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

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

Mr. Speaker, the House of Representatives has been in session for the last 4 weeks, more than enough time to properly debate the continuing resolution under regular order. But, instead, we have taken up a lot of one-House bills that will never become law.

Mr. Speaker, you can't run the United States Government in 3-month tranches. The majority should get back to focusing on the issues the American people care about, like repairing our roads and bridges and bringing down the cost of college education.

Also, let's end the brinkmanship that my colleague spoke of—and I accept his offer to work and look forward to working with him—and the temporary stopgap measures and the threats of a government shutdown always hanging over us by getting back to enacting long-term appropriations. That is something that I would be happy to join him in because, frankly, what we have done now is no way to run our government.

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

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

I want to begin by thanking my good friend for her debate and her cooperation and her hard work in this exercise that has been genuinely valuable and significant.

And I want to agree with her basic point. We need to do our business. I wish it would have all been done by this point. It has extended into the period after the election, but that is a place that I hope we finish our business. I know my friend will be working to that end; certainly, I will as well.

Mr. Speaker, passage of this legislation is critical to prevent a government shutdown, to provide the necessary funds to address the Zika virus, and to demonstrate to the American people that Congress can actually govern.

While I would have much preferred considering 12 individual appropriations bills, I am encouraged that at least one fully conferenced bill is included in the legislation before us today. So I want to urge my colleagues to support this rule and the underlying legislation.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid upon the table.

## LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017

### GENERAL LEAVE

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 5325, and that I may include tabular material on the same.

The SPEAKER pro tempore (Mr. COLLINS of Georgia). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ROGERS of Kentucky. Mr. Speaker, pursuant to House Resolution 901, I call up the bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes, with the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment.

Senate amendment:

Strike all after the enacting clause, and insert in lieu thereof:

### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Continuing Appropriations and Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017, and Zika Response and Preparedness Act".*

### SEC. 2. TABLE OF CONTENTS.

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Statement of appropriations.
- Sec. 5. Availability of funds.
- Sec. 6. Explanatory statement.

### DIVISION A—MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

- Title I—Department of Defense
- Title II—Department of Veterans Affairs
- Title III—Related agencies
- Title IV—Overseas contingency operations
- Title V—General provisions

### DIVISION B—ZIKA RESPONSE AND PREPAREDNESS

- Title I—Department of Health and Human Services
- Title II—Department of State
- Title III—General Provisions—This Division

### DIVISION C—CONTINUING APPROPRIATIONS ACT, 2017

### DIVISION D—RESCISSIONS OF FUNDS

### SEC. 3. REFERENCES.

*Except as expressly provided otherwise, any reference to "this Act" contained in any division of this Act shall be treated as referring only to the provisions of that division.*

### SEC. 4. STATEMENT OF APPROPRIATIONS.

*The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2017.*

### SEC. 5. AVAILABILITY OF FUNDS.

*Each amount designated in this Act by the Congress as an emergency requirement pursuant*

*to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.*

### SEC. 6. EXPLANATORY STATEMENT.

(a) *The explanatory statement regarding this Act, printed in the Senate section of the Congressional Record on or about September 22, 2016, by the Chairman of the Committee on Appropriations of the Senate, shall have the same effect with respect to the allocation of funds and implementation of divisions A through D of this Act as if it were a joint explanatory statement of a committee of conference.*

(b) *Any reference to the "joint explanatory statement accompanying this Act" contained in division A of this Act shall be considered to be a reference to the explanatory statement described in subsection (a).*

### DIVISION A—MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2017

#### TITLE I

#### DEPARTMENT OF DEFENSE

#### MILITARY CONSTRUCTION, ARMY

*For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$513,459,000, to remain available until September 30, 2021: Provided, That, of this amount, not to exceed \$98,159,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

#### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

*For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$1,021,580,000, to remain available until September 30, 2021: Provided, That, of this amount, not to exceed \$88,230,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.*

#### MILITARY CONSTRUCTION, AIR FORCE

*For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$1,491,058,000, to remain available until September 30, 2021: Provided, That of this amount, not to exceed \$143,582,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor: Provided further, That none of the funds made available under this heading shall be for construction of the Joint Intelligence Analysis Complex Consolidation, Phase 3, at Royal Air Force*

Croughton, United Kingdom, unless authorized in an Act authorizing appropriations for fiscal year 2017 for military construction.

**MILITARY CONSTRUCTION, DEFENSE-WIDE**  
(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$2,025,444,000, to remain available until September 30, 2021: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed \$180,775,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, ARMY NATIONAL GUARD**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$232,930,000, to remain available until September 30, 2021: Provided, That, of the amount appropriated, not to exceed \$8,729,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, AIR NATIONAL GUARD**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$143,957,000, to remain available until September 30, 2021: Provided, That, of the amount appropriated, not to exceed \$10,462,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, ARMY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$68,230,000, to remain available until September 30, 2021: Provided, That, of the amount appropriated, not to exceed \$7,500,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, NAVY RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$38,597,000, to remain available until September 30, 2021: Provided, That, of the amount appropriated, not to exceed \$3,783,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**MILITARY CONSTRUCTION, AIR FORCE RESERVE**

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$188,950,000, to remain available until September 30, 2021: Provided, That, of the amount appropriated, not to exceed \$4,500,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

**NORTH ATLANTIC TREATY ORGANIZATION**

**SECURITY INVESTMENT PROGRAM**

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$177,932,000, to remain available until expended.

**DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT**

For deposit into the Department of Defense Base Closure Account, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$240,237,000, to remain available until expended.

**FAMILY HOUSING CONSTRUCTION, ARMY**

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$157,172,000, to remain available until September 30, 2021.

**FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY**

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$325,995,000.

**FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS**

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$94,011,000, to remain available until September 30, 2021.

**FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS**

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$300,915,000.

**FAMILY HOUSING CONSTRUCTION, AIR FORCE**

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$61,352,000, to remain available until September 30, 2021.

**FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE**

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$274,429,000.

**FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE**

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$59,157,000.

**DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND**

For the Department of Defense Family Housing Improvement Fund, \$3,258,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

**ADMINISTRATIVE PROVISIONS**

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 115. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 116. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 117. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of

time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the Department of Defense Base Closure Account to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 119. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 120. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 121. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 122. (a) Except as provided in subsection (b), none of the funds made available in this Act may be used by the Secretary of the Army to relocate a unit in the Army that—

(1) performs a testing mission or function that is not performed by any other unit in the Army and is specifically stipulated in title 10, United States Code; and

(2) is located at a military installation at which the total number of civilian employees of the Department of the Army and Army contractor personnel employed exceeds 10 percent of the total number of members of the regular and reserve components of the Army assigned to the installation.

(b) EXCEPTION.—Subsection (a) shall not apply if the Secretary of the Army certifies to the congressional defense committees that in proposing the relocation of the unit of the Army, the Secretary complied with Army Regulation 5–10 relating to the policy, procedures, and responsibilities for Army stationing actions.

SEC. 123. Amounts appropriated or otherwise made available in an account funded under the headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14–R, Volume 3, Chapter 7, of March 2011, as in effect on the date of enactment of this Act.

SEC. 124. None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

SEC. 125. For an additional amount for the accounts and in the amounts specified, to remain available until September 30, 2021:

"Military Construction, Army", \$40,500,000;  
 "Military Construction, Navy and Marine Corps", \$227,099,000;  
 "Military Construction, Air Force", \$149,500,000;  
 "Military Construction, Army National Guard", \$67,500,000;  
 "Military Construction, Air National Guard", \$11,000,000;  
 "Military Construction, Army Reserve", \$30,000,000:

Provided, That such funds may only be obligated to carry out construction projects identified in the respective military department's unfunded priority list for fiscal year 2017 submitted to Congress by the Secretary of Defense: Provided further, That such projects are subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That not later than 30 days after enactment of this Act, the Secretary of the military department concerned, or his or her designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

SEC. 126. For an additional amount for "Military Construction, Navy and Marine Corps", \$89,400,000, to remain available until September 30, 2021: Provided, That, such funds may only be obligated to carry out construction projects identified by the Department of the Navy in its June 8, 2016, unfunded priority list submission to the Committees on Appropriations of both Houses of Congress detailing unfunded reprogramming and emergency construction requirements: Provided further, That, not later than 30 days after enactment of this Act, the Secretary of the Navy, or his or her designee, shall submit to the Committees an expenditure plan for funds provided under this section.

(RESCISSIONS OF FUNDS)

SEC. 127. Of the unobligated balances available to the Department of Defense from prior appropriation Acts, the following funds are hereby rescinded from the following accounts in the amounts specified:

"Military Construction, Army", \$29,602,000;  
 "Military Construction, Air Force", \$51,460,000;  
 "Military Construction, Defense-Wide", \$171,600,000, of which \$30,000,000 are to be derived from amounts made available for Missile Defense Agency planning and design; and

“North Atlantic Treaty Organization Security Investment Program”, \$30,000,000:

Provided, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

#### (RESCISSION OF FUNDS)

SEC. 128. Of the unobligated balances made available in prior appropriation Acts for the fund established in section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), \$25,000,000 are hereby rescinded.

SEC. 129. For the purposes of this Act, the term “congressional defense committees” means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

SEC. 130. None of the funds made available by this Act may be used to carry out the closure or readjustment of the United States Naval Station, Guantánamo Bay, Cuba.

SEC. 131. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this or any other Act may be used to consolidate or relocate any element of a United States Air Force Rapid Engineer Deployable Heavy Operational Repair Squadron Engineer (RED HORSE) outside of the United States until the Secretary of the Air Force (1) completes an analysis and comparison of the cost and infrastructure investment required to consolidate or relocate a RED HORSE squadron outside of the United States versus within the United States; (2) provides to the Committees on Appropriations of both Houses of Congress (“the Committees”) a report detailing the findings of the cost analysis; and (3) certifies in writing to the Committees that the preferred site for the consolidation or relocation yields the greatest savings for the Air Force: Provided, That the term “United States” in this section does not include any territory or possession of the United States.

#### TITLE II

#### DEPARTMENT OF VETERANS AFFAIRS

#### VETERANS BENEFITS ADMINISTRATION

#### COMPENSATION AND PENSIONS

#### (INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$90,119,449,000, to remain available until expended and to become available on October 1, 2017: Provided, That not to exceed \$17,224,000 of the amount made available for fiscal year 2018 under this heading shall be reimbursed to “General Operating Expenses, Veterans Benefits Administration”, and “Infor-

mation Technology Systems” for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the “Compensation and Pensions” appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to “Medical Care Collections Fund” to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

#### READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, \$13,708,648,000, to remain available until expended and to become available on October 1, 2017: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

#### VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, \$124,504,000, to remain available until expended, of which \$107,899,000 shall become available on October 1, 2017.

#### VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That, during fiscal year 2017, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$198,856,000.

#### VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$36,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$2,517,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$389,000, which may be paid to the appropriation for “General Operating Expenses, Veterans Benefits Administration”.

#### NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, \$1,163,000.

#### GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, \$2,856,160,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary

of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That, of the funds made available under this heading, not to exceed 5 percent shall remain available until September 30, 2018.

#### VETERANS HEALTH ADMINISTRATION

#### MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bio-engineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 124 Stat. 1174; 38 U.S.C. 7681 note), and hospital care and medical services authorized by section 1787 of title 38, United States Code; \$1,078,993,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2016; and, in addition, \$44,886,554,000, plus reimbursements, shall become available on October 1, 2017, and shall remain available until September 30, 2018: Provided, That, of the amount made available on October 1, 2017, under this heading, \$1,400,000,000 shall remain available until September 30, 2019: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: Provided further, That the Secretary of Veterans Affairs shall ensure that sufficient amounts appropriated under this heading for medical supplies and equipment are available for the acquisition of prosthetics designed specifically for female veterans: Provided further, That the Secretary of Veterans Affairs shall provide access to therapeutic listening devices to veterans struggling with mental health related problems, substance abuse, or traumatic brain injury.

#### MEDICAL COMMUNITY CARE

For necessary expenses for furnishing health care to individuals pursuant to chapter 17 of title 38, United States Code, at non-Department facilities, \$7,246,181,000, plus reimbursements, of which \$2,000,000,000 shall remain available until September 30, 2020; and, in addition, \$9,409,118,000 shall become available on October 1, 2017, and shall remain available until September 30, 2018: Provided, That of the amount made available on October 1, 2017, \$1,500,000,000 shall remain available until September 30, 2021.

## MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), \$6,654,480,000, plus reimbursements, shall become available on October 1, 2017, and shall remain available until September 30, 2018: Provided, That, of the amount made available on October 1, 2017, under this heading, \$100,000,000 shall remain available until September 30, 2019.

## MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services; \$247,668,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2016; and, in addition, \$5,434,880,000, plus reimbursements, shall become available on October 1, 2017, and shall remain available until September 30, 2018: Provided, That, of the amount made available on October 1, 2017, under this heading, \$250,000,000 shall remain available until September 30, 2019.

## MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$675,366,000, plus reimbursements, shall remain available until September 30, 2018: Provided, That the Secretary of Veterans Affairs shall ensure that sufficient amounts appropriated under this heading are available for prosthetic research specifically for female veterans, and for toxic exposure research.

## NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$286,193,000, of which not to exceed 10 percent shall remain available until September 30, 2018.

## DEPARTMENTAL ADMINISTRATION

## GENERAL ADMINISTRATION

## (INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$345,391,000, of which not to exceed 5 percent shall remain available until September 30, 2018: Provided, That funds

provided under this heading may be transferred to "General Operating Expenses, Veterans Benefits Administration".

## BOARD OF VETERANS APPEALS

For necessary operating expenses of the Board of Veterans Appeals, \$156,096,000, of which not to exceed 10 percent shall remain available until September 30, 2018.

## INFORMATION TECHNOLOGY SYSTEMS

## (INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$4,278,259,000, plus reimbursements: Provided, That \$1,272,548,000 shall be for pay and associated costs, of which not to exceed \$37,100,000 shall remain available until September 30, 2018: Provided further, That \$2,534,442,000 shall be for operations and maintenance, of which not to exceed \$180,200,000 shall remain available until September 30, 2018: Provided further, That \$471,269,000 shall be for information technology systems development, modernization, and enhancement, and shall remain available until September 30, 2018: Provided further, That amounts made available for information technology systems development, modernization, and enhancement may not be obligated or expended until the Secretary of Veterans Affairs or the Chief Information Officer of the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress a certification of the amounts, in parts or in full, to be obligated and expended for each development project: Provided further, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development, modernization, and enhancement may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That amounts made available for the "Information Technology Systems" account for development, modernization, and enhancement may be transferred among projects or to newly defined projects: Provided further, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: Provided further, That funds under this heading may be used by the Interagency Program Office through the Department of Veterans Affairs to define data standards, code sets, and value sets used to enable interoperability: Provided further, That of the funds made available for information technology systems development, modernization, and enhancement for VistA Evolution or any successor program, not more than 25 percent may be obligated or expended until the Secretary of Veterans Affairs:

(1) submits to the Committees on Appropriations of both Houses of Congress the VistA Evolution Business Case and supporting documents regarding continuation of VistA Evolution or alternatives to VistA Evolution, including an analysis of necessary or desired capabilities, technical and security requirements, the plan for modernizing the platform framework, and all associated costs;

(2) submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, the following: a report that describes a strategic plan for VistA Evolution, or any successor program, and the associated im-

plementation plan including metrics and timelines; a master schedule and lifecycle cost estimate for VistA Evolution or any successor; and an implementation plan for the transition from the Project Management Accountability System to a new project delivery framework, the Veteran-focused Integration Process, that includes the methodology by which projects will be tracked, progress measured, and deliverables evaluated;

(3) submits to the Committees on Appropriations of both Houses of Congress a report outlining the strategic plan to reach interoperability with private sector healthcare providers, the timeline for reaching "meaningful use" as defined by the Office of National Coordinator for Health Information Technology for each data domain covered under the VistA Evolution program, and the extent to which the Department of Veterans Affairs leverages the State Health Information Exchanges to share health data with private sector providers;

(4) submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, the following: a report that describes the extent to which VistA Evolution, or any successor program, maximizes the use of commercially available software used by DoD and the private sector, requires an open architecture that leverages best practices and rapidly adapts to technologies produced by the private sector, enhances full interoperability between the VA and DoD and between VA and the private sector, and ensures the security of personally identifiable information of veterans and beneficiaries; and

(5) certifies in writing to the Committees on Appropriations of both Houses of Congress that the Department of Veterans Affairs has met the requirements contained in the National Defense Authorization Act of Fiscal Year 2014 (Public Law 113-66) which require that electronic health record systems of the Department of Defense and the Department of Veterans Affairs have reached interoperability, comply with national standards and architectural requirements identified by the DoD/VA Interagency Program Office in collaboration with the Office of National Coordinator for Health Information Technology:

Provided further, That the funds made available under this heading for information technology systems development, modernization, and enhancement, shall be for the projects, and in the amounts, specified under this heading in the joint explanatory statement accompanying this Act.

## OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$160,106,000, of which not to exceed 10 percent shall remain available until September 30, 2018.

## CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$528,110,000, of which \$478,110,000 shall remain available until September 30, 2021, and of which \$50,000,000 shall remain available



until expended: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account and contracting officers who manage specific major construction projects, and funds provided for the purchase, security, and maintenance of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project that has not been notified to Congress through the budgetary process or that has not been approved by the Congress through statute, joint resolution, or in the explanatory statement accompanying such Act and presented to the President at the time of enrollment: Provided further, That funds made available under this heading for fiscal year 2017, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2017; and (2) by the awarding of a construction contract by September 30, 2018: Provided further, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above: Provided further, That, of the amount made available under this heading, \$222,620,000 for Veterans Health Administration major construction projects shall not be available until the Department of Veterans Affairs—

(1) enters into an agreement with an appropriate non-Department of Veterans Affairs Federal entity to serve as the design and/or construction agent for any Veterans Health Administration major construction project with a Total Estimated Cost of \$100,000,000 or above by providing full project management services, including management of the project design, acquisition, construction, and contract changes, consistent with section 502 of Public Law 114-58; and

(2) certifies in writing that such an agreement is executed and intended to minimize or prevent subsequent major construction project cost overruns and provides a copy of the agreement entered into and any required supplementary information to the Committees on Appropriations of both Houses of Congress.

#### CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$372,069,000, to remain available until September 30, 2021, along with unobligated balances of previous "Construction, Minor Projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: Provided, That funds made available

under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

#### GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, \$90,000,000, to remain available until expended.

#### GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

For grants to assist States and tribal organizations in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$45,000,000, to remain available until expended.

#### ADMINISTRATIVE PROVISIONS (INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2017 for "Compensation and Pensions", "Readjustment Benefits", and "Veterans Insurance and Indemnities" may be transferred as necessary to any other of the mentioned appropriations: Provided, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2017, in this or any other Act, under the "Medical Services", "Medical Community Care", "Medical Support and Compliance", and "Medical Facilities" accounts may be transferred among the accounts: Provided, That any transfers among the "Medical Services", "Medical Community Care", and "Medical Support and Compliance" accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: Provided further, That any transfers among the "Medical Services", "Medical Community Care", and "Medical Support and Compliance" accounts in excess of 1 percent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to or from the "Medical Facilities" account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for "Construction, Major Projects", and "Construction, Minor Projects") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination

of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the "Medical Services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for "Compensation and Pensions", "Readjustment Benefits", and "Veterans Insurance and Indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2016.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from "Compensation and Pensions".

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2017, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the "General Operating Expenses, Veterans Benefits Administration" and "Information Technology Systems" accounts for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2017 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2017 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

#### (INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management of the Department of Veterans Affairs and the Office of Employment Discrimination Complaint Adjudication under section 319 of title 38, United States Code, for all services provided at rates which will recover actual costs but not to exceed \$47,668,000 for the Office of Resolution Management and \$3,932,000 for the Office of Employment Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the "General Administration" and "Information Technology Systems" accounts for use by the office that provided the service.

SEC. 211. No funds of the Department of Veterans Affairs shall be available for hospital

care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 212. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, Major Projects" and "Construction, Minor Projects" accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, Major Projects" and "Construction, Minor Projects".

SEC. 213. Amounts made available under "Medical Services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 214. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to the "Medical Services" and "Medical Community Care" accounts to remain available until expended for the purposes of these accounts.

SEC. 215. The Secretary of Veterans Affairs may enter into agreements with Federally Qualified Health Centers in the State of Alaska and Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, to provide healthcare, including behavioral health and dental care, to veterans in rural Alaska. The Secretary shall require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary. The term "rural Alaska" shall mean those lands which are not within the boundaries of the municipality of Anchorage or the Fairbanks North Star Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 216. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, Major Projects" and "Construction, Minor Projects" accounts, to remain available until expended for the purposes of these accounts.

(RESCISSION OF FUNDS)

SEC. 217. Of the amounts appropriated in title II of division J of Public Law 114-113 under the heading "Medical Services" which become available on October 1, 2016, \$7,246,181,000 are hereby rescinded.

SEC. 218. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a report on the financial status of the Department of Veterans Affairs for the preceding quarter: Provided, That, at a minimum, the report shall include the direction contained in the paragraph

entitled "Quarterly reporting", under the heading "General Administration" in the joint explanatory statement accompanying this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 219. Amounts made available under the "Medical Services", "Medical Community Care", "Medical Support and Compliance", "Medical Facilities", "General Operating Expenses, Veterans Benefits Administration", "General Administration", and "National Cemetery Administration" accounts for fiscal year 2017 may be transferred to or from the "Information Technology Systems" account: Provided, That such transfers may not result in a more than 10 percent aggregate increase in the total amount made available by this Act for the "Information Technology Systems" account: Provided further, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 220. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with: (1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109-115; 119 Stat. 2506); or (2) section 8110(a)(5) of title 38, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2017 for "Medical Services", "Medical Community Care", "Medical Support and Compliance", "Medical Facilities", "Construction, Minor Projects", and "Information Technology Systems", up to \$274,731,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: Provided further, That section 223 of title II of division J of Public Law 114-113 is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2017, for "Medical Services", "Medical Community Care", "Medical Support and Compliance", and "Medical Facilities", up to \$280,802,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 223. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500).

(INCLUDING TRANSFER OF FUNDS)

SEC. 224. Of the amounts available in this title for "Medical Services", "Medical Community Care", "Medical Support and Compliance", and "Medical Facilities", a minimum of \$15,000,000 shall be transferred to the DOD-VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

SEC. 225. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 226. The Secretary of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in a major construction project that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: Provided, That such notification shall occur within 14 days of a contract identifying the programmed amount: Provided further, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 227. None of the funds made available for "Construction, Major Projects" may be used for a project in excess of the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations unless the Secretary of Veterans Affairs receives approval from the Committees on Appropriations of both Houses of Congress.

SEC. 228. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report containing performance measures and data from each Veterans Benefits Administration Regional Office: Provided, That, at a minimum, the report shall include the direction contained in the section entitled "Disability claims backlog", under the heading "General Operating Expenses, Veterans Benefits Administration" in the joint explanatory statement accompanying this Act.

SEC. 229. Of the funds provided to the Department of Veterans Affairs for fiscal year 2017 for "Medical Support and Compliance" a maximum of \$40,000,000 may be obligated from the "Medical Support and Compliance" account for the VistA Evolution and electronic health record interoperability projects: Provided, That funds in addition to these amounts may be obligated for the VistA Evolution and electronic health record interoperability projects upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

SEC. 230. The Secretary of Veterans Affairs shall provide written notification to the Committees on Appropriations of both Houses of Congress 15 days prior to organizational changes which result in the transfer of 25 or more full-time equivalents from one organizational unit of the Department of Veterans Affairs to another.

SEC. 231. The Secretary of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed \$2,000,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 232. The Secretary of Veterans Affairs, upon determination that such action is necessary to address needs of the Veterans Health Administration, may transfer to the "Medical Services" account any discretionary appropriations made available for fiscal year 2017 in this title (except appropriations made to the "General Operating Expenses, Veterans Benefits Administration" account) or any discretionary unobligated balances within the Department of Veterans Affairs, including those appropriated for fiscal year 2017, that were provided in advance by appropriations Acts: Provided, That transfers shall be made only with the approval of the Office of Management and Budget: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority provided by law: Provided further, That no amounts may be transferred from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That such authority to transfer may not be used unless for higher priority items, based on emergent healthcare requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: Provided further, That, upon determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation and shall be available for the same purposes as originally appropriated: Provided further, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

(INCLUDING TRANSFER OF FUNDS)

SEC. 233. Amounts made available for the Department of Veterans Affairs for fiscal year 2017, under the "Board of Veterans Appeals" and the "General Operating Expenses, Veterans Benefits Administration" accounts may be transferred between such accounts: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

SEC. 234. The Secretary of Veterans Affairs may not reprogram funds among major construction projects or programs if such instance of reprogramming will exceed \$5,000,000, unless such reprogramming is approved by the Committees on Appropriations of both Houses of Congress.

(RESCISSION OF FUNDS)

SEC. 235. Of the unobligated balances available within the "DOD-VA Health Care Sharing Incentive Fund", \$40,000,000 are hereby rescinded.

(RESCISSIONS OF FUNDS)

SEC. 236. Of the discretionary funds made available in Public Law 114-113 for the Department of Veterans Affairs for fiscal year 2017, \$134,000,000 are rescinded from "Medical Services", \$26,000,000 are rescinded from "Medical Support and Compliance", and \$9,000,000 are rescinded from "Medical Facilities".

SEC. 237. The amounts otherwise made available by this Act for the following accounts of the Department of Veterans Affairs are hereby reduced by the following amounts:

(1) "Veterans Health Administration—Medical and Prosthetic Research", \$2,000,000.

(2) "Departmental Administration—Board of Veterans Appeals", \$500,000.

(3) "Veterans Benefits Administration—General Operating Expenses, Veterans Benefits Administration", \$12,000,000.

(4) "Departmental Administration—Information Technology Systems", \$8,000,000.

(5) "Departmental Administration—Office of Inspector General", \$500,000.

SEC. 238. The Secretary of Veterans Affairs shall ensure that the toll-free suicide hotline under section 1720(f)(h) of title 38, United States Code—

(1) provides to individuals who contact the hotline immediate assistance from a trained professional; and

(2) adheres to all requirements of the American Association of Suicidology.

SEC. 239. (a) The Secretary of Veterans Affairs shall treat a marriage and family therapist described in subsection (b) as qualified to serve as a marriage and family therapist in the Department of Veterans Affairs, regardless of any requirements established by the Commission on Accreditation for Marriage and Family Therapy Education.

(b) A marriage and family therapist described in this subsection is a therapist who meets each of the following criteria:

(1) Has a masters or higher degree in marriage and family therapy, or a related field, from a regionally accredited institution.

(2) Is licensed as a marriage and family therapist in a State (as defined in section 101(20) of title 38, United States Code) and possesses the highest level of licensure offered from the State.

(3) Has passed the Association of Marital and Family Therapy Regulatory Board Examination in Marital and Family Therapy or a related examination for licensure administered by a State (as so defined).

SEC. 240. None of the funds in this or any other Act may be used to close Department of Veterans Affairs (VA) hospitals, domiciliaries, or clinics, conduct an environmental assessment, or to diminish healthcare services at existing Veterans Health Administration medical facilities located in Veterans Integrated Service Network 23 as part of a planned realignment of VA services until the Secretary provides to the Committees on Appropriations of both Houses of Congress a report including the following elements:

(1) a national realignment strategy that includes a detailed description of realignment plans within each Veterans Integrated Service Network (VISN), including an updated Long Range Capital Plan to implement realignment requirements;

(2) an explanation of the process by which those plans were developed and coordinated within each VISN;

(3) a cost vs. benefit analysis of each planned realignment, including the cost of replacing Veterans Health Administration services with contract care or other outsourced services;

(4) an analysis of how any such planned realignment of services will impact access to care for veterans living in rural or highly rural areas, including travel distances and transportation costs to access a VA medical facility and availability of local specialty and primary care;

(5) an inventory of VA buildings with historic designation and the methodology used to determine the buildings' condition and utilization;

(6) a description of how any realignment will be consistent with requirements under the National Historic Preservation Act; and

(7) consideration given for reuse of historic buildings within newly identified realignment requirements: Provided, That, this provision shall not apply to capital projects in VISN 23, or

any other VISN, which have been authorized or approved by Congress.

SEC. 241. None of the funds appropriated in this or prior appropriations Acts or otherwise made available to the Department of Veterans Affairs may be used to transfer any amounts from the Filipino Veterans Equity Compensation Fund to any other account within the Department of Veterans Affairs.

SEC. 242. Paragraph (3) of section 403(a) of the Veterans' Mental Health and Other Care Improvements Act of 2008 (Public Law 110-387; 38 U.S.C. 1703 note) is amended to read as follows: "(3) DURATION.—A veteran may receive health services under this section during the period beginning on the date specified in paragraph (2) and ending on September 30, 2017."

SEC. 243. (a) Section 1722A(a) of title 38, United States Code, is amended by adding at the end the following new paragraph:

"(4) Paragraph (1) does not apply to opioid antagonists furnished under this chapter to a veteran who is at high risk for overdose of a specific medication or substance in order to reverse the effect of such an overdose."

(b) Section 1710(g)(3) of such title is amended—

(1) by striking "with respect to home health services" and inserting "with respect to the following:"

"(A) Home health services"; and

(2) by adding at the end the following new subparagraph:

"(B) Education on the use of opioid antagonists to reverse the effects of overdoses of specific medications or substances."

SEC. 244. Section 312 of title 38, United States Code, is amended in subsection (c)(1) by striking the phrase "that makes a recommendation or otherwise suggests corrective action."

SEC. 245. Of the funds provided to the Department of Veterans Affairs for each of fiscal year 2017 and fiscal year 2018 for "Medical Services", funds may be used in each year to carry out and expand the child care program authorized by section 205 of Public Law 111-163, notwithstanding subsection (e) of such section.

SEC. 246. Section 5701(l) of title 38, United States Code, is amended by striking "may" and inserting "shall".

VA PATIENT PROTECTION ACT OF 2016

SEC. 247. (a) PROCEDURE AND ADMINISTRATION.—

(1) IN GENERAL.—Chapter 7 of title 38, United States Code, is amended by adding at the end the following new subchapter:

"SUBCHAPTER II—WHISTLEBLOWER COMPLAINTS

"§ 731. Whistleblower complaint defined

"In this subchapter, the term 'whistleblower complaint' means a complaint by an employee of the Department disclosing, or assisting another employee to disclose, a potential violation of any law, rule, or regulation, or gross mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health and safety.

"§ 732. Treatment of whistleblower complaints

"(a) FILING.—(1) In addition to any other method established by law in which an employee may file a whistleblower complaint, an employee of the Department may file a whistleblower complaint in accordance with subsection (g) with a supervisor of the employee.

"(2) Except as provided by subsection (d)(1), in making a whistleblower complaint under paragraph (1), an employee shall file the initial complaint with the immediate supervisor of the employee.

"(b) NOTIFICATION.—(1)(A) Not later than four business days after the date on which a supervisor receives a whistleblower complaint by an employee under this section, the supervisor shall notify, in writing, the employee of whether the supervisor determines that there is a reasonable likelihood that the complaint discloses a

violation of any law, rule, or regulation, or gross mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health and safety.

“(B) The supervisor shall retain written documentation regarding the whistleblower complaint and shall submit to the next-level supervisor and the central whistleblower office described in subsection (h) a written report on the complaint.

“(2)(A) On a monthly basis, the supervisor shall submit to the appropriate director or other official who is superior to the supervisor a written report that includes the number of whistleblower complaints received by the supervisor under this section during the month covered by the report, the disposition of such complaints, and any actions taken because of such complaints pursuant to subsection (c).

“(B) In the case in which such a director or official carries out this paragraph, the director or official shall submit such monthly report to the supervisor of the director or official and to the central whistleblower office described in subsection (h).

“(c) **POSITIVE DETERMINATION.**—If a supervisor makes a positive determination under subsection (b)(1) regarding a whistleblower complaint of an employee, the supervisor shall include in the notification to the employee under such subsection the specific actions that the supervisor will take to address the complaint.

“(d) **FILING COMPLAINT WITH NEXT-LEVEL SUPERVISORS.**—(1) If any circumstance described in paragraph (3) is met, an employee may file a whistleblower complaint in accordance with subsection (g) with the next-level supervisor who shall treat such complaint in accordance with this section.

“(2) An employee may file a whistleblower complaint with the Secretary if the employee has filed the whistleblower complaint to each level of supervisors between the employee and the Secretary in accordance with paragraph (1).

“(3) A circumstance described in this paragraph is any of the following circumstances:

“(A) A supervisor does not make a timely determination under subsection (b)(1) regarding a whistleblower complaint.

“(B) The employee who made a whistleblower complaint determines that the supervisor did not adequately address the complaint pursuant to subsection (c).

“(C) The immediate supervisor of the employee is the basis of the whistleblower complaint.

“(e) **TRANSFER OF EMPLOYEE WHO FILES WHISTLEBLOWER COMPLAINT.**—If a supervisor makes a positive determination under subsection (b)(1) regarding a whistleblower complaint filed by an employee, the Secretary shall—

“(1) inform the employee of the ability to volunteer for a transfer in accordance with section 3352 of title 5; and

“(2) give preference to the employee for such a transfer in accordance with such section.

“(f) **PROHIBITION ON EXEMPTION.**—The Secretary may not exempt any employee of the Department from being covered by this section.

“(g) **WHISTLEBLOWER COMPLAINT FORM.**—(1) A whistleblower complaint filed by an employee under subsection (a) or (d) shall consist of the form described in paragraph (2) and any supporting materials or documentation the employee determines necessary.

“(2) The form described in this paragraph is a form developed by the Secretary, in consultation with the Special Counsel, that includes the following:

“(A) An explanation of the purpose of the whistleblower complaint form.

“(B) Instructions for filing a whistleblower complaint as described in this section.

“(C) An explanation that filing a whistleblower complaint under this section does not preclude the employee from any other method established by law in which an employee may file a whistleblower complaint.

“(D) A statement directing the employee to information accessible on the Internet website of the Department as described in section 735(d).

“(E) Fields for the employee to provide—

“(i) the date that the form is submitted;

“(ii) the name of the employee;

“(iii) the contact information of the employee;

“(iv) a summary of the whistleblower complaint (including the option to append supporting documents pursuant to paragraph (1)); and

“(v) proposed solutions to the complaint.

“(F) Any other information or fields that the Secretary determines appropriate.

“(3) The Secretary, in consultation with the Special Counsel, shall develop the form described in paragraph (2) by not later than 60 days after the date of the enactment of this section.

“(h) **CENTRAL WHISTLEBLOWER OFFICE.**—(1) The Secretary shall ensure that the central whistleblower office—

“(A) is not an element of the Office of the General Counsel;

“(B) is not headed by an official who reports to the General Counsel;

“(C) does not provide, or receive from, the General Counsel any information regarding a whistleblower complaint except pursuant to an action regarding the complaint before an administrative body or court; and

“(D) does not provide advice to the General Counsel.

“(2) The central whistleblower office shall be responsible for investigating all whistleblower complaints of the Department, regardless of whether such complaints are made by or against an employee who is not a member of the Senior Executive Service.

“(3) The Secretary shall ensure that the central whistleblower office maintains a toll-free hotline to anonymously receive whistleblower complaints.

“(4) The Secretary shall ensure that the central whistleblower office has such staff and resources as the Secretary considers necessary to carry out the functions of the central whistleblower office.

“(5) In this subsection, the term ‘central whistleblower office’ means the Office of Accountability Review or a successor office that is established or designated by the Secretary to investigate whistleblower complaints filed under this section or any other method established by law.

“**§ 733. Adverse actions against supervisory employees who commit prohibited personnel actions relating to whistleblower complaints**

“(a) **IN GENERAL.**—(1) In accordance with paragraph (2), the Secretary shall carry out the following adverse actions against supervisory employees (as defined in section 7103(a) of title 5) whom the Secretary, an administrative judge, the Merit Systems Protection Board, the Office of Special Counsel, an adjudicating body provided under a union contract, a Federal judge, or the Inspector General of the Department determines committed a prohibited personnel action described in subsection (c):

“(A) With respect to the first offense, an adverse action that is not less than a 12-day suspension and not more than removal.

“(B) With respect to the second offense, removal.

“(2)(A) An employee against whom an adverse action under paragraph (1) is proposed is entitled to written notice.

“(B)(i) An employee who is notified under subparagraph (A) of being the subject of a proposed adverse action under paragraph (1) is entitled to 14 days following such notification to answer and furnish evidence in support of the answer.

“(ii) If the employee does not furnish any such evidence as described in clause (i) or if the Secretary determines that such evidence is not sufficient to reverse the determination to pro-

pose the adverse action, the Secretary shall carry out the adverse action following such 14-day period.

“(C) Paragraphs (1) and (2) of subsection (b) of section 7513 of title 5, subsection (c) of such section, paragraphs (1) and (2) of subsection (b) of section 7543 of such title, and subsection (c) of such section shall not apply with respect to an adverse action carried out under paragraph (1).

“(b) **LIMITATION ON OTHER ADVERSE ACTIONS.**—With respect to a prohibited personnel action described in subsection (c), if the Secretary carries out an adverse action against a supervisory employee, the Secretary may carry out an additional adverse action under this section based on the same prohibited personnel action if the total severity of the adverse actions do not exceed the level specified in subsection (a).

“(c) **PROHIBITED PERSONNEL ACTION DESCRIBED.**—A prohibited personnel action described in this subsection is any of the following actions:

“(1) Taking or failing to take a personnel action in violation of section 2302 of title 5 against an employee relating to the employee—

“(A) filing a whistleblower complaint in accordance with section 732 of this title;

“(B) filing a whistleblower complaint with the Inspector General of the Department, the Special Counsel, or Congress;

“(C) providing information or participating as a witness in an investigation of a whistleblower complaint in accordance with section 732 or with the Inspector General of the Department, the Special Counsel, or Congress;

“(D) participating in an audit or investigation by the Comptroller General of the United States;

“(E) refusing to perform an action that is unlawful or prohibited by the Department; or

“(F) engaging in communications that are related to the duties of the position or are otherwise protected.

“(2) Preventing or restricting an employee from making an action described in any of subparagraphs (A) through (F) of paragraph (1).

“(3) Conducting a negative peer review or opening a retaliatory investigation because of an activity of an employee that is protected by section 2302 of title 5.

“(4) Requesting a contractor to carry out an action that is prohibited by section 4705(b) or section 4712(a)(1) of title 41, as the case may be.

“**§ 734. Evaluation criteria of supervisors and treatment of bonuses**

“(a) **EVALUATION CRITERIA.**—(1) In evaluating the performance of supervisors of the Department, the Secretary shall include the criteria described in paragraph (2).

“(2) The criteria described in this subsection are the following:

“(A) Whether the supervisor treats whistleblower complaints in accordance with section 732 of this title.

“(B) Whether the appropriate deciding official, performance review board, or performance review committee determines that the supervisor was found to have committed a prohibited personnel action described in section 733(b) of this title by an administrative judge, the Merit Systems Protection Board, the Office of Special Counsel, an adjudicating body provided under a union contract, a Federal judge, or, in the case of a settlement of a whistleblower complaint (regardless of whether any fault was assigned under such settlement), the Secretary.

“(b) **BONUSES.**—(1) The Secretary may not pay to a supervisor described in subsection (a)(2)(B) an award or bonus under this title or title 5, including under chapter 45 or 53 of such title, during the one-year period beginning on the date on which the determination was made under such subsection.

“(2) Notwithstanding any other provision of law, the Secretary shall issue an order directing a supervisor described in subsection (a)(2)(B) to

repay the amount of any award or bonus paid under this title or title 5, including under chapter 45 or 53 of such title, if—

“(A) such award or bonus was paid for performance during a period in which the supervisor committed a prohibited personnel action as determined pursuant to such subsection (a)(2)(B);

“(B) the Secretary determines such repayment appropriate pursuant to regulations prescribed by the Secretary to carry out this section; and

“(C) the supervisor is afforded notice and an opportunity for a hearing before making such repayment.

#### “§ 735. Training regarding whistleblower complaints

“(a) TRAINING.—Not less frequently than once each year, the Secretary, in coordination with the Whistleblower Protection Ombudsman designated under section 3(d)(1)(C) of the Inspector General Act of 1978 (5 U.S.C. App.), shall provide to each employee of the Department training regarding whistleblower complaints, including—

“(1) an explanation of each method established by law in which an employee may file a whistleblower complaint;

“(2) an explanation of prohibited personnel actions described by section 733(c) of this title;

“(3) with respect to supervisors, how to treat whistleblower complaints in accordance with section 732 of this title;

“(4) the right of the employee to petition Congress regarding a whistleblower complaint in accordance with section 7211 of title 5;

“(5) an explanation that the employee may not be prosecuted or reprimanded against for disclosing information to Congress, the Inspector General, or another investigatory agency in instances where such disclosure is permitted by law, including under sections 5701, 5705, and 7732 of this title, under section 552a of title 5 (commonly referred to as the Privacy Act), under chapter 93 of title 18, and pursuant to regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191);

“(6) an explanation of the language that is required to be included in all nondisclosure policies, forms, and agreements pursuant to section 115(a)(1) of the Whistleblower Protection Enhancement Act of 2012 (5 U.S.C. 2302 note); and

“(7) the right of contractors to be protected from reprisal for the disclosure of certain information under section 4705 or 4712 of title 41.

“(b) MANNER TRAINING IS PROVIDED.—The Secretary shall ensure that training provided under subsection (a) is provided in person.

“(c) CERTIFICATION.—Not less frequently than once each year, the Secretary shall provide training on merit system protection in a manner that the Special Counsel certifies as being satisfactory.

“(d) PUBLICATION.—(1) The Secretary shall publish on the Internet website of the Department, and display prominently at each facility of the Department, the rights of an employee to file a whistleblower complaint, including the information described in paragraphs (1) through (7) of subsection (a).

“(2) The Secretary shall publish on the Internet website of the Department, the whistleblower complaint form described in section 732(g)(2).

#### “§ 736. Reports to Congress

“(a) ANNUAL REPORTS.—Not less frequently than once each year, the Secretary shall submit to the appropriate committees of Congress a report that includes—

“(1) with respect to whistleblower complaints filed under section 732 of this title during the year covered by the report—

“(A) the number of such complaints filed;

“(B) the disposition of such complaints; and

“(C) the ways in which the Secretary addressed such complaints in which a positive determination was made by a supervisor under subsection (b)(1) of such section;

“(2) the number of whistleblower complaints filed during the year covered by the report that are not included under paragraph (1), including—

“(A) the method in which such complaints were filed;

“(B) the disposition of such complaints; and

“(C) the ways in which the Secretary addressed such complaints; and

“(3) with respect to disclosures made by a contractor under section 4705 or 4712 of title 41—

“(A) the number of complaints relating to such disclosures that were investigated by the Inspector General of the Department of Veterans Affairs during the year covered by the report;

“(B) the disposition of such complaints; and

“(C) the ways in which the Secretary addressed such complaints.

“(b) NOTICE OF OFFICE OF SPECIAL COUNSEL DETERMINATIONS.—Not later than 30 days after the date on which the Secretary receives from the Special Counsel information relating to a whistleblower complaint pursuant to section 1213 of title 5, the Secretary shall notify the appropriate committees of Congress of such information, including the determination made by the Special Counsel.

“(c) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ‘appropriate committees of Congress’ means—

“(1) the Committee on Veterans’ Affairs and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(2) the Committee on Veterans’ Affairs and the Committee on Oversight and Government Reform of the House of Representatives.”.

#### (2) CONFORMING AND CLERICAL AMENDMENTS.—

(A) CONFORMING AMENDMENT.—Such chapter is further amended by inserting before section 701 the following:

##### “SUBCHAPTER I—GENERAL EMPLOYEE MATTERS”.

(B) CLERICAL AMENDMENTS.—The table of sections at the beginning of such chapter is amended—

(i) by inserting before the item relating to section 701 the following new item:

“SUBCHAPTER I—GENERAL EMPLOYEE MATTERS”;

and

(ii) by adding at the end the following new items:

“SUBCHAPTER II—WHISTLEBLOWER COMPLAINTS

“731. Whistleblower complaint defined.

“732. Treatment of whistleblower complaints.

“733. Adverse actions against supervisory employees who commit prohibited personnel actions relating to whistleblower complaints.

“734. Evaluation criteria of supervisors and treatment of bonuses.

“735. Training regarding whistleblower complaints.

“736. Reports to Congress.”.

(b) TREATMENT OF CONGRESSIONAL TESTIMONY BY DEPARTMENT OF VETERANS AFFAIRS EMPLOYEES AS OFFICIAL DUTY.—

(1) IN GENERAL.—Subchapter I of chapter 7 of title 38, United States Code, as designated by section 2(a)(2)(A), is amended by adding at the end the following new section:

#### “§ 715. Congressional testimony by employees: treatment as official duty

“(a) CONGRESSIONAL TESTIMONY.—An employee of the Department is performing official duty during the period with respect to which the employee is testifying in an official capacity in front of either chamber of Congress, a committee of either chamber of Congress, or a joint or select committee of Congress.

“(b) TRAVEL EXPENSES.—The Secretary shall provide travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57

of title 5, to any employee of the Department of Veterans Affairs performing official duty described under subsection (a).”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter, as amended by section 2(a)(2)(B), is further amended by inserting after the item relating to section 713 the following new item:

“715. Congressional testimony by employees: treatment as official duty.”.

SEC. 248. (a) IN GENERAL.—For the purposes of verifying that an individual performed service under honorable conditions that satisfies the requirements of a coastwise merchant seaman who is recognized pursuant to section 401 of the GI Bill Improvement Act of 1977 (Public Law 95-202; 38 U.S.C. 106 note) as having performed active duty service for the purposes described in subsection (c)(1), the Secretary of Defense shall accept the following:

(1) In the case of an individual who served on a coastwise merchant vessel seeking such recognition for whom no applicable Coast Guard shipping or discharge form, ship logbook, merchant mariner’s document or Z-card, or other official employment record is available, the Secretary of Defense shall provide such recognition on the basis of applicable Social Security Administration records submitted for or by the individual, together with validated testimony given by the individual or the primary next of kin of the individual that the individual performed such service during the period beginning on December 7, 1941, and ending on December 31, 1946.

(2) In the case of an individual who served on a coastwise merchant vessel seeking such recognition for whom the applicable Coast Guard shipping or discharge form, ship logbook, merchant mariner’s document or Z-card, or other official employment record has been destroyed or otherwise become unavailable by reason of any action committed by a person responsible for the control and maintenance of such form, logbook, or record, the Secretary of Defense shall accept other official documentation demonstrating that the individual performed such service during period beginning on December 7, 1941, and ending on December 31, 1946.

(3) For the purpose of determining whether to recognize service allegedly performed during the period beginning on December 7, 1941, and ending on December 31, 1946, the Secretary shall recognize masters of seagoing vessels or other officers in command of similarly organized groups as agents of the United States who were authorized to document any individual for purposes of hiring the individual to perform service in the merchant marine or discharging an individual from such service.

(b) TREATMENT OF OTHER DOCUMENTATION.—Other documentation accepted by the Secretary of Defense pursuant to subsection (a)(2) shall satisfy all requirements for eligibility of service during the period beginning on December 7, 1941, and ending on December 31, 1946.

(c) BENEFITS ALLOWED.—

(1) MEDALS, RIBBONS, AND DECORATIONS.—An individual whose service is recognized as active duty pursuant to subsection (a) may be awarded an appropriate medal, ribbon, or other military decoration based on such service.

(2) STATUS OF VETERAN.—An individual whose service is recognized as active duty pursuant to subsection (a) shall be honored as a veteran but shall not be entitled by reason of such recognized service to any benefit that is not described in this subsection.

SEC. 249. Section 322(d)(1) of title 38, United States Code, is amended—

(1) by striking “allowance to a veteran” and inserting the following: “allowance to—

“(A) a veteran”;

(2) in subparagraph (A), as designated by paragraph (1), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following new subparagraph:

“(B) a veteran with a VA service-connected disability rated as 30 percent or greater by the Department of Veterans Affairs who is selected by the United States Olympic Committee for the United States Olympic Team for any month in which the veteran is competing in any event sanctioned by the National Governing Bodies of the United States Olympic Sports.”.

SEC. 250. (a) IN GENERAL.—Section 111(b)(1) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

“(G) A veteran with vision impairment, a veteran with a spinal cord injury or disorder, or a veteran with double or multiple amputations whose travel is in connection with care provided through a special disabilities rehabilitation program of the Department (including programs provided by spinal cord injury centers, blind rehabilitation centers, and prosthetics rehabilitation centers) if such care is provided—

“(i) on an in-patient basis; or

“(ii) during a period in which the Secretary provides the veteran with temporary lodging at a facility of the Department to make such care more accessible to the veteran.”.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report on the beneficiary travel program under section 111 of title 38, United States Code, as amended by subsection (a), that includes the following:

(1) The cost of the program.

(2) The number of veterans served by the program.

(3) Such other matters as the Secretary considers appropriate.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the first day of the first fiscal year that begins after the date of the enactment of this Act.

SEC. 251. (a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a program to conduct inspections of kitchens and food service areas at each medical facility of the Department of Veterans Affairs. Such inspections shall occur not less frequently than annually. The program’s goal is to ensure that the same standards for kitchens and food service areas at hospitals in the private sector are being met at kitchens and food service areas at medical facilities of the Department.

(b) AGREEMENT.—

(1) IN GENERAL.—The Secretary shall seek to enter into an agreement with the Joint Commission on Accreditation of Hospital Organizations under which the Joint Commission on Accreditation of Hospital Organizations conducts the inspections required under subsection (a).

(2) ALTERNATE ORGANIZATION.—If the Secretary is unable to enter into an agreement described in paragraph (1) with the Joint Commission on Accreditation of Hospital Organizations on terms acceptable to the Secretary, the Secretary shall seek to enter into such an agreement with another appropriate organization that—

(A) is not part of the Federal Government;

(B) operates as a not-for-profit entity; and

(C) has expertise and objectivity comparable to that of the Joint Commission on Accreditation of Hospital Organizations.

(c) REMEDIATION PLAN.—

(1) INITIAL FAILURE.—If a kitchen or food service area of a medical facility of the Department is determined pursuant to an inspection conducted under subsection (a) not to meet the standards for kitchens and food service areas in hospitals in the private sector, that medical facility fails the inspection and the Secretary shall—

(A) implement a remediation plan for that medical facility within 72 hours; and

(B) Conduct a second inspection under subsection (a) at that medical facility within 14 days of the failed inspection.

(2) SECOND FAILURE.—If a medical facility of the Department fails the second inspection conducted under paragraph (1)(B), the Secretary shall close the kitchen or food service area at that medical facility that did not meet the standards for kitchens and food service areas in hospitals in the private sector until full remediation is completed and all kitchens and food service areas at that medical facility meet such standards.

(3) PROVISION OF FOOD.—If a kitchen or food service area is closed at a medical facility of the Department pursuant to paragraph (2), the Director of the Veterans Integrated Service Network in which the medical facility is located shall enter into a contract with a vendor approved by the General Services Administration to provide food at the medical facility.

(d) QUARTERLY REPORTS.—Not less frequently than quarterly, the Under Secretary of Health shall submit to Congress a report on inspections conducted under this section, and their detailed findings and actions taken, during the preceding quarter at medical facilities of the Department.

SEC. 252. (a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a program to conduct risk-based inspections for mold and mold issues at each medical facility of the Department of Veterans Affairs. Such facilities will be rated high, medium, or low risk for mold. Such inspections at facilities rated high risk shall occur not less frequently than annually, and such inspections at facilities rated medium or low risk shall occur not less frequently than biennially.

(b) AGREEMENT.—

(1) IN GENERAL.—The Secretary shall seek to enter into an agreement with the Joint Commission on Accreditation of Hospital Organizations under which the Joint Commission on Accreditation of Hospital Organizations conducts the inspections required under subsection (a).

(2) ALTERNATE ORGANIZATION.—If the Secretary is unable to enter into an agreement described in paragraph (1) with the Joint Commission on Accreditation of Hospital Organizations on terms acceptable to the Secretary, the Secretary shall seek to enter into such an agreement with another appropriate organization that—

(A) is not part of the Federal Government;

(B) operates as a not-for-profit entity; and

(C) has expertise and objectivity comparable to that of the Joint Commission on Accreditation of Hospital Organizations.

(c) REMEDIATION PLAN.—If a medical facility of the Department is determined pursuant to an inspection conducted under subsection (a) to have a mold issue, the Secretary shall—

(1) implement a remediation plan for that medical facility within 7 days; and

(2) Conduct a second inspection under subsection (a) at that medical facility within 90 days of the initial inspection.

(d) QUARTERLY REPORTS.—Not less frequently than quarterly, the Under Secretary for Health shall submit to Congress a report on inspections conducted under this section, and their detailed findings and actions taken, during the preceding quarter at medical facilities of the Department.

SEC. 253. Section 1706(b)(5)(A) of title 38, United States Code, is amended, in the first sentence, by striking “through 2008”.

SEC. 254. (a) The Secretary of Veterans Affairs may use amounts appropriated or otherwise made available in this title to ensure that the ratio of veterans to full-time employment equivalents within any program of rehabilitation conducted under chapter 31 of title 38, United States Code, does not exceed 125 veterans to one full-time employment equivalent.

(b) Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the programs of rehabilitation conducted under chapter 31 of title 38, United States Code, including—

(1) an assessment of the veteran-to-staff ratio for each such program; and

(2) recommendations for such action as the Secretary considers necessary to reduce the veteran-to-staff ratio for each such program.

SEC. 255. (a) None of the funds made available in this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede that Inspector General’s access to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to the Inspector General and expressly limits the Inspector General’s right of access.

(b) A department or agency covered by this section shall provide its Inspector General with access to all such records, documents, and other materials in a timely manner.

(c) Each Inspector General shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the establishment over which that Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) Each Inspector General covered by this section shall report to the Committees on Appropriations of the House of Representatives and the Senate within 5 calendar days any failures to comply with this requirement.

SEC. 256. None of the funds appropriated or otherwise made available in this title may be used by the Secretary of Veterans Affairs to enter into an agreement related to resolving a dispute or claim with an individual that would restrict in any way the individual from speaking to members of Congress or their staff on any topic not otherwise prohibited from disclosure by Federal law or required by Executive Order to be kept secret in the interest of national defense or the conduct of foreign affairs.

SEC. 257. Appropriations made available in this Act under the heading “Medical Services” shall be available to carry out sections 322(d) and 521A of title 38, United States Code, to include the payment of the administrative expenses necessary to carry out such sections. Of the amount appropriated for fiscal year 2017, up to \$2,000,000 shall be available for the payment of monthly assistance allowances to veterans pursuant to 38 U.S.C. 322(d) and up to \$8,000,000 shall be available for the payment of grants pursuant to 38 U.S.C. 521A. Of the amounts appropriated in advance for fiscal year 2018, up to \$2,000,000 shall be available for the payment of monthly assistance allowances to veterans pursuant to 38 U.S.C. 322(d) and up to \$8,000,000 shall be available for the payment of grants pursuant to 38 U.S.C. 521A.

SEC. 258. (a) In fiscal year 2017 and each fiscal year hereafter, beginning with the fiscal year 2018 budget request submitted to Congress pursuant to section 1105(a) of title 31, United States Code, the budget justification documents submitted for the “Construction, Major Projects” account of the Department of Veterans Affairs shall include, at a minimum, the information required under subsection (b).

(b) The budget justification documents submitted pursuant to subsection (a) shall include, for each project—

(1) the estimated total cost of the project;

(2) the funding provided for each fiscal year prior to the budget year;

(3) the amount requested for the budget year;

(4) the estimated funding required for the project for each of the 4 fiscal years succeeding the budget year; and

(5) such additional information as is enumerated under the heading relating to the “Construction, Major Projects” account of the Department of Veterans Affairs in the joint explanatory statement accompanying this Act.

(c) Not later than 45 days after the date of enactment of this Act, the Secretary of Veterans



Affairs shall submit to the Committees on Appropriations of both Houses of Congress a proposed budget justification template that complies with the requirements of this section.

SEC. 259. (a) The Secretary of Veterans Affairs may carry out the following major medical facility projects, with each project to be carried out in an amount not to exceed the amount specified for that project:

(1) Seismic corrections to buildings, including retrofitting and replacement of high-risk buildings, in San Francisco, California, in an amount not to exceed \$180,480,000.

(2) Seismic corrections to facilities, including facilities to support homeless veterans, at the medical center in West Los Angeles, California, in an amount not to exceed \$105,500,000.

(3) Seismic corrections to the mental health and community living center in Long Beach, California, in an amount not to exceed \$287,100,000.

(4) Construction of an outpatient clinic, administrative space, cemetery, and columbarium in Alameda, California, in an amount not to exceed \$87,332,000.

(5) Realignment of medical facilities in Livermore, California, in an amount not to exceed \$194,430,000.

(6) Construction of a medical center in Louisville, Kentucky, in an amount not to exceed \$150,000,000.

(7) Construction of a replacement community living center in Perry Point, Maryland, in an amount not to exceed \$92,700,000.

(8) Seismic corrections and other renovations to several buildings and construction of a specialty care building in American Lake, Washington, in an amount not to exceed \$16,260,000.

(b) There is authorized to be appropriated to the Secretary of Veterans Affairs for fiscal year 2016 or the year in which funds are appropriated for the Construction, Major Projects, account, \$1,113,802,000 for the projects authorized in subsection (a).

(c) The projects authorized in subsection (a) may only be carried out using—

(1) funds appropriated for fiscal year 2016 pursuant to the authorization of appropriations in subsection (b);

(2) funds available for Construction, Major Projects, for a fiscal year before fiscal year 2016 that remain available for obligation;

(3) funds available for Construction, Major Projects, for a fiscal year after fiscal year 2016 that remain available for obligation;

(4) funds appropriated for Construction, Major Projects, for fiscal year 2016 for a category of activity not specific to a project;

(5) funds appropriated for Construction, Major Projects, for a fiscal year before fiscal year 2016 for a category of activity not specific to a project; and

(6) funds appropriated for Construction, Major Projects, for a fiscal year after fiscal year 2016 for a category of activity not specific to a project.

SEC. 260. (a) Notwithstanding any other provision of law, the amounts appropriated or otherwise made available to the Department of Veterans Affairs for the “Medical Services” account may be used to provide—

(1) fertility counseling and treatment using assisted reproductive technology to a covered veteran or the spouse of a covered veteran; or

(2) adoption reimbursement to a covered veteran.

(b) In this section:

(1) The term “service-connected” has the meaning given such term in section 101 of title 38, United States Code.

(2) The term “covered veteran” means a veteran, as such term is defined in section 101 of title 38, United States Code, who has a service-connected disability that results in the inability of the veteran to procreate without the use of fertility treatment.

(3) The term “assisted reproductive technology” means benefits relating to reproductive

assistance provided to a member of the Armed Forces who incurs a serious injury or illness on active duty pursuant to section 1074(c)(4)(A) of title 10, United States Code, as described in the memorandum on the subject of “Policy for Assisted Reproductive Services for the Benefit of Seriously or Severely Ill/Injured (Category II or III) Active Duty Service Members” issued by the Assistant Secretary of Defense for Health Affairs on April 3, 2012, and the guidance issued to implement such policy, including any limitations on the amount of such benefits available to such a member.

(4) The term “adoption reimbursement” means reimbursement for the adoption-related expenses for an adoption that is finalized after the date of the enactment of this Act under the same terms as apply under the adoption reimbursement program of the Department of Defense, as authorized in Department of Defense Instruction 1341.09, including the reimbursement limits and requirements set forth in such instruction.

(c) Amounts made available for the purposes specified in subsection (a) of this section are subject to the requirements for funds contained in section 508 of division H of the Consolidated Appropriations Act, 2016 (Public Law 114-113).

#### TITLE III

#### RELATED AGENCIES

##### AMERICAN BATTLE MONUMENTS COMMISSION

##### SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$75,100,000, to remain available until expended.

##### FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

##### UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

##### SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$30,945,000: Provided, That \$2,500,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102-229.

##### DEPARTMENT OF DEFENSE—CIVIL

##### CEMETERIAL EXPENSES, ARMY

##### SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers’ and Airmen’s Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed \$1,000 for official reception and representation expenses, \$70,800,000, of which not to exceed \$15,000,000 shall remain available until September 30, 2019. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the “Lease of Department of Defense Real Property for Defense Agencies” account.

##### ARMED FORCES RETIREMENT HOME

##### TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$64,300,000, of which \$1,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulfport, Mississippi: Provided, That of the amounts made available under this heading from funds available in the Armed Forces Retirement Home Trust Fund, \$22,000,000 shall be paid from the general fund of the Treasury to the Trust Fund.

##### ADMINISTRATIVE PROVISIONS

SEC. 301. Funds appropriated in this Act under the heading “Department of Defense—Civil, Cemeterial Expenses, Army”, may be provided to Arlington County, Virginia, for the relocation of the federally owned water main at Arlington National Cemetery, making additional land available for ground burials.

SEC. 302. Amounts deposited into the special account established under 10 U.S.C. 4727 are appropriated and shall be available until expended to support activities at the Army National Military Cemeteries.

#### TITLE IV

#### OVERSEAS CONTINGENCY OPERATIONS

##### DEPARTMENT OF DEFENSE

##### MILITARY CONSTRUCTION, ARMY

For an additional amount for “Military Construction, Army”, \$18,900,000, to remain available until September 30, 2021, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for “Military Construction, Navy and Marine Corps”, \$59,809,000, to remain available until September 30, 2021, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for “Military Construction, Air Force” \$88,291,000, to remain available until September 30, 2021, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### MILITARY CONSTRUCTION, DEFENSE-WIDE

For an additional amount for “Military Construction, Defense-Wide”, \$5,000,000, to remain available until September 30, 2021, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### ADMINISTRATIVE PROVISION

SEC. 401. Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so

designates all such amounts and transmits such designations to the Congress.

#### TITLE V

#### GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 503. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of “E-Commerce” technologies and procedures in the conduct of their business practices and public service activities.

SEC. 504. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 505. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 506. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

SEC. 507. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 508. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 509. None of the funds made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 510. None of the funds made available in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

SEC. 511. None of the funds made available by this Act may be used by the Department of Defense or the Department of Veterans Affairs to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

SEC. 512. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantánamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

This division may be cited as the “Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2017”.

### DIVISION B—ZIKA RESPONSE AND PREPAREDNESS

#### TITLE I

#### DEPARTMENT OF HEALTH AND HUMAN SERVICES

##### CENTERS FOR DISEASE CONTROL AND PREVENTION

##### CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

For an additional amount for fiscal year 2016 for “CDC-Wide Activities and Program Support”, \$394,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, health conditions related to such virus, and other vector-borne diseases, domestically and internationally: Provided, That products purchased with these funds may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the Public Health Service (“PHS”) Act: Provided further, That funds may be used for purchase and insurance of official motor vehicles in foreign countries: Provided further, That the provisions in section 317S of the PHS Act shall apply to the use of funds appropriated in this paragraph as determined by the Director of the Centers for Disease Control and Prevention to be appropriate: Provided further, That funds appropriated in this paragraph may be used for grants for the construction, alteration, or renovation of non-federally owned facilities to improve preparedness and response capability at State and local laboratories: Provided further, That of the amount appropriated in this paragraph, \$44,000,000 is included to supplement either fiscal year 2016 or fiscal year 2017 funds for the Public Health Emergency Preparedness cooperative agreement program to restore fiscal year 2016 funds that were reprogrammed for Zika virus response prior to the enactment of this Act: Provided further, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### NATIONAL INSTITUTES OF HEALTH

##### NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

##### (INCLUDING TRANSFER OF FUNDS)

For an additional amount for fiscal year 2016 for “National Institute of Allergy and Infectious Diseases”, \$152,000,000, to remain available until September 30, 2017, for research on the virology, natural history, and pathogenesis of the Zika virus infection and preclinical and clinical development of vaccines and other medical countermeasures for the Zika virus and other vector-

borne diseases, domestically and internationally: Provided, That such funds may be transferred by the Director of the National Institutes of Health (“NIH”) to other accounts of the NIH for the purposes provided in this paragraph: Provided further, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

##### OFFICE OF THE SECRETARY

##### PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

##### (INCLUDING TRANSFER OF FUNDS)

For an additional amount for fiscal year 2016 for “Public Health and Social Services Emergency Fund”, \$387,000,000, to remain available until September 30, 2017, to prevent, prepare for, and respond to Zika virus, health conditions related to such virus, and other vector-borne diseases, domestically and internationally; to develop necessary countermeasures and vaccines, including the development and purchase of vaccines, therapeutics, diagnostics, necessary medical supplies, and administrative activities; for carrying out section 501 of the Social Security Act; and for carrying out sections 330 through 336 and 338 of the PHS Act: Provided, That funds appropriated in this paragraph may be used to procure security countermeasures (as defined in section 319F-2(c)(1)(B) of the PHS Act): Provided further, That paragraphs (1) and (7)(C) of subsection (c) of section 319F-2 of the PHS Act, but no other provisions of such section, shall apply to such security countermeasures procured with funds appropriated in this paragraph: Provided further, That products purchased with funds appropriated in this paragraph may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: Provided further, That funds appropriated in this paragraph may be transferred to the fund authorized by section 319F-4 of the PHS Act: Provided further, That of the funds appropriated under this heading, \$75,000,000, in addition to the purposes specified above, shall also be available for necessary expenses for support to States, territories, tribes, or tribal organizations with active or local transmission cases of the Zika virus, as confirmed by the Centers for Disease Control and Prevention, to reimburse the costs of health care for health conditions related to the Zika virus, other than costs that are covered by private health insurance, of which not less than \$60,000,000 shall be for territories with the highest rates of Zika transmission: Provided further, That of the funds appropriated under this heading, \$20,000,000 shall be awarded, notwithstanding section 502 of the Social Security Act, for projects of regional and national significance in Puerto Rico and other territories authorized under section 501 of the Social Security Act: Provided further, That of the funds appropriated under this heading, \$40,000,000 shall be used to expand the delivery of primary health services authorized by section 330 of the PHS Act in Puerto Rico and other territories: Provided further, That of the funds appropriated under this heading, \$6,000,000 shall, for purposes of providing primary health services in areas affected by Zika virus or other vector-borne diseases, be used to assign National Health Service Corps (“NHSC”) members to Puerto Rico and other territories, notwithstanding the assignment priorities and limitations in or under sections 333(a)(1)(D), 333(b), or 333A(a) of the PHS Act, and to make NHSC Loan Repayment Program awards under section 338B of such Act: Provided further, That for purposes of the previous proviso, section 331(a)(3)(D) of the PHS Act shall be applied as if the term “primary health services” included

health services regarding pediatric subspecialists: Provided further, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**GENERAL PROVISIONS—THIS TITLE**  
(INCLUDING TRANSFER OF FUNDS)  
**DIRECT HIRES**

SEC. 101. Funds appropriated by this title may be used by the heads of the Department of Health and Human Services, Department of State, and the United States Agency for International Development to appoint, without regard to the provisions of sections 3309 through 3319 of title 5 of the United States Code, candidates needed for positions to perform critical work relating to Zika response for which—

- (1) public notice has been given; and
- (2) the Secretary of Health and Human Services has determined that such a public health threat exists.

**TRANSFER AUTHORITIES**

SEC. 102. Funds appropriated by this title may be transferred to, and merged with, other appropriation accounts under the headings “Centers for Disease Control and Prevention”, “Public Health and Social Services Emergency Fund”, and “National Institutes of Health” for the purposes specified in this title following consultation with the Office of Management and Budget: Provided, That the Committees on Appropriations shall be notified 10 days in advance of any such transfer: Provided further, That, upon a determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation: Provided further, That none of the funds made available by this title may be transferred pursuant to the authority in section 205 of division H of Public Law 114–113 or section 241(a) of the PHS Act.

**REPORTING REQUIREMENTS**

SEC. 103. Not later than 30 days after enactment of this Act, the Secretary of Health and Human Services shall provide a detailed spend plan of anticipated uses of funds made available in this title, including estimated personnel and administrative costs, to the Committees on Appropriations: Provided, That such plans shall be updated and submitted to the Committees on Appropriations every 60 days until September 30, 2017.

**OVERSIGHT**

SEC. 104. Of the funds appropriated by this title under the heading “Public Health and Social Services Emergency Fund”, up to—

- (1) \$500,000 shall be transferred to, and merged with, funds made available under the heading “Office of the Secretary, Office of Inspector General”, and shall remain available until expended, for oversight of activities supported with funds appropriated by this title: Provided, That the Secretary of Health and Human Services shall consult with the Committees on Appropriations prior to obligating such funds: Provided further, That the transfer authority provided by this paragraph is in addition to any other transfer authority provided by law; and

- (2) \$500,000 shall be made available to the Comptroller General of the United States, and shall remain available until expended, for oversight of activities supported with funds appropriated by this title: Provided, That the Comptroller General shall consult with the Committees on Appropriations prior to obligating such funds.

**TITLE II**

**DEPARTMENT OF STATE**

**ADMINISTRATION OF FOREIGN AFFAIRS**  
**DIPLOMATIC AND CONSULAR PROGRAMS**  
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for fiscal year 2016 for “Diplomatic and Consular Programs”,

\$14,594,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus, health conditions related to such virus, and other vector-borne diseases: Provided, That such funds may be made available for medical evacuation costs of any other department or agency of the United States under Chief of Mission authority, and may be transferred to any other appropriation of such department or agency for such costs: Provided further, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE**

For an additional amount for fiscal year 2016 for “Emergencies in the Diplomatic and Consular Service”, \$4,000,000 for necessary expenses to support response efforts related to the Zika virus, health conditions related to such virus, and other vector-borne diseases, to remain available until September 30, 2017: Provided, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**REPATRIATION LOANS PROGRAM ACCOUNT**

For an additional amount for fiscal year 2016 for “Repatriation Loans Program Account” for the cost of direct loans, \$1,000,000, to support response efforts related to the Zika virus, health conditions related to such virus, and other vector-borne diseases, to remain available until September 30, 2017: Provided, That such costs, including costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That such funds are available to subsidize an additional amount of gross obligations for the principal amount of direct loans not to exceed \$1,880,406: Provided further, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT**

**FUNDS APPROPRIATED TO THE PRESIDENT**  
**OPERATING EXPENSES**

For an additional amount for fiscal year 2016 for “Operating Expenses”, \$10,000,000, to remain available until September 30, 2017, for necessary expenses to support response efforts related to the Zika virus, health conditions related to such virus, and other vector-borne diseases: Provided, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**BILATERAL ECONOMIC ASSISTANCE**  
**FUNDS APPROPRIATED TO THE PRESIDENT**  
**GLOBAL HEALTH PROGRAMS**

For an additional amount for fiscal year 2016 for “Global Health Programs”, \$145,500,000, to remain available until September 30, 2017, for necessary expenses to prevent, prepare for, and respond to the Zika virus, health conditions related to such virus, and other vector-borne diseases: Provided, That funds appropriated under this heading shall be made available for vector control activities, vaccines, diagnostics, and vector control technologies: Provided further, That funds appropriated under this heading may be made available as contributions to the World Health Organization, the United Nations Children’s Fund, the Pan American Health Organization, the International Atomic Energy Agency, and the Food and Agriculture Organization: Provided further, That funds made available under this heading shall be subject to prior consultation with the Committees on Appropriations: Provided further, That none of the funds appropriated under this heading may be made

available for the Grand Challenges for Development program: Provided further, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

**GENERAL PROVISIONS—THIS TITLE**  
**TRANSFER AUTHORITIES**  
(INCLUDING TRANSFER OF FUNDS)

SEC. 201. (a) Funds appropriated by this title under the headings “Diplomatic and Consular Programs”, “Emergencies in the Diplomatic and Consular Service”, “Repatriation Loans Program Account”, and “Operating Expenses” may be transferred to, and merged with, funds appropriated by this title under such headings to carry out the purposes of this title.

(b) The transfer authorities provided by this section are in addition to any other transfer authority provided by law.

(c) Upon a determination that all or part of the funds transferred pursuant to the authorities provided by this section are not necessary for such purposes, such amounts may be transferred back to such appropriations.

(d) No funds shall be transferred pursuant to this section unless at least 5 days prior to making such transfer the Secretary of State or the Administrator of the United States Agency for International Development, as appropriate, notifies the Committees on Appropriations in writing of the details of any such transfer.

**NOTIFICATION REQUIREMENT**

SEC. 202. Funds appropriated by this title shall only be available for obligation if the Secretary of State or the Administrator of the United States Agency for International Development, as appropriate, notifies the Committees on Appropriations in writing at least 15 days in advance of such obligation.

**CONSOLIDATED REPORTING REQUIREMENT**

SEC. 203. Not later than 30 days after enactment of this Act and prior to the initial obligation of funds made available by this title, the Secretary of State and the Administrator of the United States Agency for International Development shall submit a consolidated report to the Committees on Appropriations on the anticipated uses of such funds on a country and project basis, including estimated personnel and administrative costs: Provided, That such report shall be updated and submitted to the Committees on Appropriations every 60 days until September 30, 2017.

**OVERSIGHT**

SEC. 204. Of the funds appropriated by this title, up to—

- (1) \$500,000 shall be transferred to, and merged with, funds available under the heading “United States Agency for International Development, Funds Appropriated to the President, Office of Inspector General”, and shall remain available until expended, for oversight of activities supported with funds appropriated by this title: Provided, That the transfer authority provided by this paragraph is in addition to any other transfer authority provided by law; and

- (2) \$500,000 shall be made available to the Comptroller General of the United States, and shall remain available until expended, for oversight of activities supported with funds appropriated by this title: Provided, That the Secretary of State and the Comptroller General, as appropriate, shall consult with the Committees on Appropriations prior to obligating such funds.

**TITLE III**

**GENERAL PROVISIONS—THIS DIVISION**  
**EXTENSION OF AUTHORITIES AND PROVISIONS**

SEC. 301. Unless otherwise provided for by this division, the additional amounts appropriated pursuant to this division are subject to the requirements for funds contained in the Consolidated Appropriations Act, 2016 (Public Law 114–113).

## PERSONAL SERVICE CONTRACTORS

SEC. 302. Funds made available by this division may be used to enter into contracts with individuals for the provision of personal services (as described in section 104 of part 37 of title 48, Code of Federal Regulations (48 CFR 37.104)) to support the purposes of titles I and II of this division, within the United States and abroad, subject to prior consultation with, and the notification procedures of, the Committees on Appropriations: Provided, That such individuals may not be deemed employees of the United States for the purpose of any law administered by the Office of Personnel Management: Provided further, That the authority made available pursuant to this section shall expire on September 30, 2017.

## DESIGNATION RETENTION

SEC. 303. Any amount appropriated by this division, designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and subsequently so designated by the President, and transferred pursuant to transfer authorities provided by this division shall retain such designation.

## EFFECTIVE DATE

SEC. 304. This division shall become effective immediately upon enactment of this Act.

This division may be cited as the “Zika Response and Preparedness Appropriations Act, 2016”.

## DIVISION C—CONTINUING APPROPRIATIONS ACT, 2017

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2017, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2016 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this Act, that were conducted in fiscal year 2016, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2016 (division A of Public Law 114–113), except section 728.

(2) The Commerce, Justice, Science, and Related Agencies Appropriations Act, 2016 (division B of Public Law 114–113).

(3) The Department of Defense Appropriations Act, 2016 (division C of Public Law 114–113).

(4) The Energy and Water Development and Related Agencies Appropriations Act, 2016 (division D of Public Law 114–113).

(5) The Financial Services and General Government Appropriations Act, 2016 (division E of Public Law 114–113), which for purposes of this Act shall be treated as including section 707 of division O of Public Law 114–113.

(6) The Department of Homeland Security Appropriations Act, 2016 (division F of Public Law 114–113).

(7) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016 (division G of Public Law 114–113).

(8) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2016 (division H of Public Law 114–113).

(9) The Legislative Branch Appropriations Act, 2016 (division I of Public Law 114–113).

(10) The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2016 (division K of Public Law 114–113), except title IX.

(11) The Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016 (division L of Public Law 114–113), except section 420.

(b) The rate for operations provided by subsection (a) is hereby reduced by 0.496 percent.

SEC. 102. (a) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for: (1) the new production of items not funded for production in fiscal year 2016 or prior years; (2) the increase in production rates above those sustained with fiscal year 2016 funds; or (3) the initiation, resumption, or continuation of any project, activity, operation, or organization (defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element, and for any investment items defined as a P–1 line item in a budget activity within an appropriation account and an R–1 line item that includes a program element and subprogram element within an appropriation account) for which appropriations, funds, or other authority were not available during fiscal year 2016.

(b) No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 104. Except as otherwise provided in section 102, no appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2016.

SEC. 105. Appropriations made and authority granted pursuant to this Act shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this Act.

SEC. 106. Unless otherwise provided for in this Act or in the applicable appropriations Act for fiscal year 2017, appropriations and funds made available and authority granted pursuant to this Act shall be available until whichever of the following first occurs: (1) the enactment into law of an appropriation for any project or activity provided for in this Act; (2) the enactment into law of the applicable appropriations Act for fiscal year 2017 without any provision for such project or activity; or (3) December 9, 2016.

SEC. 107. Expenditures made pursuant to this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. Appropriations made and funds made available by or authority granted pursuant to this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this Act may be construed to waive any other provision of law governing the apportionment of funds.

SEC. 109. Notwithstanding any other provision of this Act, except section 106, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year 2017 because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this Act that would impinge on final funding prerogatives.

SEC. 110. This Act shall be implemented so that only the most limited funding action of

that permitted in the Act shall be taken in order to provide for continuation of projects and activities.

SEC. 111. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2016, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2016, to be continued through the date specified in section 106(3).

(b) Notwithstanding section 106, obligations for mandatory payments due on or about the first day of any month that begins after October 2016 but not later than 30 days after the date specified in section 106(3) may continue to be made, and funds shall be available for such payments.

SEC. 112. Amounts made available under section 101 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with the applicable appropriations Act for fiscal year 2016, except that such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

SEC. 113. Funds appropriated by this Act may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

SEC. 114. (a) Each amount incorporated by reference in this Act that was previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A) of such Act or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act, respectively.

(b) The reduction in section 101(b) of this Act shall not apply to—

(1) amounts designated under subsection (a) of this section;

(2) amounts made available by section 101(a) by reference to the second paragraph under the heading “Social Security Administration—Limitation on Administrative Expenses” in division H of Public Law 114–113; or

(3) amounts made available by section 101(a) by reference to the paragraph under the heading “Centers for Medicare and Medicaid Services—Health Care Fraud and Abuse Control Account” in division H of Public Law 114–113.

(c) Section 6 of Public Law 114–113 shall apply to amounts designated in subsection (a) for Overseas Contingency Operations/Global War on Terrorism.

SEC. 115. During the period covered by this Act, discretionary amounts appropriated for fiscal year 2017 that were provided in advance by appropriations Acts covered by section 101 of this Act shall be available in the amounts provided in such Acts, reduced by the percentage in section 101(b).

SEC. 116. (a) In addition to the amounts otherwise provided by section 101, and notwithstanding section 104, an additional amount is provided to the Secretary of Health and Human Services to carry out the authorizations in the Comprehensive Addiction and Recovery Act of 2016 (Public Law 114–198), at a rate for operations of \$17,000,000.

(b) In addition to the amounts otherwise provided by section 101, and notwithstanding section 104, an additional amount is provided to the Attorney General to carry out the authorizations in the Comprehensive Addiction and Recovery Act of 2016 (Public Law 114–198), at a rate for operations of \$20,000,000.

(c) Notwithstanding any other provision of this Act, in addition to the purposes otherwise provided for amounts that become available on October 1, 2016, under the heading “Department of Veterans Affairs—Veterans Health Administration—Medical Services” in division J of Public Law 114–113, such amounts shall be used to implement the Jason Simcakoski Memorial and Promise Act (title IX of Public Law 114–198) and the amendments made by that Act.

SEC. 117. Notwithstanding section 101, amounts are provided for “Department of Agriculture—Domestic Food Programs—Food and Nutrition Service—Commodity Assistance Program” at a rate for operations of \$310,139,000, of which \$236,120,000 shall be for the Commodity Supplemental Food Program.

SEC. 118. Amounts provided by section 111 to the Department of Agriculture for “Corporations—Commodity Credit Corporation Fund—Reimbursement for Net Realized Losses” may be used, prior to the completion of the report described in section 2 of the Act of August 17, 1961 (15 U.S.C. 713a–11), to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, as reflected in the June 2016 report of its financial condition.

SEC. 119. Amounts made available by section 101 for “Department of Agriculture—Rural Housing Service—Rental Assistance Program” may be apportioned up to the rate for operations necessary to pay ongoing debt service for the multi-family direct loan programs under sections 514 and 515 of the Housing Act of 1949 (42 U.S.C. 1484 and 1485).

SEC. 120. Section 529(b)(5) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ff(b)(5)) shall be applied by substituting the date specified in section 106(3) of this Act for “September 30, 2016”.

SEC. 121. Notwithstanding sections 101 and 102, within amounts provided for “Department of Defense—Operation and Maintenance, Defense-Wide” and “Department of Defense—Research, Development, Test and Evaluation, Defense-Wide”, except for amounts designated for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, the Secretary of Defense may develop, replace, and sustain Federal Government security and suitability background investigation information technology system requirements of the Office of Personnel Management at a rate for operations of \$95,000,000.

SEC. 122. Section 1215(f)(1) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 113 note), as most recently amended by section 1221 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92), shall be applied by substituting “2017” for “2016” through the earlier of the date specified in section 106(3) of this Act or the date of the enactment of an Act authorizing appropriations for fiscal year 2017 for military activities of the Department of Defense.

SEC. 123. (a) Funds made available by section 101 for “Department of Energy—Energy Programs—Uranium Enrichment Decontamination and Decommissioning Fund” may be apportioned up to the rate for operations necessary to avoid disruption of continuing projects or activities funded in this appropriation.

(b) The Secretary of Energy shall notify the Committees on Appropriations of the House of Representatives and the Senate not later than 3 days after each use of the authority provided in subsection (a).

SEC. 124. (a) Notwithstanding any other provision of this Act, except section 106, the District

of Columbia may expend local funds under the heading “District of Columbia Funds” for such programs and activities under the District of Columbia Appropriations Act, 2016 (title IV of division E of Public Law 114–113) at the rate set forth under “Part A—Summary of Expenses” as included in the Fiscal Year 2017 Local Budget Act of 2016 (D.C. Act 21–414), as modified as of the date of the enactment of this Act.

(b) During the period in which this Act is in effect, the authority and conditions provided in the Financial Services and General Government Appropriations Act, 2016 (division E of Public Law 114–113) which were applicable to the obligation or expenditure of funds by the District of Columbia for any program, project, or activity during fiscal year 2016 shall apply to the obligation or expenditure of funds by the District of Columbia with respect to such program, project, or activity under any authority.

SEC. 125. (a) Notwithstanding section 101, amounts are provided for “General Services Administration—Expenses, Presidential Transition” for necessary expenses to carry out the Presidential Transition Act of 1963 (3 U.S.C. 102 note), at a rate for operations of \$9,500,000, of which not to exceed \$1,000,000 is for activities authorized by sections 3(a)(8) and 3(a)(9) of such Act: Provided, That such amounts may be transferred and credited to the “Acquisition Services Fund” or “Federal Buildings Fund” to reimburse obligations incurred prior to enactment of this Act for the purposes provided herein related to the Presidential election in 2016: Provided further, That amounts available under this section shall be in addition to any other amounts available for such purposes.

(b) Notwithstanding section 101, no funds are provided by this Act for “General Services Administration—Pre-Election Presidential Transition”.

SEC. 126. Notwithstanding section 101, for expenses of the Office of Administration to carry out the Presidential Transition Act of 1963, as amended, and similar expenses, in addition to amounts otherwise appropriated by law, amounts are provided to “Presidential Transition Administrative Support” at a rate for operations of \$7,582,000: Provided, That such funds may be transferred to other accounts that provide funding for offices within the Executive Office of the President and the Office of the Vice President in this Act or any other Act, to carry out such purposes.

SEC. 127. In addition to the amounts otherwise provided by section 101, an additional amount is provided for “District of Columbia—Federal Payment for Emergency Planning and Security Costs in the District of Columbia” for costs associated with the Presidential Inauguration, at a rate for operations of \$19,995,000.

SEC. 128. In addition to the amounts otherwise provided by section 101, an additional amount is provided for “National Archives and Records Administration—Operating Expenses” to carry out the Presidential transition responsibilities of the Archivist of the United States under sections 2201 through 2207 of title 44, United States Code (commonly known as the “Presidential Records Act of 1978”), at a rate for operations of \$4,850,000.

SEC. 129. Amounts made available by section 101 for “Small Business Administration—Business Loans Program Account” may be apportioned up to the rate for operations necessary to accommodate increased demand for commitments for general business loans authorized under section 7(a) of the Small Business Act (15 U.S.C. 636(a)).

SEC. 130. Amounts provided by section 101 for the Department of Homeland Security may be obligated in the account and budget structure set forth in the table provided by the Chief Financial Officer of the Department to the Committees on Appropriations of the Senate and the House of Representatives prior to the end of fiscal year 2016 pursuant to section 563(e) of the Department of Homeland Security Appropria-

tions Act, 2016 (division F of Public Law 114–113).

SEC. 131. (a) Amounts made available by section 101 for “Department of Homeland Security—U.S. Customs and Border Protection—Operations and Support” may be apportioned up to the rate for operations necessary to maintain not less than the number of staff achieved on September 30, 2016.

(b) Amounts made available by section 101 for “Department of Homeland Security—Transportation Security Administration—Operations and Support” may be apportioned up to the rate for operations necessary to maintain not less than the number of screeners achieved on September 30, 2016.

SEC. 132. The authority provided by section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) shall continue in effect through the date specified in section 106(3) of this Act.

SEC. 133. Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) is amended by striking “September 30, 2017” and inserting “September 30, 2018”.

SEC. 134. (a) The authority provided by subsection (m)(3) of section 8162 of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106–79) shall continue in effect through the date specified in section 106(3) of this Act.

(b) Section 419(b) of division G of Public Law 114–113 shall not apply during the period covered by this Act.

SEC. 135. Notwithstanding section 101, subsection 35(d) of the Mineral Leasing Act (30 U.S.C. 191(d)) shall be applied, at a rate for operations, through the date specified in section 106(3), as if the following new paragraph were added at the end—

“(5) There is appropriated to the Fee Account established in subsection (c)(3)(B)(ii) of this section, out of any money in the Treasury not otherwise appropriated, \$26,000,000 for fiscal year 2017, to remain available until expended, for the coordination and processing of oil and gas use authorizations, to be reduced by amounts collected by the Bureau and transferred to such Fee Account pursuant to subsection (d)(3)(A)(ii) of this section, so as to result in a final fiscal year 2017 appropriation from the general fund estimated at not more than \$0.”.

SEC. 136. In addition to the amounts otherwise provided by section 101, an additional amount is provided for “Department of the Interior—National Park Service—Operation of the National Park System” for security and visitor safety activities related to the Presidential Inaugural Ceremonies, at a rate for operations of \$4,200,000.

SEC. 137. In addition to amounts otherwise made available by section 101, and notwithstanding section 104, amounts are provided for “Environmental Protection Agency—Environmental Programs and Management” at a rate for operations of \$3,000,000, to remain available until expended, and such amounts may be apportioned up to the rate for operations needed, for necessary expenses of activities described in section 26(b)(1) of the Toxic Substances Control Act (15 U.S.C. 2625(b)(1)): Provided, That fees collected pursuant to such section of such Act and deposited in the “TSCA Service Fee Fund” as discretionary offsetting receipts in fiscal year 2017 shall be retained and used for necessary salaries and expenses under the above heading and shall remain available until expended: Provided further, That the sum provided by this section of this Act from the general fund for fiscal year 2017 shall be reduced by the amount of discretionary offsetting receipts received during fiscal year 2017, so as to result in a final fiscal year 2017 appropriation from the general fund estimated at not more than \$0: Provided further, That to the extent that amounts realized from such receipts exceed \$3,000,000, those amounts in excess of \$3,000,000 shall be deposited in the



“TSCA Service Fee Fund” as discretionary offsetting receipts in fiscal year 2017, shall be retained and used for necessary salaries and expenses in this account, and shall remain available until expended: Provided further, That of the amounts provided under this heading by section 101, the Chemical Risk Review and Reduction program project shall be allocated for this fiscal year, excluding the amount of any fees made available, not less than the amount of appropriations for that program project for fiscal year 2014.

SEC. 138. Section 114(f) of the Higher Education Act of 1965 (20 U.S.C. 1011c(f)) shall be applied by substituting the date specified in section 106(3) of this Act for “September 30, 2016”.

SEC. 139. The first proviso under the heading “Department of Health and Human Services—Administration for Children and Families—Payments to States for the Child Care and Development Block Grant” in title II of division H of Public Law 114–113 shall not apply during the period covered by this Act.

SEC. 140. (a) The second proviso under the heading “Department of Health and Human Services—Administration for Children and Families—Children and Families Services Programs” in title II of division H of Public Law 114–113 shall be applied during the period covered by this Act as if the following were struck from such proviso: “, of which \$141,000,000 shall be available for a cost of living adjustment notwithstanding section 640(a)(3)(A) of such Act”.

(b) Amounts made available in the third proviso under the heading “Department of Health and Human Services—Administration for Children and Families—Children and Families Services Programs” in title II of division H of Public Law 114–113 shall not be included in the calculation of the “base grant”, as such term is used in section 640(a)(7)(A) of the Head Start Act (42 U.S.C. 9835(a)(7)(A)), during the period described in section 106 of this Act.

SEC. 141. (a) Section 529 of division H of Public Law 114–113 shall be applied by substituting “in the Child Enrollment Contingency Fund from the appropriation to the Fund for the first semi-annual allotment period for fiscal year 2017 under section 2104(n)(2)(A)(ii) of the Social Security Act” for “or available in the Child Enrollment Contingency Fund from appropriations to the Fund under section 2104(n)(2)(A)(i) of the Social Security Act”; and

(b) Section 530 of division H of Public Law 114–113 shall be applied by substituting “\$541,900,000” for “\$4,678,500,000” and by adding at the end the following: “and of the funds made available for the purposes of carrying out section 2105(a)(3) of the Social Security Act, \$5,669,100,000 are hereby rescinded”.

SEC. 142. Notwithstanding any other provision of this Act, there is appropriated for payment to Sami A. Takai, widow of Kyle Mark Takai, late a Representative from the State of Hawaii, \$174,000.

SEC. 143. (a) Amounts made available by section 101 for “Department of Transportation—Federal Railroad Administration—Operating Grants to the National Railroad Passenger Corporation” and “Department of Transportation—Federal Railroad Administration—Capital and Debt Service Grants to the National Railroad Passenger Corporation” shall be obligated in the account and budget structure, and under the authorities and conditions, set forth for “Department of Transportation—Federal Railroad Administration—Northeast Corridor Grants to the National Railroad Passenger Corporation” and “Department of Transportation—Federal Railroad Administration—National Network Grants to the National Railroad Passenger Corporation” in H.R. 5394 and S. 2844, as introduced in the One Hundred Fourteenth Congress.

(b) Amounts made available pursuant to subsection (a) are provided for “Department of Transportation—Federal Railroad Administration—Northeast Corridor Grants to the National

Railroad Passenger Corporation” at a rate for operations of \$235,000,000, to remain available until expended, and for “Department of Transportation—Federal Railroad Administration—National Network Grants to the National Railroad Passenger Corporation” at a rate for operations of \$1,155,000,000, to remain available until expended.

SEC. 144. Amounts made available by section 101 for “Maritime Administration—Maritime Security Program” shall be allocated at an annual rate across all vessels covered by operating agreements, as that term is used in chapter 531 of title 46, United States Code, and the Secretary shall distribute equally all such funds for payments due under all operating agreements in equal amounts notwithstanding title 46, United States Code, section 53106: Provided, That no payment shall exceed an annual rate of \$3,500,000 per operating agreement.

SEC. 145. (a) In addition to the amount otherwise provided by section 101 for the “Community Planning and Development, Community Development Fund”, there is appropriated \$500,000,000 for an additional amount for fiscal year 2016, to remain available until expended, for necessary expenses for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared in 2016, and which the disaster occurred prior to the date of enactment of this Act, pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): Provided, That funds shall be awarded directly to the State or unit of general local government at the discretion of the Secretary: Provided further, That as a condition of making any grant, the Secretary shall certify in advance that such grantee has in place proficient financial controls and procurement processes and has established adequate procedures to prevent any duplication of benefits as defined by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), to ensure timely expenditure of funds, to maintain comprehensive websites regarding all disaster recovery activities assisted with these funds, and to detect and prevent waste, fraud, and abuse of funds: Provided further, That prior to the obligation of funds a grantee shall submit a plan to the Secretary for approval detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure and housing and economic revitalization in the most impacted and distressed areas: Provided further, That such funds may not be used for activities reimbursable by, or for which funds are made available by, the Federal Emergency Management Agency or the Army Corps of Engineers: Provided further, That funds allocated under this heading shall not be considered relevant to the non-disaster formula allocations made pursuant to section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306): Provided further, That a State or subdivision thereof may use up to 5 percent of its allocation for administrative costs: Provided further, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), if the Secretary finds that good cause exists for the waiver or alternative requirement and such waiver or alternative requirement would not be inconsistent with the overall purpose of title I of the Housing and Community Development Act of 1974: Provided further, That, notwithstanding

the preceding proviso, recipients of funds provided under this heading that use such funds to supplement Federal assistance provided under section 402, 403, 404, 406, 407, or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) may adopt, without review or public comment, any environmental review, approval, or permit performed by a Federal agency, and such adoption shall satisfy the responsibilities of the recipient with respect to such environmental review, approval or permit: Provided further, That, notwithstanding section 104(g)(2) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(g)(2)), the Secretary may, upon receipt of a request for release of funds and certification, immediately approve the release of funds for an activity or project assisted under this heading if the recipient has adopted an environmental review, approval or permit under the preceding proviso or the activity or project is categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): Provided further, That the Secretary shall publish via notice in the Federal Register any waiver, or alternative requirement, to any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver or alternative requirement: Provided further, That amounts provided under this section shall be designated by Congress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Unobligated balances, including recaptures and carryover, remaining from funds appropriated to the Department of Housing and Urban Development for administrative costs of the Office of Community Planning and Development associated with funds appropriated to the Department for specific disaster relief and related purposes and designated by Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act, including information technology costs and costs for administering and overseeing such specific disaster related funds, shall be transferred to the Program Office Salaries and Expenses, Community Planning and Development account for the Department, shall remain available until expended, and may be used for such administrative costs for administering any funds appropriated to the Department for any disaster relief and related purposes in any prior or future act, notwithstanding the purposes for which such funds were appropriated: Provided, That the amounts transferred pursuant to this section that were previously designated by Congress as an emergency requirement pursuant to a Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and shall be transferred only if the President subsequently so designates the entire transfer and transmits such designation to the Congress.

(c) This section shall become effective immediately upon enactment of this Act.

This division may be cited as the “Continuing Appropriations Act, 2017”.

#### **DIVISION D—RESCISSIONS OF FUNDS**

SEC. 101. (a) Of the unobligated balances available from prior year appropriations under the heading “Department of Commerce, Economic Development Administration, Economic Development Assistance Programs” designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, \$10,000,000 is rescinded immediately upon enactment of this Act: Provided, That such amounts are designated by



the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) Of the unobligated balances available from amounts provided under the heading "Department of Commerce, National Oceanic and Atmospheric Administration, Operations, Research, and Facilities" in title II of Public Law 111-212 for responding to economic impacts of fisherman and fishery dependent businesses, \$13,000,000 is rescinded immediately upon enactment of this Act: Provided, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(c) Of the unobligated balances available from amounts provided under the heading "Department of Homeland Security, Office of the Secretary and Executive Management" in Public Law 109-148, \$279,045 is rescinded immediately upon enactment of this Act: Provided, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(d) Of the unobligated balances available under the heading "Department of Homeland Security, U.S. Customs and Border Protection, Salaries and Expenses" from emergency funds in Public Law 107-206 and earlier laws transferred to the Department of Homeland Security when it was created in 2003, \$39,246 is rescinded immediately upon enactment of this Act: Provided, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) Of the unobligated balances available from amounts provided under the heading "Department of Homeland Security, United States Coast Guard, Acquisition, Construction, and Improvements" in Public Law 110-329, Public Law 109-148 and Public Law 109-234, \$48,075,920 is rescinded immediately upon enactment of this Act: Provided, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(f) Of the unobligated balances available under the heading "Department of Homeland Security, Federal Emergency Management Agency, Administrative and Regional Operations" in Public Law 109-234, \$731,790 is rescinded immediately upon enactment of this Act: Provided, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(g) Of the unobligated amounts made available under section 1323(c)(1) of the Patient Protection and Affordable Care Act (42 U.S.C. 18043(c)(1)), \$168,100,000 is rescinded immediately upon enactment of this Act.

(h) Of the unobligated balances available under the heading "Operating Expenses" in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235), \$7,522,000 is rescinded immediately upon enactment of this Act: Provided, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(i) Of the unobligated balances of appropriations made available under the heading "Bilateral Economic Assistance, Funds Appropriated to the President" in title IX of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2015 (division J of Public Law 113-235), \$109,478,000 is rescinded immediately upon enactment of this Act: Provided, That such amounts are designated by the Congress as an emergency requirement pursuant

to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(j) Of the unobligated balances available from amounts provided under the heading "Department of Transportation, Federal Aviation Administration, Facilities and Equipment" in Public Law 109-148, \$4,384,920 is rescinded immediately upon enactment of this Act: Provided, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(k) Of the unobligated balances available from amounts provided under the heading "Department of Transportation, Federal Aviation Administration, Facilities and Equipment" in Public Law 102-368, \$990,277 is rescinded immediately upon enactment of this Act: Provided, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(l) Of the unobligated balances available to the Department of Transportation from amounts provided under section 108 of Public Law 101-130, \$37,400,000 is rescinded immediately upon enactment of this Act: Provided, That such amounts are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MOTION OFFERED BY MR. ROGERS OF KENTUCKY

Mr. ROGERS of Kentucky. Mr. Speaker, I have a motion at the desk. The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Mr. Rogers of Kentucky moves that the House concur in the Senate amendment to H.R. 5325.

The SPEAKER pro tempore. Pursuant to House Resolution 901, the motion shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations.

The gentleman from Kentucky (Mr. ROGERS) and the gentlewoman from New York (Mrs. LOWEY) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to present the Senate amendment to H.R. 5325. This legislation includes the fiscal year 2017 continuing resolution and full-year appropriations for Military Construction and Veterans Affairs. It also includes funding to fight and prevent the spread of the Zika virus and assistance to communities affected by recent, devastating floods.

This is a reasonable and necessary compromise that will keep the government open and operating, address urgent needs across the country, and provide the necessary support for our servicemembers, their families, and our veterans.

First and foremost, Mr. Speaker, this bill helps us avoid the unwarranted damage of a government shutdown by providing the funds required to keep the government open and operational past our September 30 deadline.

The funding is provided at the current rate of \$1.067 trillion and lasts through December 9. This short time-

frame will allow Congress to complete our annual appropriations work without jeopardizing important government functions.

Secondly, the package contains the full-year Military Construction-VA bill for FY17, which was conferred by the House and Senate and passed by the House already in June.

In total, \$82.5 billion is provided for our military infrastructure and veterans' health and benefits programs, \$2.7 billion above current levels, with targeted increases to address mismanagement and improve operations at the VA.

It is important to note that, once the President signs this bill into law, it will be the first time since 2009 that an individual appropriations bill has been conferred with the Senate and enacted before the September 30 fiscal year deadline.

Third, this legislation includes \$1.1 billion in funding to respond to and stop the spread of the Zika virus. This funding is directed to programs that control mosquitoes, develop vaccines, and treat those affected. This funding is spent responsibly, balanced by \$400 million in offsets of unused funding from other programs.

Lastly, this legislation includes important provisions that address current national needs, including an additional \$37 million to fight the opioid epidemic, which has struck my district especially hard, and an additional \$500 million in disaster-designated funding to help States recover and rebuild from recent destructive flooding.

I believe this legislation is a good compromise that this House can and should support. It is not perfect, but it ensures we meet our Nation's current critical needs.

I have said many times before, standing in this exact spot, that a continuing resolution is a last resort. But at this point, it is what we must do to fulfill our congressional responsibility to keep the lights on in our government.

So I urge my colleagues to vote "aye" on this necessary legislation so we can send it to the President's desk without delay.

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

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

I rise in support of the 2017 continuing resolution. Seven months after President Obama requested emergency assistance to respond to the Zika virus, it is long past time for Congress to act. The \$1.1 billion provided equals the total funding the Senate passed by a vote of 89-8 in May.

The continuing resolution includes the full-year 2017 appropriations bill for Military Construction and Veterans Affairs, providing \$82.7 billion to address the needs of those who have served our Nation in uniform, as well as construction costs necessary to supportive and reserve components of the military and their families.

It extends current Federal spending rates through December 9, which is sufficient time for Congress to negotiate and enact an omnibus consisting of each of the remaining 11 appropriations bills.

I object to the inclusion of \$400 million in rescissions in this CR, which could lead some to believe, incorrectly, that emergency spending should be offset or will be in the future. I also object to the continuation of a rider shielding corporate political spending from public disclosure.

During the lameduck session, Congress must enact a Water Resources Development Act conference report that includes robust funding to respond to the manmade disaster in Flint, as well as emergency funding to respond to the natural disaster in Louisiana.

I intend to vote for this continuing resolution.

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

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

□ 2100

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HONDA), the ranking member of the Commerce, Justice, Science, and Related Agencies Appropriations Subcommittee.

Mr. HONDA. Mr. Speaker, we know the Republican majority wants to adjourn and go home, but we shouldn't be going home until the work is done. Americans understand that concept. They stay and work until the job is done. So why don't the Republicans?

Here we are, once again, voting on another continuing resolution just hours before a devastating government shutdown. The last shutdown in 2013 cost the American taxpayers \$2 billion. Now, that is a lot of money that was wasted because Republicans refused to do their jobs. That was money that could have been used to tackle the Zika outbreak or the water issues in Flint or provide much-needed assistance to flood victims in Louisiana.

In this last-minute CR, Republicans are finally letting us address Zika. That is after months of ignoring this serious issue. We could have—should have—done better. The pregnant women and children infected with Zika deserve better. The same goes for Flint. After thousands of children are poisoned by lead, we finally have some assurances that the contaminated water supply will be addressed.

I am proud to have fought alongside my Democratic colleagues to make sure these children would not continue to be the victims of politics. Even the one job Congress is required to do—fund the government—the majority won't let us do.

Today's CR does not actually amount to Republicans doing their job. We are simply kicking the can down the road and setting up for another eleventh-hour Band-Aid like tonight to, once

again, avert a government shutdown in December.

We can do better. We are elected to do better—and better will simply be doing our jobs. That is all the American people want from us.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. GRAVES).

Mr. GRAVES of Louisiana. Mr. Speaker, I thank my colleague for yielding and wish to engage the gentleman from Kentucky, the chairman of the Appropriations Committee, in a colloquy.

Before I ask the chairman my question, I want to recognize his efforts for reaching an agreement on a package to fund the government through December 9 and include interim aid to the August 2016 flood victims in south Louisiana.

Early last month, the people of south Louisiana experienced an extraordinary flood event, about a 1,000-year rain event. To put it in perspective, 7 trillion gallons of water fell in about 48 hours. That is roughly the same amount of water discharged by the entire Mississippi River system into the Gulf of Mexico over the course of about 80 days. If you live up North, that equates to somewhere in the vicinity of about 25 feet of snow in 36 hours. If you live in Arizona, in some areas, that is up to 10 years of cumulative rainfall.

As many as 110,000 homes and more than 100,000 vehicles were damaged. All told, more than 20,000 people were rescued, 10,000 sheltered, and 13 lost their lives. Early estimates predict that this disaster will cost upward of \$15 billion in economic damages, and FEMA estimates this will be the fourth most costly flood disaster in U.S. history.

Over the past several weeks, the gentleman from Kentucky and I have discussed the flood and the extraordinary impact on our State several times. During those meetings, we discussed the devastating impact I just spoke of and the need for both immediate unmet needs assistance as well as a comprehensive strategy and solution to provide the people of south Louisiana certainty that Congress will address their long-term needs when we return after the election.

During those discussions, we discussed—and you acknowledged—that dire situation so many are facing and will face in the coming weeks in south Louisiana—that of handing over their keys and walking away or sticking it out knowing that Congress may provide them with a hand up.

Mr. Chairman, families are facing foreclosure, businesses are facing bankruptcy, and local communities are struggling to provide basic services such as policing, fire protection, and schooling, among others. The disaster funding provided through this legislation, though helpful, will not address all of the financial challenges our community is facing.

That is why I want to engage the chairman tonight.

Mr. Chairman, thousands are facing bankruptcy, foreclosure, elevation of homes, need for flood protection, and other financial challenges as a result of the August flood event in south Louisiana.

Is it your intent, as we discussed, to deliver a package to address the needs of our local communities who desperately need it when we return?

Mr. ROGERS of Kentucky. Will the gentleman yield?

Mr. GRAVES of Louisiana. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. Mr. Speaker, I salute the gentleman from Louisiana, who has been tirelessly working to help the people in his district and the State of Louisiana for the terrible disaster that has stricken that State.

I thank you for your efforts to share information about this with me and the committee regarding the devastating impacts of the flood. Many of the Members of Congress from across the country that you led to the flooded areas have also reached out to us advocating for assistance to Louisiana.

It is my intention to work with the White House, my colleagues in the Senate, as well as our respective leadership teams over the coming weeks to head off the personal and fiscal calamity so many are facing in south Louisiana. Sir, you have my commitment to work towards that end.

Mr. GRAVES of Louisiana. The commitment to work toward additional recovery dollars and assistance is the difference between a viable recovery and a decades-long struggling effort in south Louisiana, and I want to thank Chairman ROGERS for his commitment.

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

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO), the ranking member of the Labor, Health and Human Services, Education, and Related Agencies Appropriations Subcommittee.

Ms. DELAURO. Mr. Speaker, I rise in support of this continuing resolution, though I prefer full-year funding for all of the government rather than just through December 9. It is good that this bill funds veterans and military construction programs through next year.

While I am pleased that the bill includes \$1.1 billion for the Zika public health emergency, I am very disappointed that this funding comes 7 months after the President's emergency request and is \$800 million short. Zika is a public health crisis that has waited too long to be funded.

Congress should have provided this funding before local transmission began in Florida and in Puerto Rico. Zika is long from over, and we will need to provide additional resources to combat the Zika virus in the future.

In the interim, this supplemental does address some critical Zika-related

needs in the U.S. and its territories. It includes \$126 million for healthcare services, including, yes, contraceptive services for Puerto Rico and the territories to help nearly 20,000 people infected with Zika, including more than 1,300 pregnant women. Another \$400 million in the Zika supplemental is for advanced research and development at NIH and BARDA, which will support clinical trials of vaccine candidates and advanced diagnostics.

I am pleased that State and local health departments, which are under severe financial strain, will be reimbursed for \$44 million that was taken from their budgets earlier this year.

I am disappointed that we are not providing the people of Flint, Michigan, with immediate relief after failing to provide emergency resources for over a year. While I support quickly providing emergency assistance to Louisiana, we should do the same to assist the people of Flint—9,000 children, lead poisoning. I hope that the chairman will have that same commitment to Flint, Michigan, as he does to Louisiana.

I am also disappointed that this bill contains almost half a percent across-the-board funding cuts. We can and must do better going forward.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield such time as he may consume to the gentleman from Pennsylvania (Mr. DENT), the chairman of the Military Construction, Veterans Affairs, and Related Agencies Subcommittee and the author of the bill that is before us now.

Mr. DENT. Mr. Speaker, the continuing resolution before you includes, in Division A, the full-year appropriations for Military Construction, Veterans Affairs, and Related Agencies for fiscal year 2017. Division A is exactly the same as the MILCON-VA conference report that was approved by the House on June 23.

Thanks to the leadership of Chairman ROGERS; Mrs. LOWEY, the ranking member, and the partnership of the subcommittee ranking member, SANFORD BISHOP, the gentleman from Georgia, this conference report was negotiated with the Senate and will provide necessary funding for the Department of Veterans Affairs and military construction projects.

This conference report demonstrates our firm commitment to fully supporting our Nation's veterans and servicemembers and their families. The total investment is \$82.5 billion for Military Construction, VA, and Related Agencies—\$2.6 billion over last year's level.

This bill provides comprehensive support for servicemembers, military families, and veterans. It supports our troops with the facilities and services necessary to maintain readiness and morale at bases here in the States and, of course, overseas. It provides for Defense Department schools and health clinics that take care of our military families.

The bill funds our veteran healthcare systems to ensure that our promise to care for those who have sacrificed in defense of this great Nation continues as those men and women return home. We owe this to our veterans and are committed to sustained oversight so that programs deliver what they promise and taxpayers are well served by the investments we make.

On the military construction side, the bill provides a total of \$7.9 billion for military construction projects and family housing, including base and overseas contingency operations, OCO, funding—an increase of \$282 million over the President's request.

This funding meets DOD's most critical needs, including priority projects for the combatant commanders and funding new mission requirements. It provides \$304 million for military medical facilities. It provides \$246 million for Defense Department education facilities, for construction or renovation of four schools. It supports our Guard and Reserve through \$673 million for facilities in 21 States. It funds military family housing at \$1.3 billion. It provides \$178 million for the NATO Security Investment Program, which is \$43 million over last year's level, to deal with the increasing threats and necessary investments overseas.

On the VA side, the legislation includes a total of \$74.4 billion in discretionary funding for the Department of Veterans Affairs. That is \$2.9 billion above the fiscal year 2016.

VA medical services, the bill funds VA medical services at \$58.8 billion. Many Members expressed concerns about medical services, and we were able to fully fund the budget request for hepatitis C at \$1.5 billion—and I believe that is about 70,000 veterans who will be treated for hepatitis C—veteran homelessness at \$1.6 billion, long-term care at \$8.6 billion, Office of the Inspector General at \$160 million, and caregiver stipends at \$735 million, \$10 million over the request.

For disability claims, we provide \$30 million over the request for the Veterans Benefits Administration, which is a \$148 million increase over fiscal year 2016, and the full request for the Board of Veterans' Appeals, which is about a \$46 million increase.

The bill will enhance transparency and accountability at the VA through further oversight and an increase for the VA Office of Inspector General's independent audits and investigations.

The legislation also contains \$260 million for the modernization of the VA electronic health record and includes language restricting the funding until the VA meets milestones and certifies interoperability to meet statutory requirements. This, of course, is a major priority for the committee. I know the chairman and the ranking member have spoken at length about the integrated health record, and we have to get this done.

Major construction—we continue to focus on major construction oversight

and maintain strict requirements, including holding back 100 percent of the funding for the largest construction projects until VA meets our requirements.

We include bill language requiring improved standards for the suicide hotline and certification of mental health therapists to expand access for veterans who need their care.

We include major new whistleblower protections for VA employees to avoid retribution for the employees.

In closing, this is a very solid, bipartisan bill that is focused on the needs of servicemembers, veterans, and all their families. We are \$2.6 billion—\$2.6 billion with a B—over the fiscal year 2016 level; more than a 3 percent increase. We have provided for our military and veterans to the very best level we can in a manner that is fiscally responsible within the constraints of the Budget Act we adopted last year.

We are going to do a lot of good with this bill. It is fair, it is balanced, and it is generous.

On behalf of our servicemembers, military families, and veterans, I urge support of this legislation. Let's take care of those who sacrificed so much for our country.

I urge support of the resolution with an "aye" vote.

Once again, I thank the chair, the ranking member, and Mr. BISHOP for all their support of this legislation.

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. BISHOP), the ranking member of the Military Construction, Veterans Affairs, and Related Agencies Appropriations Subcommittee. I am so pleased that Mr. BISHOP and Chairman DENT were able to craft such an outstanding bill to really support our veterans who have served us with such distinction.

□ 2115

Mr. BISHOP of Georgia. Mr. Speaker, I thank the gentlewoman for yielding.

Mr. Speaker, division A of the MILCON/VA portion provides robust funding for military construction and provides adequate funding for both the Active and Reserve components.

I was pleased the bill provides \$35 million above the FY17 budget request to help speed up the cleanup of former Defense Department sites within the Base Realignment and Closure Account.

The bill provides \$74.4 billion, \$3 billion above the FY16-enacted level in discretionary funding for VA programs. I believe that these resources will have a profound impact on the lives of our Nation's veterans. A couple of VA items that I want to highlight are the \$1.5 billion for hepatitis C treatment, which is \$840 million above the President's request.

In addition, the bill includes \$78 million for the Veterans Crisis Line and,

overall, \$173 million for suicide prevention. Furthermore, language is included that requires certain professional standards for the suicide hotline. This is a topic that many Members on both sides of the aisle were concerned about, and I think that we have taken some important steps for it to function better.

Mr. Speaker, the funding provided will help the Department of Veterans Affairs provide better care and better service to our veterans. I believe that the resources provided in the bill will help lead to the elimination of a claims backlog, which is now under \$75,000, down from a high of \$650,000. The bill includes healthy funding for the Board of Veterans' Appeals.

Furthermore, Mr. Speaker, the bill carries the authorization for several major construction projects that were previously funded. I believe it is past time to get these projects going because the demand on the VA is going to grow.

As I stated earlier, the MILCON/VA portion of this package is a good one and is one that I think we can all be proud of.

Finally, Mr. Speaker, I would like to thank Chairman ROGERS, Ranking Member LOWEY, and my colleague and friend Chairman DENT for their hard work on this bill. I couldn't have asked for better partners in conducting our business and fashioning a bipartisan bill.

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

Mrs. LOWEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), the ranking member of the Legislative Branch Appropriations Subcommittee.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank the gentlewoman for her leadership and for joining me in pushing for us to reach the point that we have, where we now have not all the funding we need, but \$1.1 billion to finally fight the Zika virus without also fighting the political weight that had weighed it down for many, many months.

While I rise today in support of the fiscal year 2017 continuing resolution, I also rise to express my significant objections to the delay in bringing this bill to the floor with funds to attack the Zika virus.

In south Florida, we have waited more than 7 months for congressional Republicans to drop their political games and approve funding to stop the spread of the Zika virus. South Florida, as many probably know by now, is the epicenter for this virus. And yesterday, the Florida Department of Health confirmed its 900th case of the Zika virus.

Despite this hefty toll, Congressional Republicans repeatedly put partisan politics before women's health care and inserted a provision in the Zika bills that would have cut off funding for Planned Parenthood. My Republican

colleagues spent much of the past 9 months firm in their belief that the most appropriate response to a virus that overwhelmingly affects pregnant women was to place a politically motivated ban on funding for reproductive health care, and that was unacceptable. This is shameful conduct that hurt women all across Florida and Puerto Rico.

And while some may praise today's agreement as a breakthrough and the end of our action on Zika, I must warn my colleagues that the mosquitos that carry the Zika virus do not know if they are biting a Republican or a Democrat, they don't know whether they are in Florida or Georgia or Michigan or Louisiana or any other State, or whether Congress has passed an eleventh-hour stopgap funding bill. They simply bite you and infect you with Zika. And because of that risk, our work in defeating this virus is far from over. We must drop the politics and stop playing politics with women's health.

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

Mrs. LOWEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the distinguished Democratic leader.

Ms. PELOSI. Mr. Speaker, I thank the ranking member of the Appropriations Committee for yielding. And I thank her for her great work being involved in the appropriations process, which I shared with her for many years, but a place where so many of our values are reflected by how we allocate our resources. I particularly want to thank Congresswoman NITA LOWEY, Congresswoman DEBBIE WASSERMAN SCHULTZ, and Congresswoman ROSA DELAURO for their relentless, persistent, constant advocacy for this Flint money.

As you know, Mr. Speaker, it was February when President Obama sent over a request for \$1.9 billion to address the Zika crisis. This was an amount of money based on expert advice and was related to scientific evidence. It related to how we would do research for a vaccine, how we would do vector control, how we would do prevention, and, as our colleagues have mentioned, how we address the issue that this is a very unusual situation because it is sexually transmitted, and we had the obstacle of saying no contraception, which held us up for awhile.

So today, finally, we come to the floor, and I think it is very important that we take the action that we do. But I do want to remind you that \$1.1 billion is still \$800 million short of the \$1.9 billion the President requested. Some of that other money was taken from the Ebola resources, which were sorely needed, and continue to be needed there. So while this is an important, giant step, it is not complete in terms of what we need to do.

The continuing resolution before us must recognize that more than 23,000

Americans, including almost 2,100 pregnant women, have been infected with Zika. The bill falls short, as I said, of the \$1.9 billion that top public health officials said is the full amount required to protect American communities.

But I would say this. I think there are some good intentions in a bipartisan way of the distinguished chairman of the Appropriations Committee and others, working with Congresswoman LOWEY, Congresswoman DELAURO, and Congresswoman WASSERMAN SCHULTZ, to think in terms of anticipation rather than reaction that perhaps we could have a FEMA-like fund for disasters of this kind that affect the public health. The public health system is a strength of our country, and when it is threatened, we must have the resources to protect it.

So perhaps out of this long delay, one of the things that could come together is a conversation that says, let's have FEMA-like biomedical research, whatever it happens to be, reaction to a public health emergency that enables us to do the research necessary to protect the public health of the American people.

Earlier tonight, the House took an important, long overdue step toward addressing a man-made disaster in Flint, Michigan. The success of the Flint amendment is a tribute to the leadership of Congressman DAN KILDEE, who has been an absolute lion—a lion—for the children and families of Flint throughout this crisis. Thanks to Congressman KILDEE, we have sent a message of hope to the people of Flint.

It is my hope that in the House-Senate WRDA conference, we can move forward the Flint assistance that overwhelmingly passed the Senate by 95-3 earlier this month. With strong bipartisan support, the amendment passed earlier this month.

While we would have preferred to deliver those funds to the children of Flint in this bill, we are at least on a path to meaningful action, and that is important to mention.

In this bill—and our distinguished chairman made this reference, and certainly our distinguished ranking member on the committee, Mr. BISHOP, made the point about what the bill contains to increase the funding for the military and veteran caregivers. So much is in this bill about veterans. And as they say in the military, on the battlefield, we leave no soldier behind; and when they come home, we leave no veteran behind. So many in this room on both sides of the aisle have been champions in that, and certainly our ranking member, Mr. BISHOP.

I particularly want to highlight that in this bill, we have increased funding for our military and veteran caregivers, strengthening the support for America's hidden heroes. The hidden heroes were named such by Senator, Secretary—she carries many titles—Elizabeth Dole.

Yesterday, in the United States Capitol Visitor Center theater, hundreds of

caregivers of our military and veteran families came together to talk about the shared challenges that they have to be engaged in a Hidden Heroes launch, the launching of cities in conjunction with the actions of the Hidden Heroes initiative. I am proud to be a cochair with the Hidden Heroes Congressional Caucus with Senator MCCAIN and Senator REED on the Senate side and our chairman, Congressman JEFF MILLER, on the House side.

In this bill, there is \$10 million to boost the VA caregivers initiatives that will help address the increasing demand on VA services as servicemembers continue to come home to their families. Hidden heroes, do you know how many there are? 5.5 million military and veteran caregivers in our country. How these families raise their children, care for their loved ones, siblings, spouses, children is remarkable, and this legislation recognizes that need to assist with training and all.

We must ensure that the VA can meet the demand of a growing population of caregivers, hiring more staff and coordinators to make sure veterans and their families, friends, and loved ones get the services they earned and deserve.

With this CR, we will keep the government open and prevent any self-inflicted wounds to our economy that had been inflicted before.

I want to especially thank our ranking member, NITA LOWEY, for her leadership in helping to craft this bipartisan path forward. I thank our distinguished chairman for his leadership. I extend my gratitude to the Speaker for us coming together to address the issue of Flint, which has enabled us to come forward in this legislation. For that reason, I will be supporting this legislation.

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

Mrs. LOWEY. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE), a member of the Homeland Security Committee and the Judiciary Committee.

Ms. JACKSON LEE. Mr. Speaker, let me associate myself with the words of our leader. Let me also thank Ranking Member LOWEY, all of the appropriators, and the chairman of the Appropriations Committee.

This is a terrible time to shut the government down. So I rise today to support this CR for a number of reasons.

A few months ago, in Houston, Texas, I organized the regional Zika Virus Task Force. The committee members, representing public and private health professionals, talked about active surveillance, were concerned about the number of infections among pregnant women, and talked as well about the issue of mosquito control, research, and a vaccination.

□ 2130

I am glad that some of the funds here will be able to help us in dealing with

these issues—long overdue. Coming from a flood-ridden State, let me say that I appreciate the funding for Baton Rouge. I thank those who were involved, particularly CEDRIC RICHMOND, who, on our side of the aisle, worked so very hard.

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

Mrs. LOWEY. I yield the gentlewoman an additional 1 minute.

Ms. JACKSON LEE. I thank the gentlewoman.

Mr. Speaker, I also want to make mention of the Flint dollars. We have worked very hard with the Michigan delegation on the issue of Flint funding. I am glad that the amendment of Mr. KILDEE and others passed in the WRDA bill, but we must deal with that question as well.

Where we are is that we are keeping hardworking employees and government services going. We are helping our veterans. We are making sure health services are going forward. We are making sure the necessary facilities that our public uses will be open. What a shame to have closed a number of these facilities that are so important.

As we go forward, in coming from Houston and in having experienced the tax day floods and the Memorial Day floods, I am looking forward to working with the appropriators for funding—that will help us do a massive study on the bayous in the region—with an amendment that I have submitted to the energy and water bill.

Finally, I would say that it is time that we recognize that government worked for the American people, and what we have to do is not borrow to pay Paul. We should have given the \$1.9 billion in Zika funding. It is \$1.1 billion, but I think we can do better, and I hope we will do so.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Louisiana (Mr. SCALISE), the distinguished whip of the House and a champion for the people in his State and in his district during their devastating floods.

Mr. SCALISE. I thank the gentleman from Kentucky for his leadership in bringing this critical piece of legislation forward.

Mr. Speaker, I specifically want to talk about the important language that is in this bill to help the people of south Louisiana recover from the devastating flooding that we saw last month. Over 100,000 houses were damaged, and thousands of families are still making the decision of whether or not they are going to be able to rebuild. This legislation gives them not only hope but a serious down payment so that people will know that the Federal Government is there to help them get back in their homes and rebuild their communities at such a vital stage.

We saw so many positive things come out of the resiliency of the people of Louisiana. You saw the Cajun Navy—

citizens—just helping their fellow neighbors, saving people's lives over and over again, and faith-based organizations coming together. When you see the worst of times, like we did during that tragic flooding, you also see the best in people, and this bill makes a serious down payment to help those people get back in their homes and rebuild their communities.

I urge all of my colleagues to vote for this bill so that we can do the work of the people of this great Nation.

Mrs. LOWEY. Mr. Speaker, I inquire of the gentleman from Kentucky if he has any further requests for time.

Mr. ROGERS of Kentucky. Mr. Speaker, I am ready to close.

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

Mr. ROGERS of Kentucky. Mr. Speaker, for all of these reasons that you have heard tonight, we need to pass this bill to keep the government operating—and keep the lights on in the government—and to provide the assistance to the Nation's needs, as you have heard described here. I urge the adoption of the bill.

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

Ms. ROYBAL-ALLARD. Mr. Speaker, it is disappointing that, once again, Republican leaders have failed to complete the appropriations process on time, and decided that critical government funding decisions can be delayed until December. While I will vote for tonight's Continuing Resolution so that our government can keep functioning, I will cast my vote in the hope that Congress will act in December to pass an omnibus spending bill that does more to create jobs, bolster paychecks, improve our infrastructure, and keep our country safe.

The CR includes a badly needed and long-overdue \$1.1 billion to fund our fight against the Zika virus. While I would have preferred a bill that funded President Obama's \$1.9 billion Zika request, the funding in this resolution is an important first step in helping us to combat Zika's terrible threat. In addition, I am pleased that Republican leaders agreed to stop tying this funding to partisan political tactics, such as gutting the Clean Water Act.

However, I am concerned about several elements of the CR. For example, it hobbles the Export-Import Bank's ability to help American businesses and workers and it prevents the Securities and Exchange Commission from making public companies' political spending more transparent.

Again, I will vote for this CR to keep government doors open. I hope the December omnibus will address the defects I described, and endeavor on many fronts to make our nation more prosperous and secure.

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

Pursuant to House Resolution 901, the previous question is ordered.

The question is on the motion by the gentleman from Kentucky (Mr. ROGERS).

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

Mr. ROGERS of Kentucky. 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, this 15-minute vote on the motion to concur will be followed by 5-minute votes on the passage of H.R. 6094 and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 342, nays 85, not voting 5, as follows:

[Roll No. 573]

YEAS—342

Abraham	Cummings	Hurd (TX)
Adams	Curbelo (FL)	Hurt (VA)
Aderholt	Davis (CA)	Israel
Aguilar	Davis, Danny	Issa
Allen	Davis, Rodney	Jackson Lee
Amodi	DeGette	Jeffries
Ashford	Delaney	Jenkins (KS)
Barletta	DeLauro	Jenkins (WV)
Barr	DelBene	Johnson (GA)
Barton	Denham	Johnson (OH)
Bass	Dent	Johnson, E. B.
Beatty	DeSantis	Jolly
Becerra	DeSaulnier	Joyce
Benishkek	Deutsch	Kaptur
Bera	Diaz-Balart	Katko
Beyer	Doggett	Keating
Bilirakis	Dold	Kelly (IL)
Bishop (GA)	Donovan	Kennedy
Bishop (MI)	Doyle, Michael	Kilmer
Bishop (UT)	F.	Kind
Blum	Duckworth	King (NY)
Bonamici	Duffy	Kinzing (IL)
Bost	Edwards	Kline
Boustany	Engel	Knight
Boyle, Brendan	Eshoo	Kuster
F.	Esty	LaMalfa
Brady (PA)	Farr	Lamborn
Brady (TX)	Fitzpatrick	Lance
Brooks (IN)	Fleischmann	Langevin
Brown (FL)	Fleming	Larsen (WA)
Brownley (CA)	Forbes	Larson (CT)
Buchanan	Foster	Latta
Bucshon	Fox	Lee
Bustos	Frankel (FL)	Lewis
Butterfield	Frelinghuysen	Lieu, Ted
Calvert	Fudge	Lipinski
Capps	Gabbard	LoBiondo
Capuano	Gallego	Loeb
Carney	Garamendi	Lofgren
Carson (IN)	Garrett	Loudermilk
Carter (GA)	Gibson	Love
Carter (TX)	Goodlatte	Lowenthal
Cartwright	Graham	Lowe
Castor (FL)	Granger	Lucas
Castro (TX)	Graves (GA)	Luetkemeyer
Chabot	Graves (LA)	Lujan Grisham
Chaffetz	Graves (MO)	(NM)
Chu, Judy	Grayson	Lujan, Ben Ray
Cicilline	Green, Al	(NM)
Clark (MA)	Green, Gene	Lummis
Clarke (NY)	Grijalva	Lynch
Clawson (FL)	Grothman	MacArthur
Clay	Guinta	Maloney,
Cleaver	Guthrie	Carolyn
Clyburn	Gutiérrez	Maloney, Sean
Coffman	Hahn	Matsui
Cohen	Hanna	McCarthy
Cole	Hardy	McCaul
Collins (GA)	Harper	McClintock
Collins (NY)	Hartzler	McCollum
Comstock	Hastings	McGovern
Conaway	Heck (NV)	McHenry
Connolly	Heck (WA)	McKinley
Cook	Herrera Beutler	McMorris
Cooper	Higgins	Rodgers
Costa	Hill	McNerney
Costello (PA)	Himes	McSally
Courtney	Hinojosa	Meehan
Cramer	Honda	Meeks
Crawford	Hoyer	Meng
Crenshaw	Hudson	Messer
Crowley	Huffman	Mica
Cuellar	Huizenga (MI)	Miller (FL)
Culberson	Hunter	Miller (MI)

Moolenaar	Rooney (FL)	Thornberry
Mooney (WV)	Ros-Lehtinen	Tiberi
Moore	Ross	Tipton
Moulton	Rouzer	Titus
Murphy (FL)	Roybal-Allard	Tonko
Murphy (PA)	Royce	Torres
Nadler	Ruiz	Trott
Napolitano	Ruppersberger	Tsongas
Neal	Ryan (OH)	Turner
Noem	Ryan (WI)	Upton
Nolan	Sanchez, Linda	Valadao
Norcross	T.	Van Hollen
Nugent	Sanchez, Loretta	Vargas
Nunes	Sarbanes	Veasey
O'Rourke	Scalise	Vela
Olson	Schakowsky	Velázquez
Palazzo	Schiff	Visclosky
Pallone	Schrader	Wagner
Pascarell	Scott (VA)	Walberg
Paulsen	Scott, Austin	Walden
Pelosi	Scott, David	Walorski
Perlmutter	Serrano	Walters, Mimi
Peters	Sessions	Walz
Peterson	Sewell (AL)	Wasserman
Pingree	Sherman	Schultz
Pittenger	Shimkus	Watson Coleman
Pocan	Shuster	Webster (FL)
Poliquin	Simpson	Welch
Polis	Sinema	Wenstrup
Posey	Sires	Westerman
Price (NC)	Slaughter	Wilson (FL)
Price, Tom	Smith (NE)	Wilson (SC)
Quigley	Smith (TX)	Womack
Rangel	Smith (WA)	Woodall
Reed	Speier	Yarmuth
Reichert	Stefanik	Yoder
Rice (NY)	Stewart	Yoho
Richmond	Stivers	Young (AK)
Rigell	Swalwell (CA)	Young (IA)
Roby	Takano	Young (IN)
Roe (TN)	Thompson (CA)	Zeldin
Rogers (AL)	Thompson (MS)	Zinke
Rogers (KY)	Thompson (PA)	

NAYS—85

Amash	Gowdy	Palmer
Babin	Griffith	Pearce
Black	Harris	Perry
Blackburn	Hensarling	Pitts
Blumenauer	Hice, Jody B.	Pompeo
Brat	Holding	Ratcliffe
Bridenstine	Huelskamp	Renacci
Brooks (AL)	Hultgren	Ribble
Buck	Johnson, Sam	Rice (SC)
Burgess	Jones	Rohrabacher
Byrne	Jordan	Rokita
Conyers	Kelly (MS)	Roskam
Davidson	Kelly (PA)	Rothfus
DeFazio	Kildee	Russell
DesJarlais	King (IA)	Salmon
Dingell	Labrador	Sanford
Duncan (SC)	LaHood	Schweikert
Duncan (TN)	Lawrence	Sensenbrenner
Ellison	Levin	Smith (MO)
Ellmers (NC)	Long	Smith (NJ)
Emmer (MN)	Marchant	Stutzman
Farenthold	Marino	Walker
Fincher	McDermott	Waters, Maxine
Flores	Meadows	Weber (TX)
Fortenberry	Mullin	Westmoreland
Franks (AZ)	Mulvaney	Williams
Gibbs	Neugebauer	Wittman
Gohmert	Newhouse	
Gosar		

NOT VOTING—5

Cárdenas	Payne	Rush
Kirkpatrick	Poe (TX)	

□ 2156

Messrs. ROSKAM, CONYERS, and RUSSELL changed their vote from "yea" to "nay."

Messrs. HURT of Virginia, LAMBORN, ROUZER, and POSEY changed their vote from "nay" to "yea."

So the motion to concur was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CÁRDENAS. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 573.

#### PAYING TRIBUTE TO ANNE BRADBURY

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

Mr. RYAN of Wisconsin. Mr. Speaker, I have the bittersweet task tonight of paying tribute to a valued member of our team, one of the most widely respected people in this institution. That is our director of floor operations, Anne Bradbury.

As many Members now know, this is her last week on the job. When we return in November, this House will convene without Anne on the floor for the first time in 11 years.

It was Speaker John Boehner who had the good sense to hire Anne for this post, and it is not hard to figure out why he did that. She is just absolutely first class, the absolute consummate professional, always focused on getting the job done. There may be times when we get hung up on small things, trying to figure out what the heck just happened on the floor, and she is always out there working on the plan for the next steps a mile ahead of everybody else. When everybody else is thinking short term, she is out there thinking long term, and not only in terms of this vote or that bill, but how to protect this institution.

Anne Bradbury has been here for 11 years, protecting both the majority and the minority. She fights for this House as an institution, and I am sure that Leader PELOSI and the gentleman from Maryland (Mr. HOYER) would agree with that.

As for me, Anne, I hope you thought through how this is a huge inconvenience for me. Who am I going to call when we are in a jam? Who do we get to take all the chocolate that is gifted to our office every day?

Anne has been such an indispensable help to us, especially taking the job in the middle of a session, not having experience doing something like this. I just can't conceive of having gone through this past year without this brilliant woman.

The last point I want to make is this. To do such a big job so well for so long, as Anne has, takes certain things. It takes a really thick skin, for one, but it takes a very, very deep desire to serve, and you have to have the support of the ones that you love.

Anne has two great boys, John and Clayton, and they are 7 and 8 years old—great kids. On so many nights, just like this night tonight, they have had to share their mom with us. We owe them a debt of gratitude.

And I want to say on behalf of every single Member of the House of Representatives: Anne Bradbury, thank you for serving this institution. Thank you for serving the people's House. You will be sorely missed.



□ 2200

It is my pleasure to yield to the distinguished leader, Mr. HOYER.

Mr. HOYER. I thank the Speaker for yielding.

Anne, apparently my colleagues did not understand the gravity of this occasion, the solemnness of this occasion, and they did not dress accordingly, apparently.

Anne, I want you to know that I just left the Crown Prince of Denmark and Princess Mary because I told them I had to come see Queen Anne.

I have risen before and talked about our extraordinary staff, the people who really make this institution what it wants to be. They are the best of us, whether they are at the desk, whether they are with the Sergeant at Arms, whether they are recording our debates; and the best of them who has one of the toughest jobs is to help us, as the Speaker has said, manage this floor. Sitting next to me is Shuwanza Goff. She is the floor director on our side.

You cannot leave.

Mr. RYAN of Wisconsin. I tried that.

Mr. HOYER. Anne, as the Speaker so well said, serves us all. Shuwanza does as well because their job, as the Speaker has so well stated, is to help make this institution work in a democratic nation to make our citizens proud. Very frankly, if they knew the work of Anne Bradbury and others who work on this floor, the level of their pride would be much higher than sometimes it is, because they are people of extraordinary ability, great reticence and fairness in dealing with Members, all 435 of us.

Anne, you have been a shining example of the best that is in this House. You have always been quick to share your views as to what needed to be done. You were always fair when any of us talked to you—I know, when I talked to you. There were differences, of course, as one would expect, but there was no acrimony. There was no judgment. There was simply an attempt to make sure that this institution was working well.

Anne, we will miss you. The Speaker, as he says, will be inconvenienced. We will be sad, and we will be a lesser place for your leaving. You also worked with my chief of staff, Alexis Covey-Brandt, who was at one point in time the floor director. Both Shuwanza and Alexis have unrestrained respect and affection for you. You have made us all better.

Whatever you do in the future, I know you will bring the same quality, the same commitment, the same energy, the same judgment, the same fairness, and they will be advantaged, as we have been.

Godspeed.

Mr. RYAN of Wisconsin. I thank the whip.

# REGULATORY RELIEF FOR SMALL BUSINESSES, SCHOOLS, AND NONPROFITS ACT

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on passage of the bill (H.R. 6094) to provide for a 6-month delay in the effective date of a rule of the Department of Labor relating to income thresholds for determining overtime pay for executive, administrative, professional, outside sales, and computer employees, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 246, nays 177, not voting 8, as follows:

[Roll No. 574]

YEAS—246

Abraham	Fleming	Loudermilk
Aderholt	Flores	Love
Allen	Forbes	Lucas
Amash	Fortenberry	Luetkemeyer
Amodei	Fox	Lummis
Ashford	Franks (AZ)	MacArthur
Babin	Frelinghuysen	Marchant
Barletta	Garrett	Marino
Barr	Gibbs	Massie
Barton	Gibson	McCarthy
Benishek	Gohmert	McCaul
Billirakis	Goodlatte	McClintock
Bishop (MI)	Gosar	McHenry
Bishop (UT)	Gowdy	McKinley
Black	Granger	McMorris
Blackburn	Graves (GA)	Rodgers
Blum	Graves (LA)	McSally
Bost	Graves (MO)	Meadows
Boustany	Griffith	Meehan
Brady (TX)	Grothman	Messer
Brat	Guinta	Mica
Bridenstine	Guthrie	Miller (FL)
Brooks (AL)	Hardy	Miller (MI)
Brooks (IN)	Harper	Mooleenaar
Buchanan	Harris	Mooney (WV)
Buck	Hartzler	Mullin
Bucshon	Heck (NV)	Mulvaney
Burgess	Hensarling	Murphy (PA)
Byrne	Herrera Beutler	Neugebauer
Calvert	Hice, Jody B.	Newhouse
Carter (GA)	Hill	Noem
Chabot	Holding	Nugent
Chaffetz	Hudson	Nunes
Clawson (FL)	Huelskamp	Olson
Coffman	Huizenga (MI)	Palazzo
Cole	Hultgren	Palmer
Collins (GA)	Hunter	Paulsen
Collins (NY)	Hurd (TX)	Pearce
Comstock	Hurt (VA)	Perry
Conaway	Issa	Peterson
Cook	Jenkins (KS)	Pittenger
Costello (PA)	Jenkins (WV)	Pitts
Crawford	Johnson (OH)	Poliquin
Crenshaw	Johnson, Sam	Pompeo
Cuellar	Jolly	Posey
Culberson	Jones	Price, Tom
Curbelo (FL)	Jordan	Ratcliffe
Davidson	Joyce	Reed
Davis, Rodney	Katko	Reichert
Denham	Kelly (MS)	Renacci
Dent	Kelly (PA)	Ribble
DeSantis	King (IA)	Rice (SC)
DesJarlais	King (NY)	Rigell
Diaz-Balart	Kinzinger (IL)	Roby
Dold	Kline	Roe (TN)
Donovan	Knight	Rogers (AL)
Duffy	Labrador	Rogers (KY)
Duncan (SC)	LaHood	Rohrabacher
Duncan (TN)	LaMalfa	Rokita
Ellmers (NC)	Lamborn	Rooney (FL)
Emmer (MN)	Lance	Ros-Lehtinen
Farenthold	Latta	Roskam
Fincher	Lipinski	Ross
Fitzpatrick	LoBiondo	Rothfus
Fleischmann	Long	Rouzer

Royce	Stewart
Russell	Stivers
Salmon	Stutzman
Sanford	Thompson (PA)
Scalise	Thornberry
Schweikert	Tiberi
Scott, Austin	Tipton
Sensenbrenner	Trott
Sessions	Turner
Shimkus	Upton
Shuster	Valadao
Simpson	Wagner
Sinema	Walberg
Smith (MO)	Walden
Smith (NE)	Walker
Smith (NJ)	Walorski
Smith (TX)	Walters, Mimi
Stefanik	Weber (TX)

NAYS—177

Adams	Fudge	Napolitano
Aguilar	Gabbard	Neal
Bass	Gallego	Nolan
Beatty	Garamendi	Norcross
Becerra	Graham	O'Rourke
Bera	Grayson	Pallone
Beyer	Green, Al	Pascarella
Bishop (GA)	Green, Gene	Pelosi
Blumenauer	Gutiérrez	Perlmutter
Bonamici	Hahn	Peters
Boyle, Brendan	Hastings	Pingree
F.	Heck (WA)	Pocan
Brady (PA)	Higgins	Polis
Brown (FL)	Himes	Price (NC)
Brownley (CA)	Hinojosa	Quigley
Bustos	Honda	Rangel
Butterfield	Hoyer	Rice (NY)
Capps	Huffman	Richmond
Capuano	Israel	Roybal-Allard
Cárdenas	Jackson Lee	Ruiz
Carney	Jeffries	Ruppersberger
Carson (IN)	Johnson (GA)	Ryan (OH)
Cartwright	Johnson, E. B.	Sánchez, Linda
Castor (FL)	Kaptur	T.
Castro (TX)	Keating	Sanchez, Loretta
Chu, Judy	Kelly (IL)	Sarbanes
Cicilline	Kennedy	Schakowsky
Clark (MA)	Kildee	Schiff
Clarke (NY)	Kilmer	Schrader
Clay	Kind	Scott (VA)
Cleaver	Kuster	Scott, David
Clyburn	Langevin	Serrano
Cohen	Larsen (WA)	Sewell (AL)
Connolly	Larson (CT)	Sherman
Conyers	Lawrence	Sires
Cooper	Lee	Slaughter
Costa	Levin	Smith (WA)
Courtney	Lewis	Speier
Crowley	Lieu, Ted	Swalwell (CA)
Cummings	Loebach	Takano
Davis (CA)	Lofgren	Thompson (CA)
Davis, Danny	Lowenthal	Thompson (MS)
DeFazio	Lowe	Titus
DeGette	Lujan Grisham	Tonko
Delaney	(NM)	Torres
DeLauro	Luján, Ben Ray	Tsongas
DelBene	(NM)	Van Hollen
DeSaulnier	Lynch	Vargas
Deutch	Maloney,	Veasey
Dingell	Carolyn	Vela
Doggett	Maloney, Sean	Velázquez
Doyle, Michael	Matsui	Visclosky
F.	McCollum	Walz
Duckworth	McDermott	Wasserman
Edwards	McGovern	Schultz
Ellison	McNerney	Waters, Maxine
Engel	Meeks	Watson Coleman
Eshoo	Meng	Welch
Esty	Moore	Wilson (FL)
Farr	Moulton	Yarmuth
Foster	Murphy (FL)	
Frankel (FL)	Nadler	

NOT VOTING—8

Carter (TX)	Hanna	Poe (TX)
Cramer	Kirkpatrick	Rush
Grijalva	Payne	

□ 2214

Mr. HUFFMAN changed his vote from “yea” to “nay.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

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

# DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE A CORRECTION IN THE ENROLLMENT OF H.R. 5325

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent to take from the Speaker's table (S. Con. Res. 53) directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 5325, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

S. CON. RES. 53

*Resolved by the Senate (the House of Representatives concurring).* That, in the enrollment of the bill H.R. 5325, the Clerk of the House of Representatives shall make the following correction to the title so as to read: "Making continuing appropriations for fiscal year 2017, and for other purposes."

The concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

# REMEMBERING ARNOLD PALMER

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

Mr. ALLEN. Mr. Speaker, last Sunday, we said goodbye to a true American hero, not just in the golf world but in American life.

Arnold Palmer was larger than life, both on and off the golf course. After learning to play golf at age 4, he never quit and changed the sport forever. The "King," as he was known, had 62 victories on the PGA Tour, including 7 majors and 10 on the Champions Tour, not to mention his own signature drink that delighted the masses for generations.

Mr. Speaker, I have the honor of representing the 12th District of Georgia and the good people who live and work there. Georgia's 12th Congressional District is home to the Augusta National, which hosts the most famous Masters tournament.

In Augusta, we consider Arnold Palmer one of our own. He won the coveted green jacket four times: 1958, 1960, 1962, and 1964. He took the Masters and golf to a whole new level in the

sports world. The Masters will never be the same. Like Tiger Woods said, "It's hard to imagine golf without him." I am not sure we even want to.

Arnie's Army mourns together. We remember the king of golf, the legendary Arnold Palmer.

Arnie, you will be sorely missed.

# HONORING THE LIFE OF RODNEY NOEL ELLIS, SR.

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

Ms. ADAMS. Mr. Speaker, I rise today to honor the life of the late Mr. Rodney Noel Ellis, Sr., a dedicated public servant and immediate past president of the North Carolina Association of Educators.

Throughout his entire career, Rodney was a talented teacher and a steadfast advocate for North Carolina's students and educators, who worked relentlessly to improve public schools and fought tirelessly for equal and quality education.

A cherished friend and confidant, I never met anyone who worked harder or gave more than Rodney Ellis. He will not only be remembered as our champion for education and kids, but as a dedicated and devoted family man who loved his wife and five children. He was an inspiration. His loss will be felt throughout our entire State.

Rodney was a titan with a gentile spirit and a heart of gold. North Carolina has lost one of her most extraordinary educators and one of her greatest leaders.

My thoughts and prayers continue to be with Rodney's family, his friends, and our community.

□ 2220

# BREAST CANCER AWARENESS MONTH

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

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today as we approach October to recognize Breast Cancer Awareness Month.

The statistics are sobering: one in eight women will get breast cancer in her lifetime.

After being diagnosed with breast cancer at the age of 41, I quickly understood the importance of knowing your risk for breast cancer. I learned that, as an Ashkenazi Jewish woman, my chances of having the BRCA mutation linked to breast cancer were significantly higher.

That is why in 2009 I introduced the EARLY Act, which equips young women with the tools they need to make informed decisions about their breast health. Though we have made significant advances on some fronts, there is still work to be done. For example, there has been no statistically

significant improvement in survival rates for the metastatic cancer community in the past 20 years.

We must do more to support those who are affected by this deadly disease and do everything we can to eradicate breast cancer once and for all.

# PROVIDING FOR AN ADJOURNMENT OF THE HOUSE

Mr. MESSER. Mr. Speaker, I send to the desk a privileged concurrent resolution (H. Con. Res. 166) and ask for its immediate consideration.

The Clerk read the concurrent resolution as follows:

H. CON. RES. 166

*Resolved by the House of Representatives (the Senate concurring).* That when the House adjourns on any legislative day from Wednesday, September 28, 2016, through Friday, November 11, 2016, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, November 14, 2016, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader of the House, shall notify the Members of the House to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

# ADJOURNMENT FROM WEDNESDAY, SEPTEMBER 28, 2016, TO FRIDAY, SEPTEMBER 30, 2016

Mr. MESSER. Mr. Speaker, I ask unanimous consent that when the House adjourns today on a motion offered pursuant to this order, it adjourn to meet at 10:30 a.m. on Friday, September 30, 2016, unless it sooner has received a message from the Senate transmitting its concurrence in House Concurrent Resolution 166, in which case the House shall stand adjourned pursuant to that concurrent resolution.

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

There was no objection.

# ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1475. An act to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund that Wall of Remembrance.

H.R. 2494. An act to support global anti-poaching efforts, strengthen the capacity of

partner countries to counter wildlife trafficking, designate major wildlife trafficking countries, and for other purposes.

## SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 1004. An act to amend title 36, United States Code, to encourage the nationwide observance of two minutes of silence each Veterans Day.

S. 1698. An act to exclude payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits.

S. 1878. An act to extend the pediatric priority review voucher program.

S. 2683. An act to include disabled veteran leave in the personnel management system of the Federal Aviation Administration.

## ADJOURNMENT

Mr. MESSER. Mr. Speaker, pursuant to the order of the House of today, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 24 minutes p.m.), under its previous order, the House adjourned until 10:30 a.m. on Friday, September 30, 2016, unless it sooner has received a message from the Senate transmitting its adoption of House Concurrent Resolution 166, in which case the House shall stand adjourned pursuant to that concurrent resolution.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7011. A letter from the Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting the Fiscal Year 2015 Inventory of Contracted Services, pursuant to 10 U.S.C. 2330a(c)(1); Public Law 107-107, Sec. 801(c)(1) (as amended by Public Law 112-81, Sec. 936(a)(1)); (125 Stat. 1545); to the Committee on Armed Services.

7012. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Robin R. Braun, United States Navy Reserve, 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.

7013. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Robert P. Otto, United States Air Force, and his advancement to the grade of lieutenant general 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.

7014. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting the Technical Mapping Advisory Council National Flood Mapping Program Review for June 2016, pursuant to 42 U.S.C. 4101d; Public Law 113-89, Sec. 17; (128 Stat. 1027); to the Committee on Financial Services.

7015. A letter from the Associate General Counsel for Regulations and Legislation, Office of the Secretary, Department of Housing and Urban Development, transmitting the Department's final rule — Equal Access in Accordance With an Individual's Gender Identity in Community Planning and Development Programs [Docket No.: FR 5863-F-02] (RIN: 2506-AC40) received September 28, 2016, 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.

7016. A letter from the Director, Directorate of Whistleblower Protection Programs, Occupational Safety and Health Administration, Department of Labor, transmitting the Department's final rule — Procedures for the Handling of Retaliation Complaints Under the Employee Protection Provision of the Seaman's Protection Act, as Amended [Docket No.: OSHA-2011-0841] (RIN: 1218-AC58) received September 28, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

7017. A letter from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits received September 27, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

7018. A letter from the Acting Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's semi-annual report on Energy Conservation Standards Activities for August 2016, pursuant to 42 U.S.C. 15834; Public Law 109-58, Sec. 141(b); (119 Stat. 648); to the Committee on Energy and Commerce.

7019. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's Report to Congress on the Prevention and Reduction of Underage Drinking for September 2016, pursuant to 42 U.S.C. 290bb-25b(c)(1)(F); Public Law 109-422, Sec. 2; (120 Stat. 2892); to the Committee on Energy and Commerce.

7020. A letter from the Executive Director, Consumer Product Safety Commission, transmitting the Commission's 2015 Annual Report to the President and Congress, pursuant to 15 U.S.C. 2076(j); Public Law 92-573, Sec. 27(j) (as amended by Public Law 110-314, Sec. 209(a)); (122 Stat. 3046); to the Committee on Energy and Commerce.

7021. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule — Schedules of Controlled Substances: Placement of Three Synthetic Phenethylamines Into Schedule I [Docket No.: DEA-423] received September 27, 2016, 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.

7022. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 16-059, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7023. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 16-065, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7024. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. 16-077, pursuant to Section 36(c) of the Arms Export Con-

trol Act; to the Committee on Foreign Affairs.

7025. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 16-049, pursuant to Section 36(c) and (d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7026. A letter from the Attorney-Advisor, Department of Transportation, transmitting a notification of a federal vacancy and designation of acting officer, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

7027. A letter from the Chair and CEO, Farm Credit Administration, transmitting the Administration's final rule — Releasing Information; Availability of Records of the Farm Credit Administration; FOIA Fees (RIN: 3052-AD18) received September 26, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7028. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's small entity compliance guide — Federal Acquisition Regulation; Federal Acquisition Circular 2005-91 [Docket No.: FAR-2016-0051, Sequence No.: 5] received September 28, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7029. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendments [FAC 2005-91; Item XI; Docket No.: 2016-0052; Sequence No.: 4] received September 28, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7030. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation: Limitation on Allowable Government Contractor Employee Compensation Costs [FAC 2005-91; FAR Case 2014-012; Item X; Docket No.: 2014-0012; Sequence No.: 1] (RIN: 9000-AM75) received September 28, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7031. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation: Contractors Performing Private Security Functions [FAC 2005-91; FAR Case 2014-018; Item IX; Docket No.: 2014-0018, Sequence No.: 1] (RIN: 9000-AN07) received September 28, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7032. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Amendment Relating to Multi-year Contract Authority for Acquisition of Property [FAC 2005-91; FAR Case 2016-006; Item VII; Docket No.: 2016-0006, Sequence No.: 1] (RIN: 9000-AN24) received September 28, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7033. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting

the Administration's final rule — Federal Acquisition Regulation; Consolidation and Bundling [FAC 2005-91; FAR Case 2014-015; Item VI; Docket No.: 2014-0015, Sequence No.: 1] (RIN: 9000-AM92) received September 28, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7034. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Unique Identification of Entities Receiving Federal Awards [FAC 2005-91; FAR Case 2015-022; Item V; Docket No.: 2015-0022, Sequence No.: 1] (RIN: 9000-AN00) received September 28, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7035. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Sole Source Contracts for Women-Owned Small Businesses [FAC 2005-91; FAR Case 2015-032; Item IV; Docket No.: 2015-0032; Sequence No.: 1] (RIN: 9000-AN13) received September 28, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7036. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's interim rule — Federal Acquisition Regulation; Non-Retaliation for Disclosure of Compensation Information [FAC 2005-91; FAR Case 2016-007; Item III; Docket No.: 2016-0007; Sequence No.: 1] (RIN: 9000-AN10) received September 28, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7037. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Updating Federal Contractor Reporting of Veterans' Employment [FAC 2005-91; FAR Case 2015-036; Item II; Docket No.: 2015-0036, Sequence No.: 1] (RIN: 9000-AN14) received September 28, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7038. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation Prohibition on Contracting with Corporations with Delinquent Taxes or a Felony Conviction [FAC 2005-91; FAR Case 2015-011; Item I; Docket No.: 2015-0011, Sequence No.: 1] (RIN: 9000-AN05) received September 28, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7039. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's summary presentation of interim and final rules — Federal Acquisition Regulation; Federal Acquisition Circular 2005-91; Introduction [Docket No.: FAR 2016-0051, Sequence No.: 5] received September 28, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7040. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; New Designated

Countries-Ukraine and Moldova [FAC 2005-91; FAR Case 2016-009; Item VIII; Docket No.: 2016-0009, Sequence No.: 1] (RIN: 9000-AN25) received September 28, 2016, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7041. A letter from the Executive Secretary, United States Agency for International Development, transmitting two notifications of nomination, action on nomination, and change in previously submitted reported information, 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.

7042. A letter from the Deputy Chief, National Forest System, Department of Agriculture, transmitting the final map and perimeter boundary description for the Skagit Wild and Scenic River, in Washington, added to the National Wild and Scenic Rivers System, pursuant to 16 U.S.C. 1274(b); Public Law 90-542, Sec. 3(b) (as amended by Public Law 100-534, Sec. 501); (102 Stat. 2708); to the Committee on Natural Resources.

7043. A letter from the Congressional Task Force on Economic Growth in Puerto Rico, transmitting a report titled "Congressional Task Force on Economic Growth in Puerto Rico: Status Update to the House and Senate", pursuant to 48 U.S.C. 2196(g); Public Law 114-187, Sec. 409(g); (130 Stat. 593); to the Committee on Natural Resources.

7044. A letter from the Attorney General, Department of Justice, transmitting a recent decision of the United States Court of Appeals for the District of Columbia Circuit, Pursuing America's Greatness v. Federal Election Commission, —F. 3d—, 2016 WL 4087943 (D.C. Cir. Aug. 2, 2016); to the Committee on the Judiciary.

7045. A letter from the Counsel to the Clerk, United States Court of Appeals for the Tenth Circuit, transmitting an opinion of the United States Court of Appeals for the Tenth Circuit, United States v. Wolfname, No. 15-8025, 2016 U.S. App. LEXIS 15778 (10th Cir. Aug. 26, 2016); to the Committee on the Judiciary.

7046. A letter from the Senior Counsel for Regulatory Affairs, Department of the Treasury, transmitting the Department's interim final rule — Gulf Coast Restoration Trust Fund (RIN: 1505-AC52) received September 28, 2016, 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.

7047. A letter from the Deputy Secretary and Acting Under Secretary of Defense for Personnel and Readiness, Department of Veterans Affairs and Department of Defense, transmitting the Departments' FY 2015 Annual Joint Report, pursuant to 38 U.S.C. 8111(f)(1); Public Law 96-22, Sec. 301(a) (as added by Public Law 97-174, Sec. 3(a)(3)); (96 Stat. 73); jointly to the Committees on Armed Services and Veterans' Affairs.

## 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:

Mrs. MILLER of Michigan: Committee on House Administration. H.R. 4092. A bill to reauthorize the sound recording and film preservation programs of the Library of Congress, and for other purposes (Rept. 114-703 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mrs. MILLER of Michigan: Committee on House Administration. H.R. 5227. A bill to

authorize the National Library Service for the Blind and Physically Handicapped to provide playback equipment in all forms, to establish a National Collection Stewardship Fund for the processing and storage of collection materials of the Library of Congress, and to provide for the continuation of service of returning members of Joint Committee on the Library at beginning of a Congress (Rept. 114-706 Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. DENT: Committee on Ethics. In the Matter of Allegations Relating to Representative David McKinley (Rept. 114-795). Referred to the House Calendar.

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 2261. A bill to facilitate the continued development of the commercial remote sensing industry and protect national security; with an amendment (Rept. 114-796). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 2263. A bill to rename the Office of Space Commerce and for other purposes (Rept. 114-797). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 5311. A bill to improve the quality of proxy advisory firms for the protection of investors and the U.S. economy, and in the public interest, by fostering accountability, transparency, responsiveness, and competition in the proxy advisory firm industry, with an amendment (Rept. 114-798). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 5429. A bill to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders (Rept. 114-799). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE: Committee on Rules. House Resolution 901. Resolution providing for consideration of the Senate amendment to the bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes (Rept. 114-800). Referred to the House Calendar.

## DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on the Judiciary discharged from further consideration. H.R. 4092 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 5227 referred to the Committee of the Whole House on the state of the Union.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SCALISE (for himself and Mr. JODY B. HICE of Georgia):

H.R. 6195. A bill to amend the Internal Revenue Code of 1986 to allow charitable organizations to make statements relating to political campaigns if such statements are made in the ordinary course of carrying out its tax exempt purpose; to the Committee on Ways and Means.

By Mr. ROYCE (for himself and Mr. BLUMENAUER):

H.R. 6196. A bill to amend the National Flood Insurance Act of 1968 to ensure community accountability for areas repetitively damaged by floods, and for other purposes; to the Committee on Financial Services.

By Ms. VELÁZQUEZ:

H.R. 6197. A bill to amend the Higher Education Act of 1965 to provide loan deferment and loan cancellation for founders and employees of small business start-ups, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Financial Services, Ways and Means, and Small Business, 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. CULBERSON (for himself, Mr. MCCAUL, Mr. SMITH of Texas, Mr. OLSON, Mr. CHABOT, Mr. SESSIONS, Mr. BARLETTA, and Mr. GOHMERT):

H.R. 6198. A bill to provide that no alien may be naturalized as a citizen of the United States until such time as the Director of U.S. Immigration and Customs Enforcement completes the digitization of all remaining paper-based fingerprint records for inclusion in the Automated Biometric Identification System (IDENT) of the Department of Homeland Security, and for other purposes; to the Committee on the Judiciary.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 6199. A bill to require the Director of the Centers for Disease Control and Prevention to complete a study on the human health implications of per- and polyfluoroalkyl substances (PFAS) contamination in drinking water; to the Committee on Energy and Commerce.

By Mr. HECK of Washington (for himself, Mr. KILMER, and Ms. DELBENE):

H.R. 6200. A bill to provide for the issuance of a Puget Sound Restoration Semipostal Stamp; to the Committee on Oversight and Government Reform, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 6201. A bill to amend the Safe Drinking Water Act with respect to the monitoring program for unregulated contaminants, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SEAN PATRICK MALONEY of New York (for himself and Mr. ENGEL):

H.R. 6202. A bill to amend the Act popularly known as the Rivers and Harbors Appropriation Act of 1915 to prohibit the establishment of certain anchorage grounds within five miles of a nuclear power plant, a location on the national register of historic places, a superfund site, or critical habitat of an endangered species, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FOSTER (for himself, Ms. EDWARDS, Ms. CASTOR of Florida, Mr. RYAN of Ohio, Mr. POLIS, Mr. HONDA, Mr. DAVID SCOTT of Georgia, and Mr. SWALWELL of California):

H.R. 6203. A bill to direct the Secretary of Education to carry out a STEM grant program; to the Committee on Education and the Workforce.

By Mr. FOSTER:

H.R. 6204. A bill to amend section 262 of the Museum and Library Services Act to authorize the Director of the Institute of Museum and Library Service to award grants to institutions of higher education for courses that

use only publicly available digital resources for required reading assignments, and for other purposes; to the Committee on Education and the Workforce.

By Mr. FOSTER:

H.R. 6205. A bill to amend the Higher Education Act of 1965 to allow certain payments made by public service employees to qualify for public service repayment, and for other purposes; to the Committee on Education and the Workforce.

By Mr. FOSTER:

H.R. 6206. A bill to amend the Higher Education Act of 1965 to authorize certain students to retain financial aid eligibility while completing a drug rehabilitation program; to the Committee on Education and the Workforce.

By Mr. VALADAO (for himself, Mr. DENHAM, Mr. KNIGHT, Mr. CALVERT, Mr. CURBELO of Florida, Mr. SENSENBRENNER, Mr. WEBSTER of Florida, Mr. BISHOP of Michigan, Ms. JENKINS of Kansas, Mr. MCCLINTOCK, Mr. JOYCE, Mr. COSTA, Mr. KING of Iowa, Mr. COLLINS of New York, Mr. NUNES, and Ms. STEFANIK):

H.R. 6207. A bill to direct the Secretary of Veterans Affairs to make certain improvements in scheduling veterans for health care appointments; to the Committee on Veterans' Affairs.

By Mrs. LOWEY (for herself, Mr. SMITH of New Jersey, Mr. ENGEL, Mr. ROSLEHTINEN, Mr. ISRAEL, Ms. GRANGER, Mr. DEUTCH, and Mr. ROSKAM):

H.R. 6208. A bill to require continued and enhanced annual reporting to Congress in the Annual Report on International Religious Freedom on anti-Semitic incidents in Europe, the safety and security of European Jewish communities, and the efforts of the United States to partner with European governments, the European Union, and civil society groups, to combat anti-Semitism, and for other purposes; to the Committee on Foreign Affairs.

By Ms. ROS-LEHTINEN (for herself, Mr. ENGEL, Mr. SALMON, Mr. SHERMAN, Mr. CHABOT, and Mr. SIREs):

H.R. 6209. A bill to reauthorize the North Korean Human Rights Act of 2004, and for other purposes; to the Committee on Foreign Affairs.

By Mrs. LAWRENCE:

H.R. 6210. A bill to amend the Elementary and Secondary Education Act of 1965 to strengthen accountability of authorized public chartering agencies and reduce charter school authorizing misconduct; to the Committee on Education and the Workforce.

By Ms. WASSERMAN SCHULTZ (for herself, Mr. SMITH of Texas, Ms. NORTON, Mrs. NAPOLITANO, Mr. GRAYSON, Mrs. WATSON COLEMAN, Ms. CLARK of Massachusetts, Ms. MENG, Ms. EDWARDS, Ms. WILSON of Florida, Mrs. LAWRENCE, Ms. VELÁZQUEZ, Ms. BROWNLEY of California, Mr. CICILLINE, Mr. RYAN of Ohio, Ms. MOORE, Mr. MURPHY of Florida, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. GRIJALVA, Mr. HASTINGS, Mr. CÁRDENAS, Mr. VAN HOLLEN, Mr. RANGEL, Mr. BERA, Mr. DESAULNIER, Mr. HINOJOSA, Mr. JEFFRIES, Mr. POCAN, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Ms. PINGREE, and Ms. KELLY of Illinois):

H.R. 6211. A bill to provide protection for survivors of domestic violence or sexual assault under the Fair Housing Act; to the Committee on the Judiciary.

By Mr. CARTWRIGHT (for himself, Mr. QUIGLEY, Mr. TONKO, Ms. MATSUI, and Mr. CONNOLLY):

H.R. 6212. A bill to authorize the Department of Energy to assess and score new and

existing homes for the cost-effective reduction in the energy use, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HECK of Washington (for himself, Mrs. NOEM, Mr. COLE, Ms. MCCOLLUM, Ms. MOORE, and Mr. KILMER):

H.R. 6213. A bill to direct the Community Development Financial Institutions Fund to perform an outreach program for the new markets tax credit to underserved communities, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMPEO:

H.R. 6214. A bill to provide for consideration of the extension under the Energy Policy and Conservation Act of nonapplication of No-Load Mode energy efficiency standards to certain security or life safety alarms or surveillance systems; to the Committee on Energy and Commerce.

By Mr. VEASEY:

H.R. 6215. A bill to amend the Internal Revenue Code of 1986 to exempt from the individual health insurance mandate certain low-income individuals residing in States that have not elected the Medicaid expansion under the Patient Protection and Affordable Care Act; to the Committee on Ways and Means.

By Mr. VEASEY:

H.R. 6216. A bill to require State and local law enforcement agencies to submit information about law enforcement investigations to the Attorney General, and for other purposes; to the Committee on the Judiciary.

By Mr. VEASEY:

H.R. 6217. A bill to require States and units of local government to have in place laws requiring law enforcement officers to submit reports when an individual is injured or killed by such a law enforcement officer in the course of the officer's employment as a condition on receiving certain grant funding, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIQUIN:

H.R. 6218. A bill to clarify the boundary of Acadia National Park, and for other purposes; to the Committee on Natural Resources.

By Mrs. ROBY:

H.R. 6219. A bill to amend the Intelligence Reform and Terrorism Prevention Act of 2004 to ensure that individuals who are found to have stored classified information on unsecured servers are disqualified from receiving security clearances, and for other purposes; to the Committee on Oversight and Government Reform, 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 Ms. BROWNLEY of California (for herself, Ms. PINGREE, Mr. TAKANO, Ms. SLAUGHTER, Mr. SCOTT of Virginia, Mr. POLIQUIN, Mr. PRICE of North Carolina, Mr. ZINKE, Mr. YOHIO, Mr. THOMPSON of California, Mr. O'ROURKE, Mrs. DINGELL, Mr. DESANTIS, Mr. LEVIN, and Mr. CAPUANO):

H.R. 6220. A bill to authorize the Secretary of Veterans Affairs to carry out certain

major medical facility leases of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. GOHMERT (for himself, Mr. SESSIONS, Mr. SMITH of Texas, Mr. MCCAUL, Mr. NEUGEBAUER, Mr. FARENTHOLD, Mr. CONAWAY, Mr. BARTON, Mr. WILLIAMS, Mr. WEBER of Texas, Mr. BABIN, Mr. GENE GREEN of Texas, Mr. AL GREEN of Texas, Ms. JACKSON LEE, Mr. MARCHANT, Mr. OLSON, Mr. SAM JOHNSON of Texas, Mr. CUELLAR, Mr. CARTER of Texas, Mr. BURGESS, Mr. BRADY of Texas, Mr. RATCLIFFE, and Mr. HURD of Texas):

H.R. 6221. A bill to award a Congressional Gold Medal to Don Stephens, President and Founder of Mercy Ships, in recognition of his 38 years of service as the leader of a humanitarian relief organization that exemplifies the compassionate character of America; to the Committee on Financial Services.

By Mr. YOUNG of Iowa:

H.R. 6222. A bill to amend title 5, United States Code, to require publication of information pertaining to the persons participating in the rule making, and on the basis on which the rule is made, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISSA (for himself and Mr. VARGAS):

H.R. 6223. A bill to amend title 28, United States Code, to provide that a national of the United States may only bring a claim against a foreign state for an injury which was caused by international terrorism and which occurred on September 11, 2001, and for other purposes; to the Committee on the Judiciary.

By Mrs. BEATTY (for herself, Ms. SEWELL of Alabama, and Mr. YOUNG of Iowa):

H.R. 6224. A bill to amend the Public Health Service Act to promote the inclusion of minorities and women in clinical research, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. BEATTY (for herself, Ms. MAXINE WATERS of California, Mr. CONYERS, Mr. DAVID SCOTT of Georgia, and Mr. MURPHY of Florida):

H.R. 6225. A bill to amend the Federal Reserve Act to require Federal reserve banks to interview at least one individual reflective of gender diversity and one individual reflective of racial or ethnic diversity when appointing Federal reserve bank presidents, and for other purposes; to the Committee on Financial Services.

By Mr. TOM PRICE of Georgia (for himself, Mr. MCGOVERN, Mr. MARCHANT, Mr. THORNBERRY, and Mr. GOHMERT):

H.R. 6226. A bill to delay the Medicare demonstration for pre-claim review of home health services, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BERA (for himself and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 6227. A bill to provide for a comprehensive interdisciplinary research and development initiative to strengthen the capacity of the electricity sector to neutralize cyber attacks; to the Committee on Science, Space, and Technology, and in addition to

the Committees on Homeland Security, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOUSTANY:

H.R. 6228. A bill to amend the Internal Revenue Code of 1986 to extend and modify the alternative fuel and alternative fuel mixture credits; to the Committee on Ways and Means.

By Mr. BURGESS (for himself, Mr. GENE GREEN of Texas, Mr. HUDSON, and Ms. CASTOR of Florida):

H.R. 6229. A bill to amend the Public Health Service Act to facilitate assignment of military trauma care providers to civilian trauma centers in order to maintain military trauma readiness and to support such centers, and for other purposes; to the Committee on Energy and Commerce.

By Ms. JACKSON LEE (for herself, Mr. CUMMINGS, Mr. CLEAVER, Ms. ADAMS, and Ms. WASSERMAN SCHULTZ):

H.R. 6230. A bill to ensure that seniors, veterans, and people with disabilities who receive Social Security and certain other Federal benefits receive a \$250 payment in the event that no cost-of-living adjustment is payable in a calendar year; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CICILLINE (for himself, Ms. BASS, Ms. CLARKE of New York, Mr. ELLISON, Ms. HAHN, Mr. ISRAEL, Ms. KELLY of Illinois, Mr. MCGOVERN, Ms. PINGREE, Ms. SCHAKOWSKY, and Ms. WILSON of Florida):

H.R. 6231. A bill to carry out an income-contingent repayment program for Federal Interest Free Education Loans for undergraduate students, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CICILLINE (for himself and Mr. MACARTHUR):

H.R. 6232. A bill to provide for the establishment of a Commission on the Advancement of Social Enterprise, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CONAWAY (for himself, Mr. BARTON, Mr. CARTER of Texas, Mr. CULBERSON, Ms. GRANGER, Mr. SAM JOHNSON of Texas, Mr. NEUGEBAUER, Mr. OLSON, Mr. SESSIONS, and Mr. WILLIAMS):

H.R. 6233. A bill to authorize the Secretary of the Interior to conduct a special resource study of the George W. Bush Childhood Home, located at 1412 West Ohio Avenue, Midland, Texas, and for other purposes; to the Committee on Natural Resources.

By Mr. COOK:

H.R. 6234. A bill to amend title 18, United States Code, to provide for penalties for the sale of any Purple Heart awarded to a member of the Armed Forces; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 6235. A bill to transfer certain land from the Secretary of the Army, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. DAVIS of California (for herself, Mr. SCOTT of Virginia, Mr. SABLAN, Mr. POLIS, Ms. BONAMICI, Mr. TAKANO, Ms. ADAMS, Mr. DESAULNIER, Ms. WILSON of Florida, Mr. HINOJOSA, Ms. FUDGE, and Mr. GRIJALVA):

H.R. 6236. A bill to elevate the teaching profession through systemic innovations in

teacher recruitment and retention to ensure that students, especially those from low-income families, are taught by excellent, well-prepared, and well-supported teachers, and for other purposes; to the Committee on Education and the Workforce.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 6237. A bill to amend the Internal Revenue Code of 1986 to coordinate the reduction in the American Opportunity Tax Credit with Federal Pell Grants, to the extent such grants are attributable to expenses not eligible for such credit, and for other purposes; to the Committee on Ways and Means.

By Mr. RODNEY DAVIS of Illinois (for himself, Ms. KUSTER, Mr. SEAN PATRICK MALONEY of New York, and Mr. PETERS):

H.R. 6238. A bill to direct the Secretary of the Treasury to establish a program for issuing identity protection personal identification numbers (IP PINs) to adopted children for purposes of tax administration; to the Committee on Ways and Means.

By Mr. DEFazio:

H.R. 6239. A bill to amend the Higher Education Act of 1965 to improve Federal Pell Grants and loans, and for other purposes; to the Committee on Education and the Workforce, 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. DELANEY (for himself, Mr. GIBSON, Mr. LOWENTHAL, Mr. CURBELO of Florida, Mr. DEUTCH, Mr. DOLD, and Mr. PETERS):

H.R. 6240. A bill to accelerate reductions in climate pollution in order to leave a better planet for future generations, and to create a bipartisan commission to develop economically viable policies to achieve science-based emissions reduction targets; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, 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. DESANTIS:

H.R. 6241. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for reciprocal marketing approval of certain drugs, biological products, and devices that are authorized to be lawfully marketed abroad, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESAULNIER:

H.R. 6242. A bill to amend the Internal Revenue Code of 1986 to adjust the rate of income tax of a publicly traded corporation based on the ratio of compensation of the corporation's highest paid employee to the median compensation of all the corporation's employees; to the Committee on Ways and Means.

By Mr. DONOVAN (for himself and Mr. ROONEY of Florida):

H.R. 6243. A bill to improve the ability of the Federal Government to address synthetic opioids, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on the Judiciary, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.



By Mr. DUFFY (for himself, Mr. THOMPSON of Mississippi, Mr. SENSENBRENNER, Mr. HARPER, and Mr. KELLY of Mississippi):

H.R. 6244. A bill to require the appropriate Federal banking agencies to treat certain non-significant investments in the capital of unconsolidated financial institutions as qualifying capital instruments, and for other purposes; to the Committee on Financial Services.

By Mr. DUNCAN of Tennessee (for himself and Mr. LAMALFA):

H.R. 6245. A bill to direct the Secretary of Veterans Affairs to sell Pershing Hall, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. EMMER of Minnesota:

H.R. 6246. A bill to amend the Internal Revenue Code of 1986 to provide for the indexing of certain assets for purposes of determining gain or loss of eligible individuals; to the Committee on Ways and Means.

By Mr. FLEMING:

H.R. 6247. A bill to provide for stability of title to certain lands in the State of Louisiana, and for other purposes; to the Committee on Natural Resources.

By Ms. FOXX (for herself and Mr. WOODALL):

H.R. 6248. A bill to establish a direct spending safeguard limitation on any direct spending program without a specific level of authorized spending, and for other purposes; to the Committee on the Budget.

By Ms. GABBARD:

H.R. 6249. A bill to amend the Food, Agriculture, Conservation, and Trade Act of 1990 to provide for a macadamia tree health initiative, and for other purposes; to the Committee on Agriculture.

By Mr. GALLEGO (for himself and Mr. SWALWELL of California):

H.R. 6250. A bill to amend the Higher Education Act of 1965 to allow qualified entrepreneurs to temporarily defer Federal student loan payments after starting a new business; to the Committee on Education and the Workforce.

By Mr. GARRETT:

H.R. 6251. A bill to promote transparency by permitting the Public Company Accounting Oversight Board to allow its disciplinary proceedings to be open to the public, and for other purposes; to the Committee on Financial Services.

By Mr. GROTHMAN:

H.R. 6252. A bill to make any city or county that has in effect any law or ordinance that is in violation of Federal immigration law ineligible for any Federal grant, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Oversight and Government Reform, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HECK of Washington:

H.R. 6253. A bill to establish an advisory commission to examine licensing and certification challenges confronting members of the Armed Forces and their spouses upon post-service entry into the civilian workforce and to make recommendations to Congress for the development of a new class of uniform veteran's certifications for selected occupations that can be accepted by States and United States territories; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HONDA (for himself, Mr. POCAN, Mr. GALLEGO, Mr. NORCROSS,

Mr. LOWENTHAL, Ms. MOORE, Ms. NOR-TON, Mr. QUIGLEY, Mr. GRIJALVA, Ms. WILSON of Florida, Ms. SCHAKOWSKY, and Ms. EDWARDS):

H.R. 6254. A bill to amend the Communications Act of 1934 to prohibit schools and libraries that receive universal service support from blocking Internet access to lesbian, gay, bisexual, transgender, and queer resources, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HONDA (for himself, Mr. BERA, Mr. BRADY of Pennsylvania, Mr. CALVERT, Mr. CARTER of Georgia, Mr. CASTRO of Texas, Mr. CHABOT, Ms. JUDY CHU of California, Mr. COSTA, Mr. DENT, Mr. DESAULNIER, Ms. ESHOO, Mr. FARR, Mr. FLEISCHMANN, Mr. GARAMENDI, Mr. AL GREEN of Texas, Mr. HANNA, Mr. HARPER, Mr. HECK of Nevada, Mr. HILL, Mr. LAMALFA, Ms. LEE, Mr. TED LIEU of California, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LUMMIS, Mr. MARINO, Ms. MATSUI, Mr. MCKINLEY, Ms. MENG, Mrs. NAPOLITANO, Mr. NUNES, Mr. ROHRBACHER, Mr. SALMON, Mr. SHUSTER, Mr. SMITH of Missouri, Mr. SWALWELL of California, Mr. TAKANO, Mr. THOMPSON of California, Mr. VALADAO, Mr. VARGAS, Mrs. MIMI WALTERS of California, Mr. YOUNG of Alaska, Mr. BECERRA, and Mr. FARENTHOLD):

H.R. 6255. A bill to award a Congressional Gold Medal to Norman Yoshio Mineta in recognition of his courageous, principled dedication to public service, civic engagement, and civil rights; to the Committee on Financial Services.

By Mr. HUFFMAN:

H.R. 6256. A bill to provide temporary visitation to spouses of United States citizens; to the Committee on the Judiciary.

By Mr. HUNTER:

H.R. 6257. A bill to amend title 14, United States Code, to provide for nominations of individuals for appointment as Coast Guard Academy cadets, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HUNTER (for himself and Mr. GARAMENDI):

H.R. 6258. A bill to amend title 14, United States Code, to authorize the Secretary of the department in which the Coast Guard is operating to enter into certain contracts for the acquisition of vessels for the Coast Guard, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. ISRAEL:

H.R. 6259. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that liquid over-the-counter medications are packaged with appropriate dosage delivery devices and, in the case of such medications labeled for pediatric use, appropriate flow restrictors, and for other purposes; to the Committee on Energy and Commerce.

By Ms. JENKINS of Kansas:

H.R. 6260. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income interest received on certain loans secured by agricultural real property; to the Committee on Ways and Means.

By Mr. KILMER (for himself and Ms. JENKINS of Kansas):

H.R. 6261. A bill to amend title XVIII of the Social Security Act to improve the way beneficiaries are assigned under the Medicare shared savings program by also basing such assignment on primary care services furnished by nurse practitioners, physician assistants, and clinical nurse specialists; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently

determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MACARTHUR (for himself and Ms. KUSTER):

H.R. 6262. A bill to amend the Internal Revenue Code of 1986 to expand the family members with respect to whom treatment for alcohol and drug addiction is treated as a qualified medical expense for purposes of health reimbursement arrangements, health flexible spending arrangements, and health savings accounts; to the Committee on Ways and Means.

By Mr. MACARTHUR (for himself and Mr. MOULTON):

H.R. 6263. A bill to amend the Internal Revenue Code of 1986 to expand the family members with respect to whom treatment for alcohol and drug addiction is treated as a medical expense for certain purposes; to the Committee on Ways and Means.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 6264. A bill to assist States in providing voluntary high-quality universal pre-kindergarten programs and programs to support infants and toddlers; to the Committee on Education and the Workforce.

By Mr. MCDERMOTT (for himself, Mr. LEVIN, and Mr. CONYERS):

H.R. 6265. A bill to amend title XVIII of the Social Security Act to provide for certain reforms with respect to medicare supplemental health insurance policies; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCHENRY (for himself and Mr. FOSTER):

H.R. 6266. A bill to amend the Federal Deposit Insurance Act to clarify the definition of a deposit broker, and for other purposes; to the Committee on Financial Services.

By Mr. MCKINLEY (for himself and Mr. TONKO):

H.R. 6267. A bill to amend the Internal Revenue Code of 1986 to increase the rehabilitation credit for commercial buildings and to provide a rehabilitation credit for principal residences; to the Committee on Ways and Means.

By Mr. MCNERNEY:

H.R. 6268. A bill to direct the Attorney General to establish a definition of the term "gang", and for other purposes; to the Committee on the Judiciary.

By Ms. MENG (for herself and Mr. TED LIEU of California):

H.R. 6269. A bill to ban the use of bisphenol A in food containers and the replacement of bisphenol A in such containers with unsafe alternatives, and for other purposes; to the Committee on Energy and Commerce.

By Mr. NEAL:

H.R. 6270. A bill to amend the Internal Revenue Code of 1986 to prevent the avoidance of tax by insurance companies through reinsurance with non-taxed affiliates; to the Committee on Ways and Means.

By Mr. NUNES (for himself, Ms. ROSELEHTINEN, Mr. LOBIONDO, Mr. KING of New York, Mr. POMPEO, Mr. TURNER, Mr. WENSTRUP, and Mr. WESTMORELAND):

H.R. 6271. A bill to amend the Foreign Service Act of 1980 to require a period of service at an overseas post of at least four years, to amend title 10, United States Code, to require a tour of duty at defense attaché offices of at least four years, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and Intelligence (Permanent Select), for a period to be subsequently

determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. O'ROURKE (for himself and Mr. ABRAHAM):

H.R. 6272. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to increase the maximum market pay of physicians and dentists in the Veterans Health Administration who work in health professional shortage areas, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. O'ROURKE (for himself and Mr. BOST):

H.R. 6273. A bill to amend title 38, United States Code, to increase the maximum amount of education debt reduction available for health care professionals employed by the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PAULSEN (for himself, Mr. MARCHANT, and Mr. KIND):

H.R. 6274. A bill to amend title XVIII of the Social Security Act to create incentives for healthcare providers to promote quality healthcare outcomes, and for other purposes; to the Committee on Ways and Means.

By Mr. PAYNE (for himself, Mr. DENT, and Mr. DELANEY):

H.R. 6275. A bill to amend title XVIII of the Social Security Act to provide coverage under the Medicare program for FDA-approved qualifying colorectal cancer screening blood-based tests, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOM PRICE of Georgia:

H.R. 6276. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of locum tenens physicians as independent contractors to help alleviate physician shortages in underserved areas; to the Committee on Ways and Means.

By Mr. ROE of Tennessee (for himself, Mr. ABRAHAM, Mr. BOUSTANY, Mr. HARRIS, Mr. TOM PRICE of Georgia, and Mr. BUCSHON):

H.R. 6277. A bill to prohibit the implementation of a proposed Department of Veterans Affairs rule relating to the practice authority of advanced practice registered nurses; to the Committee on Veterans' Affairs.

By Mr. ROKITA:

H.R. 6278. A bill to provide certain reforms to promote accountability and efficiency in the civil service, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. ROS-LEHTINEN (for herself, Mr. SHERMAN, and Mr. GARAMENDI):

H.R. 6279. A bill to provide for the restoration of legal rights for claimants under holocaust-era insurance policies; to the Committee on Foreign Affairs, 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. RUIZ:

H.R. 6280. A bill to amend title V of the Social Security Act to direct the Secretary of Health and Human Services to give priority to eligible entities that partner with certain community partners with respect to grants awarded under the maternal, infant, and early childhood home visitation program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a pe-

riod 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. SALMON (for himself, Mr. SHERMAN, Mr. DESJARLAIS, Mr. BERA, Mr. ROHRBACHER, Mr. MARINO, Ms. ROS-LEHTINEN, Mr. LOWENTHAL, Mr. DUNCAN of South Carolina, and Mr. PERRY):

H.R. 6281. A bill to prevent further advances in North Korea's nuclear program by preventing specialized financial messaging services to, or direct or indirect access to such messaging services for, the Central Bank of the Democratic People's Republic of Korea and certain other financial institutions and sanctioned persons, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SERRANO (for himself, Mr. RANGEL, Mr. ENGEL, Mr. MEEKS, Mr. HIGGINS, Mr. JEFFRIES, Mr. TONKO, Ms. MENG, Mr. CROWLEY, Mr. KATKO, Mrs. CAROLYN B. MALONEY of New York, Mr. ISRAEL, Mr. HANNA, Ms. CLARKE of New York, Ms. VELÁZQUEZ, Mr. SEAN PATRICK MALONEY of New York, Ms. SLAUGHTER, Mr. NADLER, Mrs. LOWEY, Mr. COLLINS of New York, Mr. DONOVAN, Mr. GIBSON, Miss RICE of New York, Mr. REED, Mr. KING of New York, Mr. ZELDIN, and Ms. STEFANK):

H.R. 6282. A bill to designate the facility of the United States Postal Service located at 2024 Jerome Avenue, in Bronx, New York, as the "Dr. Roscoe C. Brown, Jr. Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. SESSIONS (for himself, Mr. CRAMER, Mr. YOHO, Mr. COLLINS of Georgia, and Mr. HOLDING):

H.R. 6283. A bill to establish agency procedures for the issuance of significant guidance documents, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Washington:

H.R. 6284. A bill to amend the Federal Food, Drug, and Cosmetic Act to prohibit the marketing of authorized generic drugs; to the Committee on Energy and Commerce.

By Ms. STEFANK:

H.R. 6285. A bill to amend the Immigration and Nationality Act to authorize admission of Canadian retirees as long-term visitors for pleasure described in section 101(a)(15)(B) of such Act; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TAKANO:

H.R. 6286. A bill to provide for the consideration of energy storage systems by electric utilities as part of a supply side resource process, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, 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. TIPTON (for himself, Mr. HULTGREN, and Ms. SEWELL of Alabama):

H.R. 6287. A bill to establish requirements for use of a driver's license or personal identification card by certain financial institutions for opening an account or obtaining a

financial product or service, and for other purposes; to the Committee on Financial Services.

By Mr. TIPTON (for himself, Mr. COFFMAN, Mr. GOSAR, and Mr. NEWHOUSE):

H.R. 6288. A bill to provide protections and certainty for private landowners related to resurveying certain Federal land under the administrative jurisdiction of the Bureau of Land Management, and for other purposes; to the Committee on Natural Resources.

By Mr. TURNER (for himself, Mr. ROSS, Ms. MOORE, Mr. LANGEVIN, Mr. KILDEE, Mr. HILL, and Mr. MARINO):

H.R. 6289. A bill to provide priority under certain federally assisted housing programs to assisting youths who are aging out of foster care, and for other purposes; to the Committee on Financial Services.

By Mr. VALADAO (for himself and Mr. COSTA):

H.R. 6290. A bill to amend the Internal Revenue Code of 1986 to extend certain tax incentives for biodiesel, renewable diesel, and alternative fuels; to the Committee on Ways and Means.

By Mr. VISCLOSKEY (for himself, Mrs. WALORSKI, Mr. STUTZMAN, Mr. ROKITA, Mrs. BROOKS of Indiana, Mr. MESSER, Mr. CARSON of Indiana, Mr. BUCSHON, and Mr. YOUNG of Indiana):

H.R. 6291. A bill to retitle Indiana Dunes National Lakeshore as Indiana Dunes National Park, and for other purposes; to the Committee on Natural Resources.

By Mrs. WAGNER (for herself, Ms. GABBARD, and Mr. JOLLY):

H.R. 6292. A bill to provide for the vacating of certain convictions and expungement of certain arrests of victims of human trafficking; to the Committee on the Judiciary.

By Mrs. WATSON COLEMAN:

H.R. 6293. A bill to prohibit an employer from inquiring about the salary history of an applicant for employment; to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WESTERMAN (for himself, Mr. HILL, and Mr. CRAWFORD):

H.R. 6294. A bill to improve the coordination and use of geospatial data; to the Committee on Science, Space, and Technology, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ZINKE (for himself and Mr. CRAMER):

H.R. 6295. A bill to amend the Internal Revenue Code of 1986 to enhance the requirements for secure geological storage of carbon dioxide for purposes of the carbon dioxide sequestration credit; to the Committee on Ways and Means.

By Mr. KING of Iowa (for himself, Mr. GOHMERT, Mr. YOHO, Mr. LAMALFA, Mr. JODY B. HICE of Georgia, Mr. HARRIS, Mr. BROOKS of Alabama, Mr. HUELSKAMP, Mr. BABIN, Mr. GOSAR, and Mr. PITTENGER):

H.J. Res. 99. A joint resolution making continuing appropriations for fiscal year 2017, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, 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. BISHOP of Utah (for himself and Mrs. McMORRIS RODGERS):

H.J. Res. 100. A joint resolution proposing an amendment to the Constitution of the United States to give States the authority to repeal a Federal rule or regulation when ratified by the legislatures of two-thirds of the several States; to the Committee on the Judiciary.

By Mrs. ROBY:

H.J. Res. 101. A joint resolution proposing an amendment to the Constitution of the United States which requires (except during time of war and subject to suspension by Congress) that the total amount of money expended by the United States during any fiscal year not exceed the amount of certain revenue received by the United States during such fiscal year and not exceed 20 percent of the gross domestic product of the United States during the previous calendar year; to the Committee on the Judiciary.

By Mr. ROYCE (for himself and Mr. ENGEL):

H. Con. Res. 165. Concurrent resolution expressing the sense of Congress and reaffirming longstanding United States policy in support of a direct bilaterally negotiated settlement of the Israeli-Palestinian conflict and opposition to United Nations Security Council resolutions imposing a solution to the conflict; to the Committee on Foreign Affairs.

By Mr. MESSER:

H. Con. Res. 166. Concurrent resolution providing for an adjournment of the House; considered and agreed to. considered and agreed to.

By Mr. BECERRA (for himself, Ms. LINDA T. SÁNCHEZ of California, Mrs. NAPOLITANO, Ms. HAHN, Mr. SCHIFF, Mrs. TORRES, Mr. SHERMAN, Ms. ROYBAL-ALLARD, Mr. CÁRDENAS, Mr. TED LIEU of California, Mr. LOWENTHAL, Ms. BROWNLEY of California, Mr. TAKANO, Mr. RUIZ, and Mr. AGUILAR):

H. Con. Res. 167. Concurrent resolution honoring Vincent Edward "Vin" Scully, the baseball broadcaster who has magnificently served as the play-by-play announcer for the Brooklyn and Los Angeles Dodgers for 67 Major League Baseball seasons since 1950; to the Committee on Oversight and Government Reform.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Mr. REICHERT, Mr. PASCRELL, and Mr. CARSON of Indiana):

H. Con. Res. 168. Concurrent resolution expressing the sense of Congress regarding the United States Capitol Police and their role in securing the United States Capitol complex and protecting Members of Congress, their staff, and the general public; to the Committee on House Administration.

By Mr. LAHOOD (for himself, Mr. LIPINSKI, Mr. RODNEY DAVIS of Illinois, Mr. MOULTON, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BYRNE, Ms. STEFANIK, Mr. COOPER, Mr. ASHFORD, Mr. KIND, Mr. MOOLENAAR, Mr. MESSER, Mr. HUFFMAN, Mr. WALZ, Mr. VARGAS, Mr. PETERS, Mr. COSTA, Mr. ISSA, Mr. DENHAM, Mr. THORNBERRY, Mr. BISHOP of Utah, Mr. GRIFFITH, Mr. BOST, Mr. RENACCI, Mr. STIVERS, Mr. KINZINGER of Illinois, Mr. DOLD, Mr. CURBELO of Florida, Mr. ROONEY of Florida, Mr. YOUNG of Iowa, Mr. COFFMAN, Mr. GIBSON, Mr. ROUZER, Mr. YODER, Mr. REED, Mr. VALADAO, Mr. CLAWSON of Florida, Mr. HULTGREN, and Mr. ROSKAM):

H. Con. Res. 169. Concurrent resolution establishing a Joint Committee on the Organization of Congress; to the Committee on Rules.

By Mr. YOHO (for himself and Mr. SCHRADER):

H. Con. Res. 170. Concurrent resolution expressing support for the designation of a

"National Purebred Dog Day"; to the Committee on Oversight and Government Reform.

By Mrs. NAPOLITANO (for herself, Mr. CURBELO of Florida, Mr. CUELLAR, Mr. HINOJOSA, Mr. SERRANO, Ms. VELÁZQUEZ, Mr. O'ROURKE, Mr. AGUILAR, Mr. VARGAS, Ms. LINDA T. SÁNCHEZ of California, Mr. HONDA, Mr. SABLÁN, Mrs. TORRES, Mr. LOWENTHAL, Mr. CÁRDENAS, Mr. GRIJALVA, Ms. ROYBAL-ALLARD, Mr. COSTA, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. POLIS, Mr. HUFFMAN, Mr. CASTRO of Texas, Mr. GALLEGU, Mr. RUIZ, Mr. PASCRELL, and Ms. BORDALLO):

H. Res. 898. A resolution supporting the inclusion and meaningful engagement of Latinos in environmental protection and conservation efforts; to the Committee on Natural Resources.

By Mr. REICHERT (for himself, Mr. BLUMENAUER, Mrs. McMORRIS RODGERS, and Ms. TSONGAS):

H. Res. 899. A resolution expressing support for a stable and sustainable funding source for the Teaching Health Center Graduate Medical Education (THCGME) Program; to the Committee on Energy and Commerce.

By Ms. SCHAKOWSKY:

H. Res. 900. A resolution providing for the consideration of the resolution (H. Res. 769) terminating a Select Investigative Panel of the Committee on Energy and Commerce; to the Committee on Rules.

By Mr. CURBELO of Florida (for himself, Ms. WILSON of Florida, Ms. CASTOR of Florida, Mr. DESANTIS, Mr. DIAZ-BALART, Mr. MURPHY of Florida, Mr. PIERLUISI, Ms. ROS-LEHTINEN, Mr. HASTINGS, Mr. GIBSON, Mr. KING of New York, Mr. BARLETTA, Mr. SIREs, Mr. GRAYSON, Mr. JEFFRIES, Ms. WASSERMAN SCHULTZ, Mr. CLAWSON of Florida, Mr. DEUTCH, Mr. BILIRAKIS, and Mr. WALZ):

H. Res. 902. A resolution recognizing and honoring the life of Jose Fernandez; to the Committee on Oversight and Government Reform.

By Mr. DANNY K. DAVIS of Illinois (for himself and Mr. RANGEL):

H. Res. 903. A resolution expressing support for the designation of the month of September 2016 as "Sickle Cell Disease Awareness Month" in order to educate communities across the United States about sickle cell disease and the need for research, early detection methods, effective treatments, and preventative care programs with respect to sickle cell disease; to the Committee on Oversight and Government Reform.

By Mr. AL GREEN of Texas:

H. Res. 904. A resolution honoring Sisters Network Inc. for its work to raise awareness about the tragic impact of breast cancer in the African-American community; to the Committee on Energy and Commerce.

By Mr. AL GREEN of Texas (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. CLYBURN, Ms. MOORE, Mr. CONYERS, Ms. LEE, Ms. MAXINE WATERS of California, Ms. JACKSON LEE, Mr. JEFFRIES, Mr. BUTTERFIELD, Ms. CLARKE of New York, Mrs. WATSON COLEMAN, Ms. FUDGE, Ms. KELLY of Illinois, Ms. BASS, Mr. CLAY, Mr. DANNY K. DAVIS of Illinois, Mr. RANGEL, Mr. ELLISON, Ms. ADAMS, Mr. LEWIS, Mr. SCOTT of Virginia, Mr. PAYNE, Mr. BISHOP of Georgia, Mr. MEEKS, Ms. PLASKETT, Mr. CUMMINGS, Ms. NORTON, Ms. SEWELL of Alabama, Mr. CLEAVER, Ms. BROWN of Florida, Mr. RICHMOND, Mr. RUSH, Ms. WILSON of Florida, Mr. HASTINGS, Mr. CARSON

of Indiana, Ms. FOXX, Mrs. LAWRENCE, Mrs. BEATTY, and Mr. GENE GREEN of Texas):

H. Res. 905. A resolution expressing condolences to the family of Ms. Jacqueline A. Ellis, and commemorating the life and work of Ms. Jacqueline Ellis; to the Committee on House Administration.

By Mr. GUINTA (for himself and Mr. RYAN of Ohio):

H. Res. 906. A resolution supporting the goals and ideals of Red Ribbon Week during the period of October 23 through October 31, 2016; to the Committee on Energy and Commerce.

By Mr. HONDA (for himself, Mr. VARGAS, Mr. TED LIEU of California, Mr. McDERMOTT, Mr. SCOTT of Virginia, Ms. SPIER, Ms. GABBARD, Mr. GRIJALVA, Mr. BECERRA, Ms. BORDALLO, Mr. SCHIFF, Mr. SWALWELL of California, Mr. FARR, Mr. VAN HOLLEN, Mr. TAKANO, Mr. LOWENTHAL, Mr. SABLÁN, Ms. LORETTA SANCHEZ of California, and Ms. JUDY CHU of California):

H. Res. 907. A resolution recognizing Filipino American History Month and celebrating the history and culture of Filipino Americans and their immense contributions to the United States; to the Committee on Oversight and Government Reform.

By Mr. HONDA (for himself, Mr. POCAN, Ms. LINDA T. SÁNCHEZ of California, Mr. HUFFMAN, Mr. GRIJALVA, Ms. CLARKE of New York, and Mr. GARAMENDI):

H. Res. 908. A resolution expressing support for designation of October 2016 as "Bullying Prevention Month"; to the Committee on Oversight and Government Reform.

By Mr. HONDA:

H. Res. 909. A resolution expressing support for the right to rescue animals; to the Committee on Agriculture, 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. HONDA (for himself, Ms. NOR-

TON, Mr. GRIJALVA, Mrs. BUSTOS, Mr. SWALWELL of California, Mr. JOHNSON of Georgia, Ms. WILSON of Florida, Mr. CÁRDENAS, Mr. SABLÁN, Mr. KILDEE, Mr. LOWENTHAL, Ms. SCHAKOWSKY, Ms. LOFGREN, Ms. MOORE, Ms. TITUS, and Ms. JUDY CHU of California):

H. Res. 910. A resolution supporting the ideals and goals of the "International Day for the Elimination of Violence against Women"; to the Committee on Foreign Affairs, 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. LARSEN of Washington:

H. Res. 911. A resolution expressing appreciation during "Domestic Violence Action Month" to all the providers of services in the Second District of Washington state that work tirelessly to end the scourge of domestic violence and to provide education, shelter and assistance to victims of domestic violence; to the Committee on Education and the Workforce.

By Mr. LOWENTHAL (for himself and Mr. RIBBLE):

H. Res. 912. A resolution expressing the sense of the House of Representatives that congressional redistricting should be reformed to remove political gerrymandering; to the Committee on the Judiciary.

By Mr. NOLAN (for himself, Mr. TAKANO, Ms. CLARK of Massachusetts,

Mr. SERRANO, Mr. GRIJALVA, Mr. HONDA, Mr. MCGOVERN, and Ms. FUDGE):

H. Res. 913. A resolution supporting a Federal, publically-funded universal school meal and nutrition program; to the Committee on Education and the Workforce.

By Mr. PAULSEN (for himself and Mr. COHEN):

H. Res. 914. A resolution expressing support for designation of September 2016 as "Pulmonary Fibrosis Awareness Month"; to the Committee on Energy and Commerce.

By Mr. RANGEL (for himself, Ms. CLARKE of New York, Mr. PAYNE, Mr. JEFFRIES, Mr. LEWIS, and Ms. NOR-TON):

H. Res. 915. A resolution expressing the sense of the House of Representatives with respect to Marcus Garvey; to the Committee on the Judiciary.

By Mr. RYAN of Ohio (for himself and Mr. LIPINSKI):

H. Res. 916. A resolution recognizing the impact of tribology on the United States economy and competitiveness in providing solutions to critical technical problems in manufacturing, energy production and use, transportation vehicles and infrastructure, greenhouse gas emissions, defense and homeland security, health care, mining safety and reliability, and space exploration, among others, and recognizing the need for increased research and development investments in tribology and related fields; to the Committee on Science, Space, and Technology.

By Ms. SLAUGHTER (for herself, Mr. SESSIONS, and Mr. DEFazio):

H. Res. 917. A resolution congratulating The Optical Society on its 100th anniversary; to the Committee on Science, Space, and Technology.

By Mr. TAKANO (for himself, Mr. ELLISON, and Mr. GRIJALVA):

H. Res. 918. A resolution expressing support for policies that maintain a robust Veterans Health Administration of the Department of Veterans Affairs and do not jeopardize care for veterans by moving essential resources to the private sector; to the Committee on Veterans' Affairs.

By Mrs. WAGNER:

H. Res. 919. A resolution encouraging States to uphold the rights and dignity of human trafficking survivors; to the Committee on the Judiciary.

By Mr. WILSON of South Carolina:

H. Res. 920. A resolution calling for revisions to the existing rules of engagement under Operation Resolute Support in Afghanistan; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

## MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

296. The SPEAKER presented a memorial of the Senate of the State of California, relative to Senate Joint Resolution 26, calling upon the President of the United States to encourage the Secretary of the United States Department of Health and Human Services to adopt policies to repeal the current discriminatory donor suitability policies of the United States Food and Drug Administration (FDA) regarding blood donations by men who have had sex with another man and, instead, direct the FDA to develop science-based policies such as criteria based on risky behavior in lieu of sexual orientation; to the Committee on Energy and Commerce.

297. Also, a memorial of the Senate of the State of California, relative to Senate Joint Resolution 29, declaring unnecessary and unexplained increases in pharmaceutical pricing is a harm to our health care system that will no longer be tolerated because the system cannot sustain it; to the Committee on Energy and Commerce.

298. Also, a memorial of the Senate of the State of California, relative to Senate Joint Resolution 28, to ensure that immigrant children are afforded due process under the law when they are fighting to remain in the United States of America; to the Committee on the Judiciary.

299. Also, a memorial of the Senate of the State of California, relative to Senate Joint Resolution 24, commending Congress and the President of the United States for enacting the FAST Act to provide stability and reliability in federal transportation funding over the next five years; to the Committee on Transportation and Infrastructure.

300. Also, a memorial of the Senate of the State of California, relative to Senate Joint Resolution 22, urging the Congress to appropriate \$248 million in funding to complete Phase 2 of the Calexico West Land Port of Entry reconfiguration and expansion project; to the Committee on Ways and Means.

301. Also, a memorial of the Senate of the State of California, relative to Senate Resolution 86, requesting the Congress of the United States to pass the Helping Families in Mental Health Crisis Act of 2016 (H.R. 2646), and further requests President Barack Obama to sign that legislation; jointly to the Committees on Energy and Commerce, Ways and Means, and Education and the Workforce.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. HUFFMAN introduced A bill (H.R. 6296) For the relief of Yeganeh Salehi Rezaian; which was referred to the Committee on the Judiciary.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BRADY of Texas:

H.R. 1021.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. BRADY of Texas:

H.R. 2507.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. BRADY of Texas:

H.R. 3298.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make

rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. YOUNG of Indiana:

H.R. 5942.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. SCALISE:

H.R. 6195.

Congress has the power to enact this legislation pursuant to the following:

The First Amendment guarantees both free speech and the free exercise of religion. The Free Speech Fairness Act restores these fundamental liberties to churches and non-profits.

By Mr. ROYCE:

H.R. 6196.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Ms. VELAZQUEZ:

H.R. 6197.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to . . . provide for the . . . general Welfare of the United States; . . .

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. CULBERSON:

H.R. 6198.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 6199.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. HECK of Washington:

H.R. 6200.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7 of the Constitution of the United States

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 6201.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 6202.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. FOSTER:

H.R. 6203.

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, Clauses 1 and 18 of the United States Constitution.

By Mr. FOSTER:

H.R. 6204.

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, Clauses 1 and 18 of the United States Constitution.

By Mr. FOSTER:

H.R. 6205.

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, Clauses 1 and 18 of the United States Constitution.

By Mr. FOSTER:

H.R. 6206.

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, Clauses 1 and 18 of the United States Constitution.

By Mr. VALADAO:

H.R. 6207.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution of the United States

By Mrs. LOWEY:

H.R. 6208.

Congress has the power to enact this legislation pursuant to the following:

Article 1

By Ms. ROS-LEHTINEN:

H.R. 6209.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mrs. LAWRENCE:

H.R. 6210.

Congress has the power to enact this legislation pursuant to the following:

United States Constitution Amendment X: The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

By Ms. WASSERMAN SCHULTZ:

H.R. 6211.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the US Constitution: "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof."

By Mr. CARTWRIGHT:

H.R. 6212.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3: To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;

By Mr. HECK of Washington:

H.R. 6213.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States

By Mr. POMPEO:

H.R. 6214.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. VEASEY:

H.R. 6215.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. VEASEY:

H.R. 6216.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I—The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. VEASEY:

H.R. 6217.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I—The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. POLIQUIN:

H.R. 6218.

Congress has the power to enact this legislation pursuant to the following:

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 Mrs. ROBY:

H.R. 6219.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Ms. BROWNLEY of California:

H.R. 6220.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII of the U.S. Constitution

By Mr. GOHMERT:

H.R. 6221.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 5. To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

By Mr. YOUNG of Iowa:

H.R. 6222.

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. ISSA:

H.R. 6223.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Mrs. BEATTY:

H.R. 6224.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution.

By Mrs. BEATTY:

H.R. 6225.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3

(To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.)

Article 1, Section 8, Clause 18

(To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department thereof).

By Mr. TOM PRICE of Georgia:

H.R. 6226.

Congress has the power to enact this legislation pursuant to the following:

Consistent with the understanding and interpretation of the Commerce Clause, Congress has the authority to enact this legislation in accordance with Clause 3 of Section 8, Article 1 of the U.S. Constitution.

By Mr. BERA:

H.R. 6227.

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. BOUSTANY:

H.R. 6228.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States

By Mr. BURGESS:

H.R. 6229.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution, which grants Congress the power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States.

By Ms. JACKSON LEE:

H.R. 6230.

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, Clauses 1 and 18 of the United States Constitution.

By Mr. CICILLINE:

H.R. 6231.

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. CICILLINE:

H.R. 6232.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. CONAWAY:

H.R. 6233.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. COOK:

H.R. 6234.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. CRAMER:

H.R. 6235.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make Rules and Regulations respecting the Territory or other Property belonging to the United States, as enumerated in Article 4, Section 3, Clause 2, of the United States Constitution.

By Mrs. DAVIS of California:

H.R. 6236.

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. DANNY K. DAVIS of Illinois:

H.R. 6237.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Mr. RODNEY DAVIS of Illinois:

H.R. 6238.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3

By Mr. DeFAZIO:

H.R. 6239.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

By Mr. DELANEY:

H.R. 6240.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. DESANTIS:

H.R. 6241.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. DESAULNIER:

H.R. 6242.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. DONOVAN:

H.R. 6243.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8

By Mr. DUFFY:

H.R. 6244.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. DUNCAN of Tennessee:

H.R. 6245.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 7 of the U.S. Constitution, Clause 1: All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Under Article I, Section 8 of the U.S. Constitution, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties Imposts and Excises shall be uniform throughout the United States.

By Mr. EMMER of Minnesota:

H.R. 6246.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—The Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this constitution in the government of the United States or in any department or officer thereof.

By Mr. FLEMING:

H.R. 6247.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article 4, Section 3, Clause 2 of the U.S. Constitution, which states "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 Ms. FOXX:

H.R. 6248.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 grants Congress the power to "pay the Debts and provide for the common Defence and general Welfare of the United States." Article 1, Section 8, Clause 18 grants Congress the power to "make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers." As this legislation concerns oversight of federal spending on programs authorized by Congress, it is an appro-

priate use of the authority granted to Congress by the above clauses of the Constitution.

By Ms. GABBARD:

H.R. 6249.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution including Article 1, Section 8, Clause 1 (General Welfare Clause) and Article 1, Section 8, Clause 18 (Necessary and Proper Clause)

By Mr. GALLEGOS:

H.R. 6250.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. GARRETT:

H.R. 6251.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 ("The Congress shall have Power "To regulate Commerce with foreign Nations, and among the several States and within the Indian Tribes") and Article I, Section 8, Clause 18 ("The Congress shall have Power "to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof").

Additional authority derives from Article III, Section 1 ("The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.) Additional authority also derives from Article III, Section 2, Clause 3 of the Constitution.

By Mr. GROTHMAN:

H.R. 6252.

Congress has the power to enact this legislation pursuant to the following:

Article I; Section 8, Clause 4 of the United States Constitution.

By Mr. HECK of Washington:

H.R. 6253.

Congress has the power to enact this legislation pursuant to the following:

United States Constitution, Article I, Section 8, Clause 18.

By Mr. HONDA:

H.R. 6254.

Congress has the power to enact this legislation pursuant to the following:

Commerce Clause of the U.S. Constitution (Article I, Section 8, Clause 3)

By Mr. HONDA:

H.R. 6255.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. HUFFMAN:

H.R. 6256.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or office thereof.

By Mr. HUNTER:

H.R. 6257.

Congress has the power to enact this legislation pursuant to the following:

Section 8, Clause 18, of Article 1 of the Constitution.

By Mr. HUNTER:

H.R. 6258.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the Constitution.

By Mr. ISRAEL:

H.R. 6259.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Ms. JENKINS of Kansas:

H.R. 6260.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.

By Mr. KILMER:

H.R. 6261.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the US Constitution.

By Mr. MACARTHUR:

H.R. 6262.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8:

Congress shall have Power To Law and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.

By Mr. MACARTHUR:

H.R. 6263.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8:

Congress shall have Power To Law and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 6264.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power \* \* \* To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. McDERMOTT:

H.R. 6265.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. McHENRY:

H.R. 6266.

Congress has the power to enact this legislation pursuant to the following:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence . . . of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. McKINLEY:

H.R. 6267.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, clause 1 of the U.S. Constitution.

By Mr. McNERNEY:

H.R. 6268.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Ms. MENG:

H.R. 6269.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. NEAL:

H.R. 6270.

Congress has the power to enact this legislation pursuant to the following:



Article 1, Section 8, Clause 3

By Mr. NUNES:

H.R. 6271.

Congress has the power to enact this legislation pursuant to the following:

Article II, section 2 of the Constitution of the United States gives Congress the power to “by Law vest the appointment of . . . inferior Officers, as they think proper . . . in the Heads of Departments.” Article I, section 8 provides that Congress shall have power, among other things, to “regulate Commerce with foreign Nations”; “make Rules for the Government and Regulation of the land and naval Forces”; and “make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof.”

By Mr. O’ROURKE:

H.R. 6272.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8 of the Constitution, Congress has the power “to make all Laws which shall be necessary and proper for carrying into Execution the foregoing a Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof”.

By Mr. O’ROURKE:

H.R. 6273.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 8 of the Constitution, Congress has the power “to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or any Department or Officer thereof”.

By Mr. PAULSEN:

H.R. 6274.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18—necessary and proper

By Mr. PAYNE:

H.R. 6275.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 3—Congress has the ability to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. TOM PRICE of Georgia:

H.R. 6276.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article 1 of the United States Constitution which reads: “All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.”

Clause 1, Section 8 of Article 1 of the United States Constitution which reads: “The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.”

By Mr. ROE of Tennessee:

H.R. 6277.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. ROKITA:

H.R. 6278.

Congress has the power to enact this legislation pursuant to the following:

Art. I, Sec. 8, cl. 18

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. ROS-LEHTINEN:

H.R. 6279.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RUIZ:

H.R. 6280.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I of the Constitution

By Mr. SALMON:

H.R. 6281.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. SERRANO:

H.R. 6282.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. SESSIONS:

H.R. 6283.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1, Clause 1 of the United States Constitution, in that the legislation concerns the exercise of legislative powers generally granted to Congress by that section, including the exercise of those powers when delegated by Congress to the Executive; Article I, Section 8, Clauses 1 to 17, and Section 9, Clauses 1 to 2, 4, and 7 of the United States Constitution, in that the legislation concerns the exercise of specific legislative powers granted to Congress by those sections, including the exercise of those powers when delegated by Congress to the Executive; Article I, Section 8, clause 18 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause “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;” and Article III, Section 1, Clause 1, Sentence 1, Section 2, Clause 1, and Section 2, Clause 2, Sentence 2, of the Constitution, in that the legislation defines or affects judicial powers and cases that are subject to legislation by Congress.

By Mr. SMITH of Washington:

H.R. 6284.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. STEFANIK:

H.R. 6285.

Congress has the power to enact this legislation pursuant to the following:

The power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution, to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by the Constitution in the Government of the United States or in any Department or officer thereof.

By Mr. TAKANO:

H.R. 6286.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States.

By Mr. TIPTON:

H.R. 6287.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: “The Congress shall have power . . . To regulate commerce with foreign nations, and among the several states, and with the Indian Tribes.

By Mr. TIPTON:

H.R. 6288.

Congress has the power to enact this legislation pursuant to the following:

Article 4 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. TURNER:

H.R. 6289.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to “provide for the common Defence and general Welfare of the United States . . .”

Article I, Section 8, Clause 3 (the Commerce Clause) of the United States Constitution, to “regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”

Article I, Section 8, Clause 18 of the United States Constitution, “To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”

By Mr. VALADAO:

H.R. 6290.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts, and Excises shall be uniform throughout the United States.

Mr. VISCLOSKEY:

H.R. 6291.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 Section 8 of Article I of the U.S. Constitution

By Mrs. WAGNER:

H.R. 6292.

Congress has the power to enact this legislation pursuant to the following:

Amendment XIII which authorizes Congress to make laws enforcing the extension of civil rights and universal freedom to victims of slavery.

Clause 18 of section 8 of article I of the Constitution which states that Congress has the power “To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”

By Mrs. WATSON COLEMAN:

H.R. 6293.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the Constitution

Article 1, Section 8, Clause 18 of the Constitution

By Mr. WESTERMAN:

H.R. 6294.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. ZINKE:

H.R. 6295.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 1 of the United States Constitution.

By Mr. HUFFMAN:

H.R. 6296.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4 of the Constitution provides that Congress shall have power to “establish an uniform Rule of Naturalization”.

By Mr. KING of Iowa:

H.J. Res. 99.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact the following due to its power of the purse, outlined in Article I, Section 9 of the Constitution: “No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law;”

By Mr. BISHOP of Utah:

H.J. Res. 100.

Congress has the power to enact this legislation pursuant to the following:

Article V

By Mrs. ROBY:

H.J. Res. 101.

Congress has the power to enact this legislation pursuant to the following:

Article 5:

“The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.”

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 27: Mr. RENACCI.  
H.R. 169: Mr. REICHERT.  
H.R. 213: Mrs. BEATTY and Mr. CONNOLLY.  
H.R. 265: Ms. MCCOLLUM.  
H.R. 297: Ms. ROYBAL-ALLARD, Ms. KELLY of Illinois, Mr. FARR, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RYAN of Ohio, and Ms. WILSON of Florida.  
H.R. 303: Mr. MCNERNEY and Mr. COURTNEY.  
H.R. 465: Mr. POLIQUIN.  
H.R. 546: Mr. TURNER.  
H.R. 556: Mr. TROTT.  
H.R. 583: Mr. BURGESS.  
H.R. 703: Mr. BRAT.  
H.R. 711: Mr. AUSTIN SCOTT of Georgia.  
H.R. 750: Mr. POLIQUIN.  
H.R. 775: Mr. POLIQUIN.  
H.R. 789: Mr. FRELINGHUYSEN.  
H.R. 900: Mr. WALBERG.  
H.R. 923: Mr. JENKINS of West Virginia and Mr. CULBERSON.  
H.R. 973: Mr. JENKINS of West Virginia.  
H.R. 1095: Mr. LYNCH.  
H.R. 1111: Ms. VELÁZQUEZ.  
H.R. 1147: Mr. ROYCE.  
H.R. 1196: Ms. LOFGREN.  
H.R. 1209: Ms. BONAMICI.  
H.R. 1220: Ms. DUCKWORTH and Mr. YOUNG of Alaska.  
H.R. 1258: Mr. VEASEY.  
H.R. 1282: Ms. ROYBAL-ALLARD.  
H.R. 1399: Mr. SCOTT of Virginia, Mr. HINOJOSA, and Ms. BONAMICI.

H.R. 1427: Mr. RICE of South Carolina and Mrs. LOVE.

H.R. 1457: Mr. ISSA, Mr. TROTT, and Mr. RATCLIFFE.

H.R. 1507: Mr. VEASEY.

H.R. 1552: Mr. VEASEY.

H.R. 1608: Mr. CARTER of Georgia, Mr. LATTI, and Ms. TITUS.

H.R. 1650: Mr. TROTT.

H.R. 1655: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 1669: Mr. CALVERT.

H.R. 1700: Mr. VEASEY.

H.R. 1706: Mr. MICHAEL F. DOYLE of Pennsylvania and Mr. AGUILAR.

H.R. 1848: Mr. HONDA.

H.R. 1854: Ms. KELLY of Illinois.

H.R. 1911: Mr. BILIRAKIS.

H.R. 1959: Mr. VEASEY.

H.R. 2016: Mr. SARBANES and Mr. SEAN PATRICK MALONEY of New York.

H.R. 2095: Mr. VEASEY.

H.R. 2103: Mr. TED LIEU of California, Mr. SEAN PATRICK MALONEY of New York, Ms. ADAMS, and Mr. PAYNE.

H.R. 2116: Mr. MEEKS, Mr. THOMPSON of Mississippi, Ms. MENG, Mr. JEFFRIES, Ms. CLARKE of New York, and Mr. CROWLEY.

H.R. 2124: Mr. YARMUTH, Mr. MOULTON, and Mr. GUINTA.

H.R. 2125: Mr. CONYERS.

H.R. 2148: Mr. COLE.

H.R. 2192: Mr. GARAMENDI.

H.R. 2293: Mr. VEASEY.

H.R. 2302: Ms. ROYBAL-ALLARD.

H.R. 2403: Mrs. BUSTOS, Mr. JOHNSON of Georgia, and Mr. JEFFRIES.

H.R. 2461: Mr. BYRNE.

H.R. 2493: Mr. LOEBSACK.

H.R. 2518: Mr. HECK of Nevada.

H.R. 2653: Mr. DUNCAN of Tennessee.

H.R. 2660: Mr. VEASEY.

H.R. 2680: Mr. PRICE of North Carolina.

H.R. 2694: Mr. AGUILAR.

H.R. 2698: Mr. HUDSON.

H.R. 2715: Mr. BEYER.

H.R. 2737: Ms. MAXINE WATERS of California, Mr. MICA, Mr. BEN RAY LUJÁN of New Mexico, Mr. GROTHMAN, Mr. WOODALL, and Mr. TURNER.

H.R. 2759: Mr. POLIQUIN.

H.R. 2808: Mr. VEASEY.

H.R. 2849: Mr. HUFFMAN and Mr. SARBANES.

H.R. 2858: Mr. KATKO.

H.R. 2948: Mr. STEWART.

H.R. 2991: Mr. MEEHAN.

H.R. 3074: Mr. MEEHAN.

H.R. 3084: Mr. ZELDIN, Mr. DEFazio, Mr. GENE GREEN of Texas, Ms. MENG, and Mr. KNIGHT.

H.R. 3099: Mr. STIVERS.

H.R. 3119: Mr. POLIQUIN, Mr. PIERLUISI, and Ms. DUCKWORTH.

H.R. 3163: Ms. MENG.

H.R. 3201: Ms. DELBENE, Mr. GUTIÉRREZ, and Mr. VEASEY.

H.R. 3316: Mr. LOEBSACK, Mr. NADLER, and Mr. VEASEY.

H.R. 3343: Mr. VEASEY.

H.R. 3381: Mr. JOHNSON of Ohio.

H.R. 3397: Ms. BROWNLEY of California and Ms. MOORE.

H.R. 3411: Ms. WILSON of Florida and Mr. JOLLY.

H.R. 3436: Mr. VEASEY.

H.R. 3515: Mr. EMMER of Minnesota.

H.R. 3526: Mr. MOULTON.

H.R. 3535: Mr. AGUILAR.

H.R. 3546: Ms. VELÁZQUEZ and Mr. CICILLINE.

H.R. 3562: Mr. LOEBSACK and Mr. MOULTON.

H.R. 3652: Mr. AGUILAR.

H.R. 3660: Mr. SWALWELL of California.

H.R. 3666: Mrs. DINGELL and Mr. SANFORD.

H.R. 3687: Mr. HARPER.

H.R. 3706: Mr. BOUSTANY, Mr. GALLEG0, and Mr. RUIZ.

H.R. 3742: Ms. STEFANIK, Mr. YOUNG of Alaska, Mr. THOMPSON of Pennsylvania, and Mr. MICA.

H.R. 3770: Mr. GALLEG0, Ms. DEGETTE, Mr. CICILLINE, and Ms. KELLY of Illinois.

H.R. 3830: Ms. MENG.

H.R. 3833: Mr. CAPUANO.

H.R. 3882: Mrs. KIRKPATRICK.

H.R. 3886: Mr. VEASEY and Ms. TITUS.

H.R. 3892: Mr. BARLETTA.

H.R. 3929: Mr. ROONEY of Florida.

H.R. 3985: Mr. SWALWELL of California.

H.R. 3991: Ms. BONAMICI and Mr. SERRANO.

H.R. 4016: Mr. KING of New York.

H.R. 4131: Mr. SMITH of Washington.

H.R. 4164: Mr. MCCLINTOCK.

H.R. 4172: Mrs. CAROLYN B. MALONEY of New York.

H.R. 4184: Mr. LOEBSACK, Mr. NADLER, and Mr. VEASEY.

H.R. 4223: Mr. DESAULNIER.

H.R. 4247: Mrs. ELLMERS of North Carolina and Mr. WENSTRUP.

H.R. 4272: Mr. SERRANO.

H.R. 4298: Mr. DESANTIS, Mr. KELLY of Mississippi, Mr. AUSTIN SCOTT of Georgia, Mr. O'ROURKE, and Mr. WENSTRUP.

H.R. 4301: Mr. BROOKS of Alabama.

H.R. 4352: Mr. SCHWEIKERT.

H.R. 4374: Mr. GRIJALVA.

H.R. 4399: Ms. WILSON of Florida.

H.R. 4456: Mr. JOHNSON of Ohio, Ms. SEWELL of Alabama, and Mrs. BUSTOS.

H.R. 4475: Mr. AGUILAR.

H.R. 4514: Mr. AGUILAR and Mr. EMMER of Minnesota.

H.R. 4524: Ms. MENG.

H.R. 4558: Mr. CICILLINE.

H.R. 4559: Mr. BRIDENSTINE, Ms. JENKINS of Kansas, and Mr. NUGENT.

H.R. 4585: Mr. CLAY.

H.R. 4622: Mr. ADERHOLT and Mr. BISHOP of Georgia.

H.R. 4626: Ms. KUSTER, Mr. ROSS, Mr. PERLMUTTER, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. TED LIEU of California, Mr. PETERS, Mr. BEYER, Ms. LINDA T. SANCHEZ of California, Ms. ROYBAL-ALLARD, Ms. HAHN, Mr. FLEMING, Mr. BERA, Ms. DELBENE, and Mr. POMPEO.

H.R. 4657: Ms. BONAMICI and Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 4695: Ms. BONAMICI.

H.R. 4700: Mr. MCKINLEY.

H.R. 4706: Mr. PETERSON.

H.R. 4718: Mrs. BEATTY.

H.R. 4764: Mr. BOUSTANY.

H.R. 4766: Mr. LATTI.

H.R. 4770: Mr. JOYCE.

H.R. 4773: Mr. ROGERS of Alabama.

H.R. 4784: Mr. BERA.

H.R. 4818: Mr. ZINKE.

H.R. 4833: Mr. NORCROSS and Mrs. BEATTY.

H.R. 4907: Mr. BEYER, Ms. GRANGER, and Mr. SERRANO.

H.R. 4919: Mr. ASHFORD and Mr. MEEKS.

H.R. 4927: Mrs. LAWRENCE.

H.R. 4932: Mr. HONDA.

H.R. 4949: Mr. CAPUANO.

H.R. 4980: Mr. OLSON.

H.R. 5009: Mr. RUIZ.

H.R. 5015: Mr. DESANTIS.

H.R. 5067: Mrs. NAPOLITANO and Mr. SERRANO.

H.R. 5082: Mrs. NOEM.

H.R. 5090: Mr. POLIS, Mr. JENKINS of West Virginia, Mr. FLORES, and Ms. ROS-LEHTINEN.

H.R. 5167: Mr. HUFFMAN, Mr. LOEBSACK, and Mr. POCAN.

H.R. 5177: Mr. SEAN PATRICK MALONEY of New York and Mr. NUGENT.

H.R. 5180: Mr. NEWHOUSE.

H.R. 5182: Mr. PAULSEN and Mr. PRICE of North Carolina.

H.R. 5187: Mr. LAMALFA.

H.R. 5191: Mr. MEEHAN.

H.R. 5205: Ms. DELAURO and Ms. PINGREE.

H.R. 5208: Mr. ZELDIN.

H.R. 5219: Ms. PINGREE.

H.R. 5256: Mr. BECERRA.

H.R. 5272: Ms. WASSERMAN SCHULTZ and Mr. HUFFMAN.

H.R. 5285: Mr. DONOVAN.  
H.R. 5299: Mr. COURTNEY.  
H.R. 5301: Mr. CALVERT.  
H.R. 5369: Mr. GRIJALVA, Mr. RUSH, Mr. COHEN, Ms. SLAUGHTER, and Mr. HONDA.  
H.R. 5373: Mr. AGUILAR.  
H.R. 5405: Mr. SEAN PATRICK MALONEY of New York, Mr. MCNERNEY, and Mr. SWALWELL of California.  
H.R. 5410: Mr. DUNCAN of South Carolina and Mr. CRAMER.  
H.R. 5418: Mr. GARRETT, Mr. MURPHY of Pennsylvania, Mr. ZELDIN, Mr. FLEISCHMANN, Mr. MICA, Mr. NUGENT, Mr. ADERHOLT, Mr. ROGERS of Alabama, Mr. CRAWFORD and Mr. SMITH of Missouri.  
H.R. 5482: Mr. MCKINLEY.  
H.R. 5489: Mr. STIVERS and Ms. KUSTER.  
H.R. 5555: Mr. PRICE of North Carolina.  
H.R. 5557: Mr. SEAN PATRICK MALONEY of New York.  
H.R. 5567: Mr. MEEKS.  
H.R. 5571: Mr. AGUILAR.  
H.R. 5573: Mr. WALZ.  
H.R. 5584: Mr. LOWENTHAL.  
H.R. 5589: Mr. FLORES.  
H.R. 5600: Ms. STEFANIK.  
H.R. 5610: Mr. SCHIFF and Mr. AGUILAR.  
H.R. 5621: Mr. FRELINGHUYSEN, Mr. HASTINGS, Ms. ADAMS, Ms. KUSTER, Ms. LEE, Mr. KEATING, Mr. SCOTT of Virginia, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. HIGGINS, Mr. PRICE of North Carolina, Mrs. DINGELL, Ms. DEGETTE, Mr. RUPPERSBERGER, Mr. CUMMINGS, Mr. CONNOLLY, Mrs. NAPOLITANO, Mr. CUELLAR, Ms. SCHAKOWSKY, Mr. NADLER, Mr. MCNERNEY, Mr. COSTA, Mr. MCGOVERN, Mr. CONYERS, Mr. KENNEDY, Ms. CLARK of Massachusetts, Mr. ELLISON, Mr. SCHRADER, Ms. SINEMA, Mr. DOGGETT, Mrs. LOWEY, Mr. TONKO, Mr. NEAL, Mr. NOLAN, Ms. KELLY of Illinois, Mr. GALLEGO, Ms. JACKSON LEE, Mr. COHEN, Ms. BONAMICI, Ms. DUCKWORTH, Ms. CLARKE of New York, Mr. GARRETT, and Mr. SMITH of New Jersey.  
H.R. 5632: Mr. NUGENT.  
H.R. 5650: Mr. KIND.  
H.R. 5653: Mr. DEUTCH, Mr. COFFMAN, Mr. ENGEL, Mr. DONOVAN, Mrs. LOWEY, Mr. CICILLINE, Mr. SWALWELL of California, Ms. SCHAKOWSKY, Mr. JEFFRIES, Mrs. CAROLYN B. MALONEY of New York, and Mr. SHERMAN.  
H.R. 5671: Ms. MOORE.  
H.R. 5686: Ms. TITUS.  
H.R. 5689: Mr. COURTNEY and Mr. WELCH.  
H.R. 5726: Mr. JONES.  
H.R. 5732: Mrs. WALORSKI.  
H.R. 5742: Mr. JEFFRIES.  
H.R. 5745: Mr. MCGOVERN.  
H.R. 5772: Mr. KELLY of Pennsylvania, Mr. PASCRELL, Ms. LOFGREN, and Mr. YOUNG of Indiana.  
H.R. 5779: Mr. CLYBURN, Mr. HOYER, Mr. TED LIEU of California, Ms. LORETTA SANCHEZ of California, Mr. YARMUTH, Mrs. DAVIS of California, Ms. LOFGREN and Mr. VARGAS.  
H.R. 5797: Ms. LEE and Ms. LOFGREN.  
H.R. 5813: Mr. BERA, Mr. KIND, and Ms. SEWELL of Alabama.  
H.R. 5814: Ms. TITUS.  
H.R. 5887: Mr. COFFMAN and Mr. KNIGHT.  
H.R. 5899: Mr. GARAMENDI.

H.R. 5902: Ms. KAPTUR, Mr. FORTENBERRY, and Mr. COURTNEY.  
H.R. 5910: Mr. BILIRAKIS.  
H.R. 5932: Mr. O'ROURKE and Mr. TAKANO.  
H.R. 5942: Mr. LOEBSACK, Mrs. KIRKPATRICK, and Mr. AGUILAR.  
H.R. 5955: Mr. AMODEI.  
H.R. 5962: Mr. MEEHAN, Mr. HUFFMAN, Mr. HONDA, Mr. DESAULNIER, and Mr. GRIJALVA.  
H.R. 5965: Mr. SERRANO.  
H.R. 5980: Mr. RYAN of Ohio, Mr. SERRANO, and Ms. SINEMA.  
H.R. 5989: Mr. MCCLINTOCK.  
H.R. 5996: Mr. HONDA.  
H.R. 5999: Mr. STIVERS, Mr. NUGENT, Ms. BORDALLO, and Mr. MICHAEL F. DOYLE of Pennsylvania.  
H.R. 6025: Mr. STIVERS and Mr. COOPER.  
H.R. 6030: Mr. GARAMENDI, Mr. JEFFRIES, Ms. PINGREE, Ms. TSONGAS, and Ms. SCHAKOWSKY.  
H.R. 6034: Mr. BYRNE.  
H.R. 6037: Mr. MCDERMOTT, Mr. KENNEDY, Ms. LEE, Ms. MCCOLLUM, Mr. ZELDIN, Ms. ESHOO, Mr. SERRANO, Mr. MCNERNEY, Mr. WALDEN, Mr. NOLAN, Ms. MOORE, Mr. YOUNG of Iowa, Mr. LOWENTHAL, Mr. VAN HOLLEN, Mr. GALLEGO, Ms. JACKSON LEE, Mr. COOK, Mr. MCGOVERN, Mr. POLIS, Mr. SMITH of Washington, Mr. SABLAN, Mr. SEAN PATRICK MALONEY of New York, Mrs. TORRES, Ms. NORTON, Ms. KUSTER, Mr. POCAN, and Mr. WEBER of Texas.  
H.R. 6045: Mr. KATKO and Mr. LATTI.  
H.R. 6047: Mr. OLSON, Mr. MESSER, Mr. BARTON, and Ms. BORDALLO.  
H.R. 6059: Ms. BONAMICI.  
H.R. 6072: Mr. TED LIEU of California and Mr. NORCROSS.  
H.R. 6073: Mr. NORCROSS.  
H.R. 6076: Mr. WEBER of Texas and Mr. PERLMUTTER.  
H.R. 6086: Mr. LAMALFA, Mr. BISHOP of Utah, Mr. FRANKS of Arizona, Mr. BROOKS of Alabama, and Mr. PITTS.  
H.R. 6087: Mr. DESANTIS.  
H.R. 6093: Mr. AGUILAR.  
H.R. 6094: Mr. POLIQUIN and Mr. WALKER.  
H.R. 6097: Mr. POLIS.  
H.R. 6100: Mr. HILL, Mr. ROTHFUS, Mr. COOK, Mr. HULTGREN, Mr. CALVERT, Mr. NEWHOUSE, Mr. CARTER of Georgia, Mr. GIBBS, Mr. SMITH of Texas, Mr. DUNCAN of South Carolina, Mr. KELLY of Mississippi, Mr. RENACCI, Mr. JORDAN, Mr. SCALISE, Mr. SMITH of Missouri, Mr. BYRNE, Ms. JENKINS of Kansas, and Mr. ZINKE.  
H.R. 6104: Ms. MAXINE WATERS of California.  
H.R. 6108: Mr. PAULSEN, Mr. CARTER of Georgia, Mr. ASHFORD, Mr. VEASEY, Mr. CÁRDENAS, Mr. COLE, Mr. WENSTRUP, Mr. VELA, Mr. KING of New York, Mr. SHIMKUS, Mr. VARGAS, Mr. O'ROURKE, Mr. PALAZZO, and Mr. KILMER.  
H.R. 6110: Mr. GOWDY.  
H.R. 6122: Mr. HONDA.  
H.R. 6126: Mr. DESAULNIER.  
H.R. 6132: Ms. MATSUI and Mr. MCGOVERN.  
H.R. 6149: Mr. COHEN, Mr. RODNEY DAVIS of Illinois, Mr. NOLAN, Mr. MEEHAN, Mr. SEAN PATRICK MALONEY of New York, Mr.

LOEBSACK, Mr. GIBSON, Ms. MOORE, Mr. RUIZ, Ms. CLARK of Massachusetts, Mr. SMITH of Washington, Mrs. BUSTOS, Mr. HUFFMAN, Mr. PERLMUTTER, Mr. MULLIN, Mr. GOWDY, Mr. SMITH of Missouri, and Mr. CICILLINE.  
H.R. 6168: Mr. POLIS, Mr. TAKANO, Mr. GALLEGO, and Mr. HINOJOSA.  
H.R. 6171: Mr. PEARCE, Mr. YOHO, Mr. HARRIS, Mr. WEBER of Texas, Mr. LAMALFA, Mr. ROUZER, Mr. STEWART, Mr. RICE of South Carolina, Mr. ROKITA, Mr. WESTERMAN, Mr. BABIN, Mr. ROHRBACHER, and Mrs. LUMMIS.  
H.R. 6176: Mr. MEADOWS, Mrs. HARTZLER, Mr. BABIN, Mr. ROUZER, and Mr. KATKO.  
H.R. 6181: Mr. SERRANO.  
H.R. 6186: Mr. GROTHMAN.  
H.R. 6188: Mr. GARAMENDI, Mr. GRIJALVA, and Ms. CLARK of Massachusetts.  
H. Con. Res. 17: Mr. STEWART.  
H. Con. Res. 19: Mr. CLEAVER.  
H. Con. Res. 26: Mr. PALAZZO and Mr. HARPER.  
H. Con. Res. 140: Mr. GRAVES of Georgia, Mr. ABRAHAM, Mr. ROE of Tennessee, Mr. CLAWSON of Florida, Mr. UPTON, Mr. BARTON, Mr. CURBELO of Florida, Mr. LOUDERMILK, and Mr. KATKO.  
H. Con. Res. 141: Mr. PETERS and Mr. JENKINS of West Virginia.  
H. Con. Res. 143: Mr. RANGEL and Mr. KEATING.  
H. Con. Res. 153: Mr. ELLISON, Mr. LARSEN of Washington, and Mr. TED LIEU of California.  
H. Con. Res. 155: Mr. ROGERS of Kentucky, Mr. NOLAN, Ms. PINGREE, and Mr. REICHERT.  
H. Con. Res. 159: Mr. SIRES, Mr. BRADY of Pennsylvania, Mr. DELANEY, and Mr. OLSON.  
H. Con. Res. 161: Mr. JOHNSON of Ohio.  
H. Res. 28: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. LAHOOD.  
H. Res. 110: Mr. DESANTIS.  
H. Res. 647: Mr. VALADAO.  
H. Res. 703: Mr. PAYNE.  
H. Res. 750: Mr. LOWENTHAL.  
H. Res. 752: Mr. AGUILAR, Mr. COFFMAN, Mr. SERRANO, Mr. FRELINGHUYSEN, Mr. SABLAN, Ms. KUSTER, and Mr. CAPUANO.  
H. Res. 784: Mr. AGUILAR and Mr. LOWENTHAL.  
H. Res. 840: Mr. SEAN PATRICK MALONEY of New York.  
H. Res. 848: Mr. HUNTER.  
H. Res. 854: Mr. BLUMENAUER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. COSTELLO of Pennsylvania.  
H. Res. 861: Mr. SESSIONS and Mrs. BEATTY.  
H. Res. 882: Mr. SERRANO.  
H. Res. 883: Mr. COOPER.  
H. Res. 885: Mrs. TORRES, Mr. MCGOVERN, Mr. PETERS, Mr. SCOTT of Virginia, Mr. O'ROURKE, Ms. ESTY, Mr. HONDA, Mr. CICILLINE, Mr. GENE GREEN of Texas, Mr. AGUILAR, Mr. VARGAS, and Mr. YARMUTH.  
H. Res. 887: Ms. BONAMICI, Ms. LOFGREN, Mr. CAPUANO, Mr. YARMUTH, and Ms. EDWARDS.  
H. Res. 891: Ms. HERRERA BEUTLER, Mr. NUNES, Mr. SMITH of Nebraska, and Ms. ROSLEHTINEN.  
H. Res. 895: Mr. VAN HOLLEN.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 114<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 162

WASHINGTON, WEDNESDAY, SEPTEMBER 28, 2016

No. 147

## Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Master, strengthen us so that we will live blameless lives, doing what is right and speaking the truth with sincere hearts. Forgive us when we listen to the cynical angels of our carnal nature, and renew in us a spirit of faith and optimism.

Empower our Senators to be true to their duties, making the commitment to labor with integrity. Lord, instruct them with Your wisdom, protect them with Your might, and guide them with Your love.

Chase away thoughts that bring discouragement and fear, as we remember that nothing is impossible for You.

We pray in Your mighty Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. CRUZ). Under the previous order, the leadership time is reserved.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### REMEMBERING SHIMON PERES

Mr. McCONNELL. Mr. President, we were saddened to learn last night that

Shimon Peres, the ninth President of Israel, has passed away at the age of 93. He leaves behind a remarkable legacy of service on behalf of the people of Israel and a lengthy résumé to match. The Nobel Peace Prize, the Presidential Medal of Freedom, the Congressional Gold Medal—Peres earned them all. In fact, I was honored to be a part of the ceremony to award him that Gold Medal just a few short years ago.

His political career is one that spans nearly seven decades and encompasses just about every high office imaginable: President, Prime Minister, peacemaker, revered statesman, and one of the last remaining connections to the founding of the modern State of Israel. This is how the world will remember Shimon Peres, but above all, we will remember him as the embodiment of a nation that the United States is privileged to call an ally and dear friend.

Our thoughts are with his family; with our friends, the people of Israel; and with the many others around the globe who mourn his passing today.

### BUSINESS BEFORE THE SENATE

Mr. McCONNELL. Mr. President, moving on to the business before the Senate today, last week the President vetoed the Justice Against Sponsors of Terrorism Act. At noon today, the Senate will vote on whether to override his veto of that legislation. After this vote, Members should be prepared for votes on the continuing resolution.

Our colleagues in the House made good progress last night on a way forward to help the people of Flint in the Water Resources Development Act, or WRDA, which, as we have said, is the proper vehicle. The Senate already voted overwhelmingly—95 to 3—to pass assistance to Flint families as part of the WRDA bill, and both Chairman INHOFE and I have pledged to continue to pursue resources for Flint once WRDA goes to conference.

As a result, we are hopeful that we will soon reach an agreement with our Democratic colleagues to move forward on the clean CR-Zika package today. It includes important resources to support our veterans, to combat the Zika virus and heroin and prescription opioid crisis, and to serve as a significant downpayment for flood relief. It also funds all current government operations through December 9 at last year's enacted levels. Let's keep working together to pass it.

### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

### REMEMBERING SHIMON PERES

Mr. REID. Mr. President, on a codel that I led, we were going to stop in Israel, and I told all of the Senators with me that I wanted to take time while we were there to meet my favorite statesman who I had ever met, and that is Shimon Peres.

As my friend the Republican leader outlined, he has a distinctive résumé. I will always remember Eric Cantor, the Republican leader in the House at the time—I called him and said: Shimon Peres is going to be 90 years old, and it would be wonderful if we could get that Gold Medal done during the time he is 90. Eric delivered. It wasn't easy, but he delivered, and I will always remember that. It meant a great deal to this man who had received so many different awards, but to get the highest distinction we as Members of Congress can give someone is something he deserved. As I have indicated, he is the most inspirational public servant I have ever encountered. And when we met him in Israel, he didn't let me down. He was stunningly visionary, like I had always known him to be. What I have said is not hyperbole in

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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any way. I repeat, he was the most visionary and inspirational leader I have ever known.

Let me repeat some of the accomplishments my friend the Republican leader just outlined. He was the Prime Minister of Israel twice, Acting Prime Minister twice, President of Israel, Minister of Defense twice, Minister of Finance, Minister of Transportation, and he served in eight other Cabinet posts. That is a pretty good record.

Shimon Peres was a brilliant man who spoke 6 languages and authored 11 books. He was the definition of a statesman. He was a guiding light for peace—always for peace. He made Israel and the Middle East and the world a better place.

Above all, we should all learn something from this good man. Here is what he said, and this is how he lived his life:

Optimists and pessimists die the same way. They just live differently. I prefer to live as an optimist.

That really says it all. He lived his entire life as an optimist. From the challenges he and his family faced because of the Holocaust to his work for a lasting peace to secure Israel, he never wavered in his hope for the world. He was always looking forward. He had some political battles. The leaders of Israel had all been in the military fighting. He never served in the military, but his abilities were so pronounced that he was able to succeed, as I have outlined in his résumé.

The last time I talked to him, I called him and I said: One of my prize staff members, Jessica Lewis, is coming to Israel with her dad, and her father has never been to Israel. I have told them how I feel about you. Is there any way you could meet them?

And he met them. Of course he did. He spent time with them. That is who he was, a person whom I so admired, and he had time for Jessica and her dad.

I join the people of the world in mourning the passing of this good, kind, and inspirational man. I send my deepest condolences to his family and the people of Israel. I am so happy that the delegation of people who are going to attend his funeral will be led by the President of the United States, Barack Obama.

I will miss Shimon Peres. The world will forever miss this good person.

#### FUNDING FOR FLINT, MICHIGAN

Mr. REID. Mr. President, I am happy to see the progress that has been made in the House of Representatives with respect to Flint, MI. This is a step in the right direction toward advancing funding for the people of Flint in the lameduck. However, I do have some concern. The statement of my Republican colleague, the leader of the Senate, was that he and Senator INHOFE would work toward funding. This should be easy. Why can't they just say they will do it? This is not deficit

spending; this is money that the people of Michigan have allowed—STABENOW and PETERS—to be given up. It is Michigan money that is going to be used in a different way. The money is already there. We overwhelmingly supported it.

So, as I have said before, we will continue to exercise caution moving forward, but I am glad to see that progress has been made. If it were up to me, I believe these three nationally declared emergencies—Louisiana, \$2.8 billion—what happened in Baton Rouge and other parts of Louisiana was devastating. There were rainstorms that even the coast of Louisiana had never seen before—never seen before. Thousands of structures were damaged, and hundreds of them were destroyed. I think they are entitled to work on fixing all of that. We should do as we do with emergencies.

The Presiding Officer is from Texas, and we have stepped forward every time there has been an emergency in Texas and taken care of it, whether it was an explosion that blew up a facility there, whether it was floods. The many problems Texas has had over the last decade, we have taken care of them, as we should.

I think West Virginia, which has an emergency declaration of \$310 million—that should be taken care of.

A much smaller one but a very important one to the people of Maryland—small in proportion to the two I just mentioned—that is nationally declared. We should take care of it.

So I hope we will not continue to mourn the fact that these emergencies occur, these national disasters occur; we have to take care of them. I hope we can do that. It would be the right thing to do.

I look forward to continuing to try to work something out on the CR. We are not there yet, but I hope we can get that done expeditiously.

Mr. President, I ask that the Chair announce the business of the day.

#### LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 5325, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes.

Pending:

McConnell (for Cochran) amendment No. 5082, in the nature of a substitute.

McConnell amendment No. 5083 (to amendment No. 5082), to change the enactment date.

McConnell amendment No. 5084 (to amendment No. 5083), of a perfecting nature.

McConnell amendment No. 5085 (to the language proposed to be stricken by amendment No. 5082), to change the enactment date.

McConnell amendment No. 5086 (to amendment No. 5085), of a perfecting nature.

McConnell motion to commit the bill to the Committee on Appropriations, with in-

structions, McConnell amendment No. 5087, to change the enactment date.

McConnell amendment No. 5088 (to (the instructions) amendment No. 5087), of a perfecting nature.

McConnell amendment No. 5089 (to amendment No. 5088), of a perfecting nature.

Mr. REID. Mr. President, the Chamber is vacant, so I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. COTTON). Without objection, it is so ordered.

#### JUSTICE AGAINST SPONSORS OF TERRORISM ACT—VETO

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the veto message to accompany S. 2040, which the clerk will report.

The senior assistant legislative clerk read as follows:

Veto message to accompany S. 2040, the Justice Against Sponsors of Terrorism Act.

The PRESIDING OFFICER. Under the previous order, there will now be 2 hours of debate equally divided between the leaders or their designees.

The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am honored to open the debate today on the effort by this body and by the U.S. Congress to give the loved ones of the victims of terrorism on 9/11 their day in court—simple justice.

Fifteen years ago we stood in horror as our country suffered the worst terrorist attack on the United States in the history of our Nation. Nearly 3,000 innocent lives were lost, including heroic first responders, firemen, police, and beloved honorable men and women—148 of them from my home State of Connecticut. Over these years, I have watched and listened to them in their strength and courage as they have tirelessly sought to make this system of justice work in the memory of their loved ones.

The terrorists who struck on 9/11 tried and failed to destroy that system of justice and the ideals of this Nation. Our hearts were broken, but our country and our ideals were not.

Over the past 15 years, I have been honored to work with those families. Today gives us the opportunity to move forward with legislation, despite the President's veto.

I deeply respect the President and the reasons that he has given for vetoing the Justice Against Sponsors of Terrorism Act, but I urge my colleagues to move swiftly and soundly to reverse this veto so these families can have their day in court. That is what the legal system of this country is designed to do. It is the system where I spent my career before the Senate

working to ensure accountability for wrongdoers and the restoration of victims' rights—promises to citizens that are made by our Constitution that there will be a neutral and fair forum to determine their claims.

These families will never get their loved ones back, but they deserve justice and a day in court. That is why today we will, I hope, override the President's veto.

Fifteen years after that tragedy we are still learning facts, but there is mounting evidence that the Saudi Government—or at least organizations and operatives within the Saudi Government—aided and abetted one of the most massive crimes in the United States. In our system, the truth behind those facts deserves to be presented in a court—a court of law where fairness and justice will be assured. This measure does not prejudge a verdict or issue a judgment. It gives both sides a fair day in court.

If the Saudi Government had no involvement in 9/11, it has nothing to fear. But if it was culpable, it should be held accountable. That is the basic principle of this measure.

When all is said and done, the Justice Against Sponsors of Terrorism Act simply closes a loophole that was created by the courts, contrary to the intent of this body. That loophole, in effect, permits foreign governments to aid and abet crimes against the citizens of this country as long as its aiding and abetting occurred outside of our borders. Think of it as a missile launched from another country by terrorists with the support and assistance of that foreign government. That foreign government can evade any and all responsibility simply because the missile was launched outside our borders. Similarly, the missile of terrorism can be launched outside our borders and the foreign government, including Saudi Arabia, is able to evade all responsibility under the decision made by the Second Circuit Court of Appeals in New York, which created that loophole. So that foreign government can give terrorists bags of money and tons of explosives to carry out murder within our borders, as long as it does so outside our borders. That is wrong.

The principle here is broader and bigger than Saudi Arabia or even the 9/11 victims. It is about simple justice. Our law should recognize the reality that global crimes can be sponsored and supported outside our borders and inflict grave harm, including murder, on the citizens of our country within our borders.

This loophole will be closed by this measure for the benefit of not only the 9/11 victims but also potential victims in the future. It will send a message and deter violent crime in this country aided and abetted by foreign governments in the future. It will deter that kind of violence through an ideal and a tradition that is uniquely American. It is a system of justice that imposes accountability and makes sure that everybody has a fair day in court.

I know questions have been raised about potential retaliation or reprisal against members of our military or citizens in other countries. This Nation should stand firm and strong against terrorist violence. We have nothing to fear as long as we do not engage in supporting or sponsoring the kind of violence that occurred on 9/11 here. We must trust that our government would never be responsible for that kind of aiding and abetting of deliberate killing of innocent civilians, the purposeful massacre of people who are innocent.

I am honored to begin this debate. I hope it will be closed in a way that vindicates the rights as well as the interests of our country. I am proud to join colleagues on both sides of the aisle. This measure has been bipartisan from the start.

I particularly thank my colleagues Senator SCHUMER and Senator CORNYN for their leadership. I believe a bill unanimously passed by both houses of Congress, strongly supported by both sides of the aisle, deserves to become law. I trust and believe it will today.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withhold?

Mr. BLUMENTHAL. Yes.

Mrs. FISCHER. 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.

OSHA AND ANHYDROUS AMMONIA STORAGE

Mrs. FISCHER. Mr. President, I rise today to address a recent ruling from the U.S. Court of Appeals for the DC Circuit. Last week, the court issued a ruling that was a victory for America's ag producers and a rebuke to Washington regulators. Specifically, the court ruled the Occupational Safety and Health Administration, or OSHA, violated the law when it imposed new limits on anhydrous ammonia storage.

I realize many of my colleagues may not be familiar with anhydrous ammonia. But for those of us who make our living from the land, it is the most cost-effective and commonly used fertilizer in production agriculture. Anhydrous ammonia is an essential input for ag producers in Nebraska and all across this country. It allows them to produce more food while using less land, less water, and, yes, less fertilizer.

Producers receive anhydrous ammonia from retail facilities. In Nebraska, these facilities are primarily farmer-owned cooperatives, found in more than 400 locations across the State. These facilities store anhydrous ammonia in tanks on their property, and since 1992, these tanks have been exempt from certain OSHA regulations. But in 2015, OSHA issued a new standard affecting these retail fertilizer facilities, and they did so illegally, without public notice or industry input.

OSHA's new standard would have required retailers to provide documenta-

tion that these tanks fit certain specifications. If a retailer couldn't produce that paperwork, then he or she would be required to purchase an entirely new tank. These tanks are expensive. The starting price is in the neighborhood of \$70,000. Furthermore, anhydrous ammonia tanks vary in size from State to State, and several tank manufacturers are no longer in business. OSHA's unrealistic expectations made it impossible for these retailers and producers to obtain the needed paperwork, which meant that these retailers would have been forced to purchase those pricey new tanks, even though their old ones worked just fine. Understandably, this became a major headache for retailers and producers.

For example, in my home State of Nebraska, Central Valley Ag Cooperative, which is located in York, anticipated compliance costs of \$5.6 million. This includes an additional \$100,000 of ongoing compliance costs every year. In Elmwood, NE, Midwest Farmers Cooperative estimated producers would spend \$20 to \$28 more per acre when applying fertilizer to their fields. Given the current state of the farm economy, these increased costs would have been devastating. They would have forced many farmers to leave the industry altogether.

That would be heartbreaking enough, but there was another, even more troubling aspect to OSHA's standard. They never put it through the required public notice and comment process. OSHA is required by law to conduct this process, as are most Federal agencies, whenever they issue a new regulation or standard. The public notice-and-comment period is a built-in safeguard. It allows those who would be affected by a proposed regulation to have their voices heard, and, ideally, the government would listen to their voices. But OSHA didn't follow the rules. They did not listen. They didn't even try to listen. They said their new policy was effective immediately. That was unacceptable to me.

In response, this summer I introduced bipartisan legislation with Senator HEIDI HEITKAMP known as the FARM Act. We offered this legislation to provide relief to farmers and force OSHA to follow the law.

Last week, the U.S. Court of Appeals for the DC Circuit reinforced this legislation by forcing OSHA to vacate their illegal and harmful standard. With this ruling, an important precedent has been set. The court made it clear: OSHA improperly expanded the scope, complexity, and costs of regulation on ag facilities that handle anhydrous ammonia. By disrupting the supply of a vital fertilizer, OSHA would have disrupted farming operations. Worse, they would have harmed farmers' ability to do their jobs and also to provide for their families.

I am relieved that the courts came in and upheld the rule of law. America's ag producers will now face one less hardship. They can focus on feeding the



world and providing for their own families.

At the same time, I remain appalled that OSHA would so brazenly disregard the law in the first place. This is another example of why the American people don't trust the Federal Government. Honestly, I don't blame them. When the Federal Government doesn't follow its own law, it destroys public trust. Out-of-control agencies, like OSHA, which do not follow the law need to be stopped when their overly burdensome regulations hurt Americans.

Let the American people do their jobs. Let them raise their families, earn their living, and pursue their life's purpose. When the bureaucracy fails to do this, it is the responsibility of Members of Congress to step in. I am glad that I have done so.

Mr. President, I yield the floor.

Mr. President, I ask unanimous consent that all time spent in a quorum call before the vote on the veto message to accompany S. 2040 be charged equally against each side.

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

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. CORNYN. Mr. President, as the Senate knows, today we are considering the President's misguided decision to veto a piece of legislation that passed this body unanimously by unanimous consent and likewise passed the House of Representatives with no dissenting votes.

In our polarized politics of today, this is pretty much a close-to-miraculous occurrence because Democrats and Republicans, Senators and House Members, have all agreed the Justice Against Sponsors of Terrorism Act, which gives the victims of a terrorist attack on our own soil an opportunity to seek the justice they deserve—all of us have come together and agreed this is appropriate and the right thing to do.

At a time when international terrorism is spreading, FBI Director Comey yesterday warned of a terrorist diaspora. The Justice Against Sponsors of Terrorism Act will send a strong message that those who sponsor terrorist attacks on American soil, including foreign governments, will answer to those victims and pay for the death and destruction they cause.

Current law already allows for American victims to sue foreign governments for many different offenses committed by their employees—commercial wrongs, assault, drunk driving, rape, human trafficking, among others. That is already part of existing law.

JASTA would clarify that sponsoring an act of terrorism in America is added to that list. If we allowed lawsuits against foreign governments for bar fights, contract breaches, drunk driving, then we should allow the victims of a terrorist attack on our soil the opportunity for their day in court as well. This is an important piece of legislation, and it is straightforward. That is why I believe we got the unanimous support in both bodies that we have.

I want to make clear, though, that this has not been a quick process. This legislation has been pending since 2009, and we have worked through a number of Members' concerns they have expressed along the way in order to modify the legislation and build the consensus we now have achieved. There have been many different drafts and feedback from Members, a lot of consultations with family members who have been affected, and a lot has gone into this legislation. That means this bill has been negotiated and hammered out over a long period of time, and that is the reason we were able to garner such strong support from both bodies to get the bill passed.

Last Friday, the President chose to ignore the voices of American terrorism victims by vetoing this legislation. Fortunately, today this Chamber will have a choice and have a chance to exercise our constitutional prerogative under article I, section 7 of the Constitution. We will have a chance to act as a check on President Obama to override his veto.

I have read President Obama's veto message, and it is not persuasive. That is because it described a bill that doesn't exist and misrepresents the state of the law. He cites concerns that the bill would "create complications" with some of our close partners. The truth is, JASTA only targets foreign governments that sponsor terrorist attacks on American soil, plain and simple. I don't know how that would create complications with some of our close partners.

The financing of terrorism in the United States is not behavior we should tolerate from any nation, allies included. How can anyone look the families in the eye and tell them they shouldn't have the opportunity to seek justice against a foreign government responsible for the death of their loved one?

The President has claimed this legislation would result in a flood of lawsuits against Americans by foreign governments. What the President ignores is that we are already being sued by foreign nations under the current state of the law, but a law like JASTA applied reciprocally will open no such floodgates.

The President even had the audacity to claim this legislation might lead to lawsuits against members of the military, but had he read the plain text of the bill, he would know this bill only allows for lawsuits against foreign gov-

ernments, not individuals. He would also know it contains a specific exemption for our Armed Forces.

Finally, JASTA is not a sweeping legislative overhaul that dramatically alters international law. It is an extension of law that has been on the books since 1976. Once again, there are numerous exceptions that prevent foreign governments from shielding themselves from litigation when they cause harm.

The President has also complained this applies to conduct committed abroad, but today and for 40 years our law has been replete with immunity exceptions that apply to conduct committed abroad. This bill just adds another exception.

At the end of the day, this vote is about doing what is right for the American people. Some of our colleagues have expressed concerns about how it might be interpreted by some of our allies, but the fact is, this legislation does not mention any particular country. All it does is it carves out an exception to this notion of sovereign immunity for conduct committed in a terrorist attack on American soil.

The whole idea of sovereign immunity comes from England and our Anglo-American inheritance in our law. The notion is that the King in England could do no wrong so you couldn't sue the government, but we have recognized the injustice that would cause, even in our own country, when Congress has passed numerous exceptions under which the U.S. Government can be sued in our own court, recognizing that equal justice under the law does not create a situation where it should not tolerate a situation where the government was simply immune from litigation and paying its fair compensation in individual lawsuits.

This legislation is about pursuing justice and the legal process it continues to serve as a foundation to our Republic. At its core, this bill is about respecting the voices and the rights of American victims. I believe we have many important allies around the world with whom our interests are aligned, but when our interests diverge, and it is a question of protecting American rights and American values, I think we should always do that rather than somehow subjugate those rights and values to the interests of some foreign government.

This is not about severing our relationship with any ally. This is simply a matter of justice. This is about respecting the voices and the rights of the American victims. At about noon today, this Chamber should vote overwhelmingly to override President Obama's veto of the Justice Against Sponsors of Terrorism Act because the families have already suffered too much. They have already suffered untold tragedy, and they deserve to find a path to closure that only justice can provide.

I, like many of my colleagues, have had a chance to meet with a number of

the families of the victims of 9/11. Their stories are heartbreaking, and I know none of us will forget where we were on that fateful day. Our country has changed undeniably, but for these families, that day and each day serve as a tragic reminder of deep, personal loss.

One of these family members whom I have had the chance to get to know is Marge Mathers, who now calls Texas home. Marge's husband Charles worked on the 99th floor of the North Tower of the World Trade Center. She says she turned on the television that fateful day and watched in horror as the tower in which Charles was working collapsed.

Marge moved to Texas soon after September 11, but her grieving—and our Nation's grieving—continues and of course will never completely end. Long ago, I pledged to Marge and to other families I have met that I would do my very level best to help them right this wrong and to provide them an opportunity to make their case in a court of law. So we will fix this law by extending this 1976 provision, the Foreign Sovereign Immunities Act, to allow the families and the victims of the 9/11 tragedy to seek justice in a court of law in an American court.

These families should have the right to make their case. These families should have the freedom to have their day in court, to have a judge hear their case, and to hold accountable those who played a role in their suffering. That is what this legislation is all about, providing them the freedom to do so.

The families of the 9/11 terrorist attacks that occurred in the United States have waited a long time, and I am hopeful they will not have to wait any longer for the opportunity to pursue justice. I hope every Member of this body will join me in supporting this bill one more time and we will vote to override the President's veto and further the cause of justice for these victims.

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

The PRESIDING OFFICER (Mr. SULLIVAN). Without objection, it is so ordered.

#### FUNDING FOR FLINT, MICHIGAN

Mr. REID. Mr. President, I come to the floor today to give the people of Flint, MI, the assurance that they are going to get some help after more than a year. I have had an opportunity to meet with Senator STABENOW. I talked with her a number of times this morning. I have had occasion to visit with the majority leader, and I have spoken with Leader PELOSI. I am convinced that there is going to be help for Flint in the lame-duck. They have been wait-

ing for help, they deserve help, and I am very happy that it is going to come. The people there deserve relief. What is going on there has been wrong, but now I feel very comfortable in being able to say that the people of Flint, MI, will get help. I have had conversations with people who have been given the assurance by the Republican leadership that something will happen in the lame-duck. We have been waiting a long time to get this done, and it is going to happen.

As I indicated a minute ago, I have had a number of conversations with Leader PELOSI this morning, and she—I never want to say what someone said, but I can say that I felt comfortable, after speaking with her, that the House feels comfortable with where they are on Flint, and we feel comfortable here in the Senate.

I really appreciate the hard work of Senator STABENOW and Senator PETERS because they have been tireless, relentless to make sure the people of Flint, MI, get some help.

I think it should be a good day for the Senate. It should lead to our being able to move forward on the continuing resolution. There are a couple of outstanding issues, but I think they should be able to be resolved.

I yield the floor.

Mr. BLUMENTHAL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CARDIN. Mr. President, I take this time to speak about the Justice Against Sponsors of Terrorism Act, better known as JASTA.

I am going to support the veto override, but it is not without concern for the potential unintended consequences. I have come to the conclusion that the risk of shielding the perpetrators of terrorism from justice outweighs the risks on how other countries might respond to and perhaps compromise U.S. interests.

Fifteen years have passed since the September 11, 2001, terrorist attacks, but in my home State of Maryland and across the country, the pain caused by the events of that terrible day is still very real. The 9/11 attacks were a national tragedy for the United States, but we were personally devastated for fathers, mothers, husbands, wives, and children in Maryland and throughout the country. The 9/11 victims and their families deserve meaningful relief, and I cannot support putting obstacles in the way of victims of terrorism seeking justice.

I understand that this legislation may have an effect on long-held sovereign immunity principles, and I share some of those concerns that the President has articulated in his veto mes-

sage. I share the President's view about the importance of upholding sovereign immunity to the extent that we can and to the extent that it makes sense, but the principles of sovereign immunity were put in place at a time when acts of international terrorism were not as common. Exceptions to sovereign immunity have grown over time as times have changed. In today's world, it is my view that we must make sure that the international community understands that there is a clear distinction between those who oppose terrorism and those who sponsor terrorism. Those who commit or support terrorist acts in the United States should face the full weight of our justice system.

JASTA's intended purpose is to create a tort exception that allows victims and their families to seek justice for acts of international terrorism in the United States that are caused by terrorist torts of a foreign state or its officials. Terrorism victims and their families in the United States should be able to have their day in court. We cannot, in good conscience, close the courthouse door to those families who suffered unimaginable losses.

I have confidence in the American jurisprudence system and that we will get this right in order to respect the lawful acts of governments but also to hold those who sponsor terrorism accountable under our system of justice.

The legislation restricts the application of this exception. It only applies to acts of terrorism on U.S. soil. It establishes a standard that is greater than negligence in order to be able to have an actionable claim. There is an ability for the government to stay the proceedings to negotiate a settlement. So the U.S. Government can intercede. I think these exceptions were put in and negotiated in order to try to deal with some of the legitimate concerns that were initially raised.

As ranking member of the Senate Foreign Relations Committee, I recognize that there are risk factors in terms of how other countries may respond to the enactment of JASTA. As a nation with hundreds of thousands of troops that serve abroad, not to mention multiple foreign bases and facilities, the United States of America is a country that benefits from sovereign immunity principles that protect our country and our country's interests, its Armed Forces, government officials, and litigation in foreign courts. Therefore, there is a concern of unintended consequences, including irresponsible applications to U.S. international activities by other countries.

While I have faith and confidence in the American legal system, the same faith does not necessarily extend to the fairness of legal systems of other countries that may claim they are taking similar actions against America when they are not. So we need to follow closely how other countries respond and try to mitigate the risks of the United States abroad.

In my role as the ranking member of the Foreign Relations Committee, I intend to do just that. I will seek to work with my colleagues to try to mitigate these risks, and I similarly support the efforts of the State Department and Department of Defense to mitigate any risks to our diplomacy, assets, and troops abroad that may be caused by the enactment of JASTA.

I intend to explore with my colleagues the possibility of whether we need or will need additional legislative action. Such additional legislation would allow justice for family members of the victims of the 9/11 attack while ameliorating some of the potential adverse consequences of JASTA.

Near my Baltimore office in the Inner Harbor of Maryland, there has been created a memorial to the victims of the 9/11 attacks. Inspired by an artifact of the New York World Trade Center, the memorial consists of three 22-foot-long twisted and torn amalgamated steel columns from the Twin Towers. The memorial provides a place for contemplation and a site to remember and reflect upon the events of September 11, 2001, while paying tribute to the 69 Marylanders who lost their lives that day. Each year on September 11, Baltimore's World Trade Center will act as a sundial to mark the chronological inscriptions of the events of that tragic day. Today we hold close in our hearts and prayers those Marylanders who died on that day, as well as the families and friends whose lives have been altered forever.

There are no actions we can take to sufficiently heal the pain and suffering so many thousands of Americans carry with them 15 years after that fateful September day, but our constituents and fellow citizens are asking for a path to justice. This legislation creates that path, and having weighed both sides carefully, I am compelled to uphold it.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, last Friday, President Obama vetoed the Justice Against Sponsors of Terrorism Act, JASTA. Given the overwhelming, bipartisan support this legislation enjoys in both the Senate and the House, I was surprised and hence very disappointed the President disregarded the will of the People and chose this course of action. He chose to use his veto pen, but today it is my hope and expectation that the Senate will exercise its constitutional authority to override that veto.

This legislation has been a truly bipartisan effort since the day it was introduced. I joined Senators CORNYN and SCHUMER as an original cosponsor last year.

Our bill is sponsored by 16 members of the Senate Judiciary Committee. And if you know anything about the Judiciary Committee, you know that getting 16 members of our committee to agree on any legislation is no small

task. We have some very conservative members, as well as some very liberal members. Getting all of those members on board with this important legislation is a testament to just how broad its support really is.

I moved this legislation out of our committee unanimously in February, and then the full Senate passed it unanimously in May. The House followed suit and passed it in September. Like the Senate, the House passed the legislation unanimously.

That is how this legislation arrived on the President's desk. It was sent to him with unanimous support in both the Senate and House, from Republicans and Democrats, conservatives and liberals.

But it has run into some opposition. Of course, it is not opposed by the victims of 9/11 and their families. They aren't asking for legislation that tips the scales in their favor. All they want is the opportunity to present their case in a court of law. And that is what this legislation would give them.

The legislation has run into opposition because it is opposed by Saudi Arabia, who has been making threats against the United States about what it might do if Congress stands with the American people and 9/11 victims and their families, instead of the Saudis. Now, according to press reports, the Saudis have gone out and hired an army of lobbyists to work furiously in a last-minute attempt to derail it.

So on what exactly has the White House and Saudi Arabia based its opposition?

They have made a lot of claims, but the one you hear most often is that if the United States stands with the 9/11 victims on this legislation and provides them the opportunity to make their case in court, then other countries could try to haul U.S. soldiers and other personnel into their courts.

But what this claim ignores, of course, is that JASTA does not allow lawsuits against individuals, only foreign governments. JASTA expressly prohibits lawsuits arising from "acts of war." So any claim by the President that this is all about protecting U.S. personnel from being hauled into foreign courts just doesn't hold water.

The second most common argument some are making is that if Congress stands up to the President, the Saudis and their lobbyists, and this legislation becomes law, then the Saudis will respond by pulling their money out of U.S. securities. Well, let's set aside the fact that this appears to be an empty threat. It is highly unlikely that they would follow through on it. But even if they did, there would be plenty of buyers for those securities. But more importantly, is this really how we should be deciding policy? What kind of message would that send to other foreign governments?

The message would be clear: if you want to influence U.S. legislation, make sure to buy up U.S. debt, and then threaten to sell that debt any

time the United States Congress does something you don't like.

We absolutely cannot be intimidated or bend to that type of threat. That would send a terrible message to the rest of the world.

So, it is unfortunate President Obama vetoed this important legislation and that we now need to have this vote.

But, it is my hope and expectation that the Senate—and the House—will stand with the 9/11 victims and their families, and stand up to the President, the Saudis, and their army of lobbyists.

I yield the floor.

Mrs. FEINSTEIN. Mr. President, the decision whether to override the President's veto of the Justice Against Sponsors of Terrorism Act has been a difficult one.

Every Member of this body has vivid memories of September 11: the fires raging in the towers, smoke billowing from the Pentagon, a plane destined for the Capitol, but taken down by brave Americans—the sense that this Nation would never be the same.

I strongly support the ability of Americans who are victims of terrorism on U.S. soil to receive compensation and their fair measure of justice. That, at its core, is the goal of this bill.

I have met with the families. I know many of those killed or injured in the attacks were not only the breadwinners in their families, but also mothers, fathers, sisters, brothers, cousins and friends. I know the families' deep and abiding sense of grief is just as intense today as it was 15 years ago.

This bill has elements that are very strong and have my unqualified support. For example, it expands the Antiterrorism Act to allow victims to hold accountable individuals who aid and abet or conspire to commit terrorist attacks.

I have decided to support the bill today, but continue to be concerned about unintended consequences that may require Congress to revisit this bill in the future.

My key concern relates to the exception to the immunity of foreign governments. Proponents of this bill argue that the exception is narrow, that it applies only if a foreign nation, with ill intent, takes unlawful actions that cause an act of terrorism on our soil.

But other nations that are strongly opposed to American actions abroad could respond by using the bill as an excuse to adopt laws that target our own government's actions.

A September 15 Washington Post editorial said it well: "It is not a far-fetched concern, given this country's global use of intelligence agents, Special Operations forces and drones, all of which could be construed as state-sponsored 'terrorism' when convenient."

Those of us on the Senate Intelligence Committee know that, if other countries respond to JASTA in this

manner, it could jeopardize our government's actions abroad. If that happens, it is likely that our government would be forced to defend against private lawsuits, which could pose a threat to our national security.

I had hoped some agreement could be reached to narrow the bill's scope to limit those unintended consequences, such as by limiting the bill to the September 11 attacks.

I believe the threat of unintended consequences is real and must be mitigated. To that end I have signed a letter with several of my colleagues who feel as I do that this issue will have to be revisited.

I intend to work with my colleagues on a bill that would limit this bill to the 9/11 attacks, which were singularly devastating to our country. In addition, I intend to look into whether we should limit the bill to apply only to those directly impacted by an attack—including individuals, their estates and property damage, rather than companies with only tangential connections.

Mr. GRASSLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CORKER. Mr. President, over the course of the last several days, I have met with the victims of 9/11 and, like many people in this body have, I don't think I have ever met a more gracious, genuine, sincere group of people. I know they have sought some way of expressing their desire to seek justice in what happened on 9/11. We all have constituents who come up and meet with us. These people certainly have not been from the State of Tennessee, but I have to say, they have presented their case in a way that is most heartfelt, and I have tremendous empathy for all they and their families have gone through. Yesterday, on the way outside the building, a gentleman came up to me, recognized me, and told me about sitting in his home and seeing the planes go overhead, seeing them kill his wife. He talked to me about the conversation he had with the FBI agent, whom they have now gotten to know, about what had happened.

Senator SCHUMER and Senator CORNYN have done a remarkable job in shepherding through this piece of legislation. I give them tremendous credit for what they have done. I do want to say, I don't think the Senate nor House has functioned in an appropriate manner as it relates to a very important piece of legislation. We have had no hearings in the U.S. Senate this Congress, and we have had no vote—no vote whatsoever—of record on this piece of legislation. As a matter of fact, today will be the first vote. There is no doubt by fact that we went

through the unanimous consent process and no one objected. No one objected. No doubt that registered our "yes" votes, if you will, without a record on this piece of legislation.

Yesterday I brought my niece and nephew to this building before it opened, and I told them about the fact that there is a place in the back here that from time to time I have gone to pray before a big vote, and how in recent times there haven't been many votes that have been that decisive or that have weighed on me as much as this vote today. Today is one of those votes.

I have tremendous concerns about the sovereign immunity procedures that could be set in place by other countries as a result of this vote. I do. For that reason, I have circulated a letter that lays out those concerns, and numbers of people within this body have signed that letter. They have said we feel there could be in fact unintended consequences as a result of what we know is going to happen today.

I have seen our country's standing in the world be eroded over the course of the last several years. I know there is debate over that. In my opinion, I have seen our standing erode. I am concerned about the consequences that over time this vote will have on that. At the same time, I believe the victims of 9/11 do deserve an outlet, a way, themselves, of seeking justice in this particular case.

This, to me, is not about Saudi Arabia, it is about us, and I don't think the Senate has yet gotten it right as it relates to the best way for the 9/11 victims to seek that justice. I know this bill provides them a way for that to occur. I don't think it is perfect. I think a better way might have been to establish some type of tribunal, where experts could come in and really identify what actually happened on discretionary decisions that took place within the country of Saudi Arabia.

We make decisions around here that we believe are to be in our national interests. I have had tremendous difficulty with this one. That is the reason we have generated a letter of concern to the two sponsors of this bill who have handled this in the manner they have. They have done an exemplary job. To me, the Senate has not functioned quite in the manner that it should, nor has the House, and I think we end up today with an imperfect solution.

I have concerns about this legislation not having a waiver. I have concerns about the fact that over time, if this continues to build upon itself, we as a body—a body that, to me, could use some great strengthening. To me, we have a body that is in the process of building itself back to the place it ought to be, and we have done that over the last couple of years. Let's face it. The institution of the United States Senate itself has diminished over time, and we have work to do to overcome that.

On balance, I think this bill has problems. I think we will be dealing with overcoming this over time, and I know numbers of us have joined together to express that, but I do think that to be consistent and to give the victims who have lost so much an opportunity to express themselves in this way is the appropriate thing to do at this time.

I have read the concerns that have been expressed by the head of our Joint Chiefs. I read the letter that came over from the President. Certainly, there are significant and important points to have been made. As a matter of fact, 6 months ago those points might have led us to a slightly different place today.

So with tremendous reservations and concerns about where this legislation is going to lead us, with tremendous empathy toward the victims—who have lived through so much, have seen loved ones gone, it has affected their lives and will affect their lives for the long term—I am going to support passage of this legislation today, but I do so understanding that there could be in fact unintended consequences that work against our national interests, and with a determination—should that occur—to work with others within this body to try to overcome that.

Mr. President, I ask unanimous consent that a bipartisan letter to Senators CORNYN and SCHUMER regarding S. 2040, the Justice Against Sponsors of Terrorism Act, from myself and Senators CARDIN, GRAHAM, FEINSTEIN, ALEXANDER, WARNER, ROUNDS, REED, ROBERTS, COONS, FLAKE, UDALL, COATS, NELSON, THUNE, SHAHEEN, KING, CARPER, COTTON, MCCASKILL, SULLIVAN, MERKLEY, RISCH, SCHATZ, MCCAIN, HEITKAMP, HIRONO, and BENNET be printed in the RECORD.

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

SEPTEMBER 28, 2016.

Hon. JOHN CORNYN,  
U.S. Senate,  
Washington, DC.

Hon. CHARLES E. SCHUMER,  
U.S. Senate,  
Washington, DC.

DEAR SENATORS CORNYN AND SCHUMER: We are writing regarding the anticipated override of the president's veto of S. 2040, the Justice Against Sponsors of Terrorism Act (JASTA).

We appreciate the efforts that you have undertaken to allow the families who lost loved ones on September 11, 2001 to have additional recourse.

We have a great deal of compassion for the families and respect their desire for justice. We understand your purpose in drafting this legislation is to remove obstacles so those who commit or support terrorist acts in the United States face the full range of consequences of the U.S. legal system. However, concerns have been raised regarding potential unintended consequences that may result from this legislation for the national security and foreign policy of the United States. If other nations respond to this bill by weakening U.S. sovereign immunity protections, then the United States could face private lawsuits in foreign courts as a result of important military or intelligence activities.

We would hope to work with you in a constructive manner to appropriately mitigate those unintended consequences.

Sincerely,

Bob Corker (R-TN), Ben Cardin (D-MD), Lindsey Graham (R-SC), Dianne Feinstein (D-CA), Lamar Alexander (R-TN), Mark Warner (D-VA), Mike Rounds (R-SD), Jack Reed (D-RI), Pat Roberts (R-KS), Chris Coons (D-DE), Jeff Flake (R-AZ), Tom Udall (D-NM), Dan Coats (R-IN), Bill Nelson (D-FL).

John Thune (R-SD), Jeanne Shaheen (D-NH), Angus King (I-ME), Tom Carper (D-DE), Tom Cotton (R-AR), Claire McCaskill (D-MO), Dan Sullivan (R-AK), Jeff Merkley (D-OR), Jim Risch (R-ID), Brian Schatz (D-HI), John McCain (R-AZ), Heidi Heitkamp (D-ND), Mazie Hirono (D-HI), Michael Bennet (D-CO).

Mr. CORKER. With that, Mr. President, I yield the floor. I know the distinguished Senator from New York who sponsored this bill wishes to speak.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, how much time is left on each side?

The PRESIDING OFFICER. The Democrats have 14 minutes remaining. The majority has 1 minute remaining.

Mr. SCHUMER. I ask unanimous consent that I be allowed to finish my remarks and the vote occur immediately thereafter.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I thank my colleague from Tennessee. I know he comes at this with the best of intentions and spirit. We disagree, but he is an expert on foreign policy, and we all respect his judgment.

I rise to speak on behalf of my bill, the Justice Against Sponsors of Terrorism Act, or JASTA. Soon we will vote on whether to override the President's veto of this bill. This is a decision I do not take lightly, but as one of the authors of this legislation and a firm believer in its purpose, I believe the Senate should confidently vote to override, and I will lay out the reasons why as clearly as I can.

The bill is near and dear to my heart as a New Yorker because it would allow the victims of 9/11 to pursue some small measure of justice, finally giving them the legal avenue to pursue the foreign sponsors of a terrorist attack that took the lives of their loved ones.

Unfortunately, the courts in New York have dismissed the 9/11 victims' claims against certain foreign entities alleged to have helped the 9/11 attacks. These courts are following what I believe is a fundamentally incorrect reading of the Foreign Sovereign Immunities Act. Do we want it established inflexibly in precedent that foreign countries, directly responsible for financing terrorist acts on U.S. soil, are beyond the reach of justice? I don't think so. I don't think that. In an age where we have state sponsors of terrorism, I don't think that is what the Foreign Sovereign Immunities Act ever intended.

For the sake of these families, it should be made clear—beyond a shadow of a doubt—that every entity, including foreign states, will be held accountable if they are sponsors of heinous acts like 9/11. It is very simple. If the Saudis were culpable, they should be held accountable. If they had nothing to do with 9/11, they have nothing to fear.

I might add, the families are not simply seeking justice for themselves. They want to make sure Saudi Arabia or any other country in the future knows they will pay the consequences if they aid and abet terrorism. In a certain real sense, they are lighting a candle.

When tragedy befalls somebody in a horrible and irrational way, a vicious way—as has befallen these families—the natural instinct the Scriptures tell us is to curse the darkness—why me?—to be angry, to turn inward, to wish the world would go away, but these families, with amazing fortitude, persistence, and courage, are lighting a candle. They are trying to make the world a better place, even though it will never bring their loved ones back, so it will never happen again. I so respect that, among many other things, about them.

Let me address the foreign policy concerns some may have about the bill from which the veto arises. Senator CORNYN and I have discussed in depth many times on the floor how we have narrowed the bill to strike the proper balance between our interests abroad and the right of our citizens to obtain redress when they are victims of terrorism on U.S. soil. In fact, we penned a joint op-ed on that question in USA TODAY.

Mr. President, I ask unanimous consent that article be printed in the RECORD.

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

[From USA TODAY, Sept. 27, 2016]

GIVE 9/11 FAMILIES A LEGAL AVENUE:  
OPPOSING VIEW

(By Chuck Schumer and John Cornyn)

The Senate will vote Wednesday on whether to override the president's veto of our bill, the Justice Against Sponsors of Terrorism Act (JASTA). As the authors of this legislation and firm believers in its purpose, we believe the Senate should confidently vote to override the veto. JASTA was written for one main purpose: to clarify under the Foreign Sovereign Immunities Act (FSIA) and the Anti-terrorism Act that every entity, including foreign states, must be held accountable if they are found to be sponsors of heinous acts of terrorism on U.S. soil.

If the veto is overridden, this legislation would provide a legal avenue for the families of the victims of the 9/11 attacks to seek justice in a court of law for the terrorist attacks that took the lives of their loved ones. And it would deter foreign entities from sponsoring terrorism in the future.

The concerns we've heard about the legislation don't hold up to scrutiny. JASTA's opponents claim that the bill will subject U.S. diplomats and other government officials to a raft of potential lawsuits in foreign courts.

Not true; JASTA simply builds on well-established principles under FSIA.

It returns the law to the way it was before a 2008 court case that granted sovereign immunity even in terrorism cases where citizens are murdered on U.S. soil. In the decades before this, there was no flood of lawsuits against U.S. interests.

Consistent with FSIA, as designed by Congress, victims can sue a foreign government if one of its employees causes damage arising from drunken driving, assault or breach of contract. If U.S. victims can sue a foreign government for these reasons, they should be able to sue a foreign government that harms their loved ones by financing a terror attack on our homeland.

There is always an excuse not to do something, but the chief argument used by JASTA's detractors is flimsy. When weighed against the moral imperative to do right by the families of the 9/11 victims—who continue to strongly advocate for this bill—the choice is clear: Senators should vote to override.

Mr. SCHUMER. I wish to read a section of the op-ed that addresses the chief concern of JASTA's opponents:

JASTA's opponents claim that the bill will subject U.S. diplomats and other government officials to a raft of potential lawsuits in foreign courts. Not true; JASTA simply builds on well-established principles under [the Foreign Sovereign Immunities Act].

It returns the law to the way it was before a 2008 court case that granted sovereign immunity even in terrorism cases where citizens are murdered on U.S. soil. In the decades before this, there was no flood of lawsuits against U.S. interests.

Consistent with FSIA, as designed by Congress, victims can sue a foreign government if one of its employees causes damage arising from drunken driving, assault or breach of contract. If U.S. victims can sue a foreign government for these reasons, they should be able to sue a foreign government that harms their loved ones by financing a terror attack on our homeland.

Senator CORNYN and I have worked very hard over the course of 6 years and several iterations of the bill to strike the right balance. It has been a long work in progress, and I believe the measure of our success is reflected by the unanimous support the bill received in both Houses of Congress. In this body, not a single person objected when it was brought to the floor to be voted on.

Democrats and Republicans don't agree on much these days, but we agree on JASTA. Both parties agree the families of the 9/11 victims deserve justice. That, more than anything else, should weigh most heavily on our minds today.

It has been 15 years since that awful day—a day that changed every New Yorker, every American. We will never forget the shock, the fear, the holes in our hearts, the friends and neighbors and loved ones we lost, the first responders and union workers and firefighters and policemen who bravely rushed to the towers searching for signs of life in that smoldering rubble. I was there the day after. The smell of death was in the air. As a nation, we came together. We rebuilt. As New Yorkers, we did the same thing, but we will never ever forget. In this debate,

we cannot forget what this legislation means to the families of victims.

It has been 15 years since Ms. Terry Estrada lost her husband Tom, who worked in the North Tower. Terry didn't just lose a husband, she lost a father to a young son 7, daughter of 4, and a newborn baby boy. She lost a loving father and her best friend. Terry and her children have championed this bill for over a decade. I thank them and all the other families—especially Monica Gabrielle, Mindy Kleinberg, Lorie Van Auken, Kristin Breitweiser, Patty Casazza—for their tireless advocacy and patience. Of course, no compensation could ever repair the broken hearts of a family who lost a loved one to such mindless hate, but as Jane Bartels, a mother from Staten Island who lost her husband Carlton on that sunny morning 15 years ago put it recently, “We just want our day in court.” “We just want our day in court.”

The victims of 9/11 and other terrorist acts have suffered such pain and heartache, but they should not be denied their day in court. They should not be denied their pursuit of justice.

There is always an excuse not to do something, but as Senator CORNYN and I have explained, the chief argument used by JASTA's detractors is not strong. In fact, it is flimsy. When weighed against the moral imperative, we have to do right by the families of the 9/11 victims. The choice is clear. I urge my colleagues to override.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The question is, Shall the bill (S. 2040) pass, the objections of the President of the United States to the contrary notwithstanding?

The yeas and nays are required under the Constitution.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. KAINE) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia (Mr. KAINE) would vote yea.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 97, nays 1, as follows:

[Rollcall Vote No. 148 Leg.]

YEAS—97

Alexander	Casey	Feinstein
Ayotte	Cassidy	Fischer
Baldwin	Coats	Flake
Barrasso	Cochran	Franken
Bennet	Collins	Gardner
Blumenthal	Cooms	Gillibrand
Blunt	Corker	Graham
Booker	Cornyn	Grassley
Boozman	Cotton	Hatch
Boxer	Crapo	Heinrich
Brown	Cruz	Heitkamp
Burr	Daines	Heller
Cantwell	Donnelly	Hirono
Capito	Durbin	Hoeyen
Cardin	Enzi	Inhofe
Carper	Ernst	Isakson

Johnson  
King  
Kirk  
Klobuchar  
Lankford  
Leahy  
Lee  
Manchin  
Markey  
McCain  
McCaskill  
McConnell  
Menendez  
Merkley  
Mikulski  
Moran  
Murkowski

Murphy  
Murray  
Nelson  
Paul  
Perdue  
Peters  
Portman  
Reed  
Risch  
Roberts  
Rounds  
Rubio  
Sasse  
Schatz  
Schumer  
Scott  
Sessions

Shaheen  
Shelby  
Stabenow  
Sullivan  
Tester  
Thune  
Tillis  
Toomey  
Udall  
Vitter  
Warner  
Warren  
Whitehouse  
Wicker  
Wyden

NAYS—1

Reid

NOT VOTING—2

Kaine

Sanders

The PRESIDING OFFICER. On this vote, the yeas are 97, the nays are 1.

Two-thirds of the Senators voting, a quorum being present, having voted in the affirmative, the bill, on reconsideration, is passed, the objections of the President of the United States to the contrary notwithstanding.

#### LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017—Continued

The PRESIDING OFFICER. The majority leader.

##### FUNDING FOR FLINT, MICHIGAN

Mr. MCCONNELL. Mr. President, earlier this month, the Senate voted to help families affected by lead poisoning in Flint as part of the Water Resources Development Act, or WRDA. We are glad to see that progress is being made in the House as well to pass a WRDA bill that also includes help for Flint families. I have worked closely with Speaker RYAN and Leader PELOSI to encourage that progress, and I made it clear to them that I was extremely serious, and I just mentioned that again to Senator STABENOW—very serious about defending the Senate position in conference and ensuring that Flint funding remains in the final bill.

We have a path forward to getting our work done, and if we keep working together, we will.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, the Republican leader and I have had a number of conversations. I yield to the senior Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I wish to thank the majority leader for his comments and for the conversations we have had—publicly and privately—and our Senate Democratic leader, as well, for being such a stalwart, as well as all of our colleagues.

We in the Senate have done the right thing and moved forward on a WRDA bill that has an important package for Flint and other communities that have lead-in-water issues.

At the beginning of this week, there was a House bill that did not include anything for Flint or anything around that contamination. We now have a

commitment. There is going to be something in the House WRDA bill and a commitment that the final bill will include the work that we did in the Senate.

So I wish to thank again Senator INHOFE, Senator BOXER, and all of our colleagues. This is a very positive step forward.

I will just remind people that folks in Flint are literally bathing with bottled water every single day, and the sense of urgency only grows. So I am anxious to work with our leadership to get this done.

Thank you.

Mr. MCCONNELL. Mr. President, we expect to start voting on the CR around 2 o'clock, and with a little cooperation, we should be able to get that over to the House this afternoon.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, I wish to yield 1 minute to our ranking member on the Environment and Public Works Committee, Senator BOXER. I wish to yield to her for 1 minute.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I wish to thank my leader very much. Yesterday, Senator INHOFE and I were on the floor and I stated that if I felt there was an ironclad commitment to take care of the Flint, MI, problem and the lead in water across this Nation, I would support the CR. I interpret the strong language from my leader, HARRY REID, and the Republican majority leader, Senator MCCONNELL, as an ironclad commitment. They spoke to the powers that be in the House.

I know that Senator INHOFE and I are bound and determined to fix this, and believe me, I want to send a message to the people of Flint and to their Senators, who have worked their hearts out: This will happen. If it doesn't happen, I have some ideas of how I am going to protest it, but it will happen. I take it as an ironclad commitment.

I yield the floor back to my colleague, Senator REID.

The PRESIDING OFFICER. The Senator from Wisconsin.

##### UNANIMOUS CONSENT REQUEST—S. 2912

Mr. JOHNSON. Mr. President, I rise today to ask my colleagues to honor the life of Trickett Wendler, pictured here, who was a young mother of three who fought and lost her battle with ALS disease, and the lives of so many others who want the right to try to save their lives by passing the Trickett Wendler Right to Try Act of 2016.

Now, like so many of my colleagues, we are often visited by our constituents, people who are battling their own diseases, whether it is ALS or Duchenne muscular dystrophy, or different forms of cancer.

This is a very simple bill. What it is trying to do is very simple. It is trying to restore freedom. It is trying to give patients and their families hope—the freedom and hope that is being denied them right now by our Federal bureaucracy.



This is a bill about people. Coming from my own standpoint, I think all of us recognize ALS as—initially, in its original name—Lou Gehrig's disease. I certainly understood a little bit more about ALS when I heard about Tom Watson's caddy. Then in Oshkosh, WI, a family member of our Lourdes High School family was stricken with ALS—Doug Potarske. He courageously battled the disease and lost his fight as well.

I met Trickett Wendler on May 23, 2014, when she came to Washington, DC, with a group of other advocates for ALS cures. Simply talking about my meeting with the Goldwater Institute and the bill they were promoting through the States—the Right to Try—and indicating to her my support for it, tears began streaming down her cheeks. She wanted that hope.

But along this path, as I have advocated for the Right to Try bill, I have met other individuals—people like Matt Bellina, a former Navy pilot who testified before our committee just yesterday. He is a father of two, with his wife expecting their third child. He is also fighting ALS. He wants hope.

During our press conference, when I introduced this piece of legislation, a man from Pennsylvania, Frank Mongiello, asked to say a few words. Already pretty far advanced in his ALS, it was difficult to understand Frank, but he quoted Abraham Lincoln. Abraham Lincoln said: "If you get shot, you die once. If you dream, you die over and over again." He made the point that not having access to some of these treatments for ALS is like dying over and over again. He wants some hope to be able to stay alive for his wife and six children.

This bill isn't only about ALS, though. It is about other incurable diseases. It is about other terminal patients who have no further treatment options—little boys like Jordan McLinn, who also testified before our committee with his mother, Laura, a volunteer firefighter, and who is suffering from Duchenne muscular dystrophy, a disease that is also terminal.

This disease in particular indicates the problem we have with the FDA. There were more than 50 patients and advocates for an effective treatment, something that is being proven to be effective to extend the muscle function of these little boys. The FDA had an advisory committee meeting and listened to the testimony of over 50 Americans begging the FDA to allow and approve that treatment. The FDA advisory committee voted 7 to 3 and said no, we are not going to give you that right; we are not going to give you that hope.

Now, fortunately, I was overjoyed a couple of Mondays ago when the FDA overruled that advisory committee and actually approved those drugs and provided some hope.

If we want to understand how broken the process is, let me give a couple of metrics. In the decade of the 1990s, it

took about 10 years from discovery to approval of a new drug. Today that time period stands at about 14 years. In today's dollars, in 2004, it cost about \$1 billion for a successful drug to go through that approval process. Today, it costs about \$2.6 billion to have a drug approved. That indicates there is something wrong with the system. The Right to Try bill addresses what is wrong. It is not a panacea, but it is a good first step.

The last person I wish to speak about is someone I consider a hero, someone I consider as a whistleblower, a courageous oncologist from Houston, TX, whose name is Dr. Ebrahim Delpassand. Dr. Delpassand was part of a clinical trial treating neuroendocrine cancer with a therapeutic agent called LU-177 octreotate. He was, in his opinion, successfully treating these cancer patients. He was extending their lives, but he butted up against a limit in terms of a clinical trial of 150 patients. So he requested from the FDA to expand that to include another 78 of his patients who were terminal, who were dying from this aggressive form of cancer. The FDA said no.

Now, fortunately, for that doctor and those 78 patients, Texas had passed a Right to Try bill. The problem is the FDA has not weighed in. We don't know whether the FDA will challenge these Right to Try bills. I could not get an answer from the FDA bureaucrats as to whether or not they are going to challenge it. So Dr. Delpassand took it upon himself and, on behalf of his patients, courageously began treating those additional 78 patients. They are alive today because of his courage, with no help from the FDA.

Thirty-two States now have enacted their own individual Right to Try legislation. In those States, 4,186 legislators—both Democrat and Republican—have voted on those bills. Only 108 have voted no, and 4,078 legislators—97.4 percent of legislators in 32 States—have voted yes to Right to Try. There is nothing partisan about this. This is a completely bipartisan effort—again, trying to restore freedom, trying to restore hope.

The latest State was California. Governor Brown just signed that bill into law. We had in front of our committee last week State assembly majority leader Ian Calderon—a Democrat, I might add—who is a sponsor of that Right to Try bill.

So all I am asking—we have 42 cosponsors of this bill in the Senate. I have asked my other colleagues to join us as cosponsors. I realize that some of them don't want to go that far. All I am asking is that no Senator stand up and object to providing a little bit of freedom, a little bit of hope to patients who simply have no other avenue.

Now, to be respectful of people's time, let me move to my request. I see Senator BARRASSO is here, and if he would also like to speak to this bill, I would like to give him that opportunity.

Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 2912 and the Senate proceed to its immediate consideration; and I ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

THE PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, I reserve my right to object.

THE PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, I understand the seriousness of my friend's proposal. I understand the urgency that patients and their families feel who are desperate for new treatments. I could go through a litany of people who have been in predicaments like this, like this young lady here where we see her picture.

I remember Wendy Rockenfeller. I went to see her in Boulder City. She was all dressed up, knowing that I was coming, in bed. She, at a very young age, was stricken with Lou Gehrig's disease. She died 5 days after I saw her. She loved politics. She was involved in my campaigns. But this dread disease took her.

Her husband was desperate. He took her to Mexico for some treatment that didn't work, of course. But as my friend from Wisconsin said, he was looking for hope. Her husband Uwe Rockenfeller.

Bob Forbuss was a young school teacher in Las Vegas, but he had a great knack for business. Without going through a lot of detail, he worked part time with an ambulance company. He wound up owning that big, big ambulance company. He was very successful, made a lot of money, but he was stricken with Lou Gehrig's disease, and he died—not as fast as Wendy, but he died. I went to see him the day before I saw Wendy.

So I understand the urgency of the patients, but also we have a situation here. There are ways to improve the access process so it works better and faster for patients. My friend talks about 40 or 42 cosponsors. Basically, virtually every one of the Republicans are cosponsors but not Democrats. Why? Because, there are major players in this bill that simply haven't had an opportunity to tell us what is wrong with the bill. They have told me personally.

I believe we should do what we need to do in order to have a good, responsible piece of legislation. I also want everyone to understand it is really difficult to comprehend when we have had 7 weeks—we just finished a break here and we are going to take 10 more weeks. Why didn't we take the time to have a hearing on this?

I think we should have had a hearing on Merrick Garland. Why haven't we had a hearing on Merrick Garland? The reason my Republican friends have not

had a hearing on Merrick Garland is that they know that if they had a hearing on Merrick Garland, people would see who he is, and having seen or listened to this man, they would be hard-pressed to vote against him. That is why they are not doing a hearing.

So, for all these reasons, that we haven't had a vote on Merrick Garland, we had absolutely no workout on this process. As desperate as the situation is, and I understand it, I object.

The PRESIDING OFFICER. The objection is heard.

The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, this is beyond disappointing that the minority leader would refer to this as potentially a partisan bill. Let me reiterate. In 32 States, where 4,186 State legislators have voted on this, 4,078 have voted yes, Republicans and Democrats alike—97.4 percent. This is a bipartisan effort. It provides freedom, it provides hope, and it is beyond disappointing that the minority leader would object.

I would ask my colleague Mr. BARRASSO, the Senator from Wyoming, who has been a real leader on the issue, for example, with Duchenne muscular dystrophy, what has he heard from patients and his constituents in terms of the hope that this bill will provide them?

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, people ask for hope. They want hope and need hope. As a young doctor in my training, I worked at a children's hospital in the muscle disease clinic, and what I saw were families because muscular dystrophy, specifically Duchenne's, runs in families.

Families come into the clinic, and you knew the day you were seeing that young person it was going to be the best day that person ever had because this is a progressive disease and they are looking for hope and they look to you as a physician for hope and they look to the researchers for hope.

That is what this Right to Try legislation does. It provides hope. I believe it goes further than that. It is not just hope, it is also help because the research we have seen with this drug for muscular dystrophy, for Duchenne muscular dystrophy—and when you talk to the parents and talk with the patients, and I have met with the parents and met with the patients, what they are seeing is that day in the clinic is not their best day with declining after that, they have actually seen a reversal, which is miraculous. I am talking about working in a muscle disease clinic when I was in my twenties. We are talking a long time ago in my professional career working with people with muscle disease. This is the first thing I have actually seen that has actually reversed that declining trend that we see in young people with Duchenne muscular dystrophy, where they go from being able to walk to then walking more slowly, to then graduating to a wheelchair. So all we

are asking for is hope, when we know there is hope that is available and it may provide help.

The State of Wyoming passed the Right to Try law. The attorney general for the State of Wyoming is with us today. He knows about this. He knows it is bipartisan. There was nothing partisan about this, I would say to my colleague from Wisconsin. There was overwhelming bipartisan support by the legislature. It was signed by our Governor. Yet we see the minority leader come to the floor and object to a vote, which is something that would pass incredibly. He did it because his reasoning was something about a nominee of the President to be on the Supreme Court.

We are talking about people who are dying today, such as the woman whom this legislation is named after with amyotrophic lateral sclerosis—Lou Gehrig's disease. People did the ice bucket challenge. We saw Bill Gates have somebody pour a bucket of cold ice water over his head in an effort to try to help someone with amyotrophic lateral sclerosis. The minority leader came and named a couple of people who lost their lives. We all know people who lost their lives. The Senator from Alaska had a relative who lost his life to amyotrophic lateral sclerosis. Every time I go to mail a letter at the Post Office in Casper, WY, and drive down Randy Maxwell Boulevard, it is named after a postal worker who lost his life to amyotrophic lateral sclerosis. He would have loved the right to try.

So I come to the floor in support of my colleagues, in support of this legislation, and I am so sorry and sad to see the minority leader, the Senator from Nevada, stand and object to an opportunity to give the Senate the right to try, to give patients the right to try, at a time when we know there is actually potential cures available and there are people who are looking for the hope and looking for the help those potential cures provide.

I would say to my friend and colleague from Wisconsin, thank you for your leadership. Thank you for bringing to the floor the beautiful face of the patient from your home State who lost her life in the fight, who didn't have a chance to try.

Thank you for your leadership on the Duchenne muscular dystrophy front and for all people who are suffering around this country who need hope, who need help, and we know there is actually help available. Thank you for your caring and your work on this, and I continue to stand with you and your efforts, as do many Members of the U.S. Senate and many, many Americans. I thank you for your continued leadership and your determination. I thank the Senator from Wisconsin for his incredible efforts, and I say this with profound disappointment in the minority leader to see that he would come to the floor and object to people having a right to try to save their lives.

Thank you, Mr. President.

Mr. JOHNSON. Mr. President, I thank the Senator from Wyoming for his leadership on this issue. I want to also point out how bad I feel and how sad it truly is because some of those individuals I spoke of—some of those patients and families—were watching on C-SPAN today. They had their hopes up that the minority leader would not play politics with this issue, would not play politics with their lives. In the last 15 minutes, those hopes have also been dashed. I care about that.

I note for the RECORD that in my committee we have held two hearings on this Right to Try bill so the minority leader is simply incorrect when he says we have not held hearings. We have fully vetted this piece of legislation.

I once again point out how bipartisan this has been in the States—97.4 percent of State legislators who voted on this have voted in support of it.

I have another colleague, the Senator from Indiana, who has joined me in a number of instances in writing to the FDA to try and break the logjam on some of these treatments, making them available to people, giving them hope.

I would ask the Senator from Indiana what stories he has to tell about his constituents who are asking for that freedom, that right to try, that right to hope?

Mr. COATS. I thank the Senator from Wisconsin, a great friend and someone whose passion has been brought to the U.S. Senate.

Based on issues where people are hurting, I just can't thank him enough for bringing to this body the kind of energy and the kind of passion that is directly related to the pain people are suffering with in his State—whether it is loss of a job, the death of a child or something related to education or whether it is something related to just every day, Senator RON JOHNSON has been on top of it.

This is a perfect example of the kind of passion he brings. He refuses to say: I can't go any further. He refuses to take and accept the minority leader's objection to this—along with my colleague from Wyoming and others—to this bipartisan supported measure. How can the minority leader come down and give an example of why every parent deserves the right to try, to try to save their children, to take advantage of medicines and procedures that might be that miracle cure, and then say: No, we are not going to take it up. We are not going to give that to you because we know you are in a tight race. Essentially, that is what he is saying. We know you are in a tight race so we are not going to do anything.

Put yourself in the shoes of a parent who is trying to save the precious life of a child. How can you put an election in a State that is up for grabs—how can that trump the kind of sorrow and clinging to the last hope parents are making?

I commend the Senator. I have had the great privilege of serving together with him since 2010, and we have become friends. His passion, whether it is the national debt or whether it is any number of issues, but particularly on this, that goes right to the heart and soul of every parent in this country who is doing everything they possibly can to save their child, and to be denied that opportunity because of a political situation just astounds me.

I commend Senator JOHNSON. I know he will not give up. I know he will fight this to the end. We stand with him. There is nothing partisan about this issue, and there is no reason we can't come down as a body and endorse and pass by unanimous consent what Senator JOHNSON is asking. There is no reason whatsoever. I am with him to the end. We are all with you to the end. I think we ought to just keep asking because I don't believe a Senator here can understand why politics should trump something like what you are trying to do.

Mr. JOHNSON. I certainly thank the Senator from Indiana for his support on this issue. I will conclude by saying, this is a sad day for the U.S. Senate; that the minority leader would turn his back on terminal patients and their families, deny them that freedom, that right to try, that right to hope, to score a political point—it is a sad day for the U.S. Senate.

I yield the floor.

Mr. LEAHY. Mr. President, people talk about partisan gridlock and the do-nothing Congress. There is plenty of justification for it. Judge Merrick Garland, nominated to the Supreme Court on March 16, has been waiting for a hearing, not to mention a vote, for more than 6 months. None of the appropriation bills to fund the government in 2017 will be enacted before the end of this fiscal year, just 2 days from now, even though every one of them has been reported by the Appropriations Committee. We are once again voting on a stopgap continuing resolution to keep the government running until December 9.

As part of the continuing resolution, I proposed including a provision that would give American businesses a level playing field against their foreign competitors.

Right now, the Export-Import Bank cannot approve financing totaling more than \$10 million, because the Republicans have refused to vote on the President's nominee for the third member of the Ex-Im Bank's board of directors. Under current law, that means the Bank lacks a quorum, and it is severely limited in what it can do.

My provision would have permitted the current board members to approve financing over \$10 million, for the period of the continuing resolution.

This was not a farfetched idea. In fact, both House and Senate fiscal year 2017 appropriations bills that are waiting for a vote include a similar provision. By including it in the continuing

resolution, we would simply be doing what majorities in both appropriations committees have already agreed to.

According to the Ex-Im Bank, it currently has a pipeline of more than 30 transactions, each of which exceeds \$10 million, valued at over \$20 billion in total that are stalled because of the quorum requirement.

In other words, the Republican leadership is blocking financing to U.S. companies that are ready to compete for contracts to sell their products and services overseas. They may not get the chance.

One would think, since Republicans regularly insist that they are the party that cares more about American business, this would not be difficult. They talk about wanting to help U.S. companies so they will not move offshore. They talk about standing up for American workers. They talk about a lot of things.

But did they include it? No. There wasn't even a debate. They just said no dice because a tiny minority of their members opposes it.

That is what has happened to the Congress. Because the Republican leadership either supports or is unwilling to challenge obstructionists on their fringe, nothing happens. There are countless examples of it.

I hope the American people are paying attention. I hope businesses around the country that pay taxes and need support from the Ex-Im Bank are paying attention. Elections do matter, and this is just one of many reasons.

Ms. STABENOW. Mr. President, I rise today to talk about the continuing resolution that the Senate will soon be voting on, which regretfully, I am unable to support.

For the past year, I along with my colleague from Michigan, Senator PETERS, worked to craft a bipartisan agreement with funding to help fix the city of Flint's water system that exposed 100,000 people to lead laced drinking water. And thanks to the leadership of Environment and Public Works Committee Chairman INHOFE and Ranking Member BOXER, the Senate a few weeks ago voted 95-3 to approve the Water Resources Development Act with this desperately needed funding.

Unfortunately, the CR before us today addresses disaster funding for flooding in Louisiana and other communities, but asks the families of Flint to wait at the back of the line again. I cannot support a CR that includes funding for other communities but not Flint, whose residents have waited too long for much-needed aid.

However, because of the stalwart support of my colleagues—particularly vice chairwoman of the Senate Appropriations Committee BARBARA MIKULSKI, Environment and Public Works Committee Ranking Member BARBARA BOXER, and Democratic leaders HARRY REID and NANCY PELOSI—Republicans in the House of Representatives have agreed to a path forward for enacting legislation this year that contains assistance for the people of Flint.

I would also thank Majority Leader MCCONNELL for his commitment to ensuring that Congress does not adjourn this year without enacting WRDA legislation that contains the Senate approved funding for fixing Flint's water pipes and addressing drinking water problems that communities across the country face.

While the absence of assistance for Flint prevents me from supporting the continuing resolution, I am very pleased that it contains \$1.1 billion to combat the spread of the Zika virus.

More than 2,000 pregnant women in the Nation and our territories have evidence of being infected by Zika, more than 20 babies have been born with Zika-related birth defects such as microcephaly, and at least six pregnancies ended because of the virus. In Puerto Rico, the Surgeon General said that 25 percent of residents will be infected by Zika virus by the end of this year. In southern Florida, health officials are combating the mosquitoes spreading the virus there in the hopes of slowing the virus's path. With funding to combat Zika now secured, the hard work begins to end the threat Zika presents to our families.

I am also grateful that the short-term spending agreement contains the Military Construction and Veterans Affairs Appropriations bill, which provides funding to ensure that our military facilities are mission ready and that Michigan's 698,000 veterans can access the care and benefits they have earned.

The fiscal year 2017 Military Construction and Veterans bill includes \$11.3 billion more in mandatory funding and \$2.6 billion more in discretionary funding than last year's budget. Although discretionary funding for the Department of Veterans Affairs is below the amount that was included in the bill approved by the Senate earlier this year, the total amount in the CR still exceeds last year's enacted level by \$2.9 billion. I strongly support this funding that provides for essential medical care, disability compensations, mental health services, long-term care, veteran specific medical research, and claims processing improvements.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. FLAKE. Mr. President, I ask unanimous consent to speak as in morning business.

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

#### THE NATIONAL DEBT

Mr. FLAKE. Mr. President, a few weeks ago, I was asked to act as emcee for the Arizona Distinguished Young Women's Scholarship Program. During the self-expression portion of the evening, meant to showcase how quickly these women could think on their feet, the participants were asked the following question: If you could live a day without rules and consequences and do something truly outrageous, what would it be?

Remember, these are high school seniors. As I stood on stage and called on

each of the young women to answer the question, Alexis, from Tempe, confidently took the microphone and said:

I would fly to Washington, DC, go to the United States Senate floor, and ask each Senator this question: "What do you plan to do about the national debt?"

The audience roared its approval, and I was put on the spot. This is a topic that has received scant attention in this political season, this election season, but it was put front and center at a scholarship program.

We shouldn't be surprised by this. For every day that we adults continue our obsession over emails and birth certificates, these high school seniors recognize that we are spending \$1.4 billion more than we are taking in. This will result in nearly a \$500 billion deficit this year, which will be added to our burgeoning \$19 trillion debt. They know this and understand this because this is the debt they will be left with long after our political careers are over.

I have long believed that of the myriad problems we face in this country—from terrorism to nuclear proliferation, to infectious diseases, to climate change, to aging infrastructure, to unaffordable health care—our looming debt and persistent deficit are our most urgent challenge. If we don't put our fiscal house in order and put ourselves on a sustainable fiscal path forward, we will not be able to address any of the problems and the challenges I just listed.

If we continue in our current state of denial, one day in the not so distant future, we will wake up and discover that the financial markets have already decided we are no longer a good bet. When this happens, the low interest rates that have made our debt manageable over the past couple of years will begin an upward march. For every quarter point that interest rates go up, an additional \$50 billion will be required annually just to service the debt for every quarter point the interest rates go up.

The Congressional Budget Office estimates that if we don't address our fiscal imbalance and interest rates return to where they traditionally have been, within a decade nearly all of our discretionary budget will be swallowed up with just one item—paying interest on the debt.

Think about that for a minute. How do we fight a war on terrorism without spending any money on national defense? That is part of our discretionary budget. How do we replace aging infrastructure when there is no money left after we have paid our monthly installment on our credit cards? Infectious disease-carrying mosquitoes will not stop at our borders out of concern for our fiscal predicament.

Once national interest rates begin their inevitable rise, the control over our fiscal situation will pass from this body, from Congress, and from the executive branch to our creditors. We will then enter an austerity cycle that

will negatively impact the global economy, and it will worsen our own fiscal outlook.

How do we avoid this gloomy picture? If we want to put ourselves on a sustainable fiscal path, we can't just nibble around the edges. Discretionary spending has been largely held in check over the past several years, but the retirement of the baby boomer generation has led to huge increases in our so-called entitlement programs.

Discretionary spending represents an ever-shrinking percentage of our total spending. Putting ourselves on a sustainable fiscal path has to involve a grand bargain of sorts, such as the one contemplated by the National Commission on Fiscal Responsibility and Reform, more commonly known as Simpson-Bowles. Of course, this outline will need to be updated to take into account the nearly \$7 trillion of debt that has accumulated just in the past 6 years, but it is a good place to start.

It is tempting for both Republicans and Democrats to say: Well, we will deal with this debt problem if voters give us control of both Chambers and the White House. Believe me when I tell you that this will not happen. No one party, Republican or Democrat, will take the political risk that is inherent in dealing with our debt problem—not my party, not the party on the other side of the aisle. Midterm elections are never more than 2 years away.

No, it will take buy-in from both parties. Both parties have to be willing to hold hands and jump together.

With divided government over the past 6 years, we have had the conditions necessary for a long-term budget agreement, but we have lacked the political courage to get it done. We cannot afford to squander that opportunity any longer.

If the results of the November elections produce divided government once again in January, here is hoping that while we may publicly grumble, we will privately see it as an opportunity to redeem ourselves as stewards of this institution and put the country back on a sustainable fiscal path.

#### NATIONAL HISPANIC HERITAGE MONTH

Mr. President, I rise to recognize National Hispanic Heritage Month, which is celebrated from September 15 to October 15. Originally signed into law in 1968 to be just 1 week, it was expanded by President Ronald Reagan as a month-long recognition in 1988.

This month recognizes the social, economic, and cultural contributions of the more than 57 million Latinos living in the United States. In my home State of Arizona, the Latino population has nearly tripled in the past 25 years, and now it stands at just over 2 million people. This is nearly one-third of the State's population, and Hispanic children already make up more than half of the K-8 public school students in Arizona.

From an economic view, Hispanic-owned small businesses are growing at

a rate of two or three times the national averages and now roughly total 125,000 statewide. Businesses owned by Hispanic women are growing even faster.

In Arizona, Hispanic Heritage Month is celebrated through historic lectures, movie screenings, culinary and arts festivals, gallery exhibitions, and musical celebrations. These are but a few items to highlight when noting the contributions of those of Hispanic heritage.

I am pleased to have a moment on the Senate floor to talk about National Hispanic Heritage Month.

With that, I yield back the remainder of my time.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Indiana.

#### WASTEFUL SPENDING

Mr. COATS. Mr. President, as we are temporarily winding down here, I am told we will be back in November, passing a short-term continuing resolution or funding for the government until we do return. Then, after the election, we will deal with the longer term. I wish to take advantage of this remaining time to once again, for the 52nd time in this last 2 years, come to the Senate floor to talk about the waste, fraud, and abuse that exists within the Federal Government and what its impact is on taxpayers' hard-earned tax dollars.

I have talked about everything from the very serious ways in which Medicaid, Medicare, and Social Security have been violated and spent, wasting billions of dollars through checks going to people who are dead, people who don't qualify, and on and on. We have talked about some ridiculous examples of expenditure of Federal dollars.

Today, I was thinking: Well, this is kind of a small amount. We are only talking about \$1 million here, and we have been talking about billions.

All of a sudden it hit me that \$1 million is not a small thing. I think we have lost perspective here in terms of these numbers. What do they mean to us?

People say: Do you want to be a millionaire? Well, that would be unbelievable if I could be a millionaire. I mean, of course I would want to be a millionaire. If you are a millionaire, you are living in high cotton.

But we dismiss \$1 million as change, just a few pennies here and there when it is compared to billions of dollars, hundreds of billions of dollars, and even trillions of dollars.

In just the last 8 years under the Obama administration, we have taken our national debt—that is money we borrow to pay for things we have expensed. We don't have the revenue to cover it, so we have to borrow that money. As my colleague from Arizona was just discussing, interest has to be paid.

When we arrived at the beginning of this administration, it was about \$10 trillion, and it has literally doubled—almost doubled. In just 8 years of time,

230-some years since the beginning of this country, we have doubled the debt from \$10 trillion to nearly \$20 trillion.

It is hard to grasp what a million is, let alone a billion, let alone a trillion. So, yes, this is just “a million dollars,” but every penny that is wasted is taken from taxpayers or is money not applied to essential functions of the Federal government, such as our national defense, health care, or whatever. This is one of these ridiculous wastes of a million dollars.

The Department of Education has paid money for the creation of a video game called ECO. The Department of Education is trying to have classrooms use this game for students, literally for ideological purposes. Obviously, what they were basing ECO on is what happens in Washington, DC. They were creating a virtual government through a video game. The students could vote by a majority vote as to whether to add something to this government in terms of what their policies were or take it away, but the game rules also ruled that the group's operator could act as a king, issuing all rules by himself or herself. If the king didn't like what the students did by majority vote, the king would simply say: Fine, that means nothing. I am going to implement it anyway.

It sounds an awful lot like what we have been through under this administration. The vote of the peoples' representatives in the House of Representatives and the Senate essentially has been bypassed in many instances by the President of the United States.

Once again, through an ideological decision made by members of the administration, we now are teaching students that this is really how it works. If you want to make a difference, we need to give that king all kinds of authority.

I define this as a waste. I define this as a waste of taxpayers' money.

The function of government is not to brainwash students, through video games, into a form of government that violates our Constitution, violates all precedents in terms of how we operate around here. Yet time and again I have stood on this floor, Members have stood on this floor, and simply said: This is the function of the people's representatives. This is a function of how they vote, yea or nay. This is a function of how it works through the process of defining a law, ultimately landing on the President's desk. Yet we have a President who simply says: The heck with all that stuff. I am just going to implement whatever I want to do, and, by the way, let's spend taxpayer dollars to teach children that this is how government should work. I think it is not just a shame, I think it is ridiculous. It is way over the top.

We are adding not a huge amount to the number, but through these 52 weeks we have accumulated \$328 billion of waste, fraud, and abuse. It just keeps on going. I could come to the floor every day. I could come here every

hour of every day to try to describe the volume of certified waste, fraud, and abuse we have collected in our office. As long I have the opportunity to be able to do that, I am going to keep doing it, pointing out how government is mishandling the money that the taxpayers are sending to Washington.

#### THE ECONOMY

Mr. President, in the time remaining that I have, let me simply say that while the White House spin that the economic recovery from the Great Recession is a huge success, to use their words, poll after poll—from The Economist to YouGov, to Reuters, to Ipsos, to Rasmussen—shows that nearly two-thirds of Americans think our economy is on the wrong track.

The White House spin is one thing, but the facts clearly define the Obama administration's record of low economic growth numbers. So we hear the rhetoric coming out of the President's spokesman and the President himself and some Members of the Senate that things are working very well. Well, let's look at the facts. The truth lies in the facts, not on what somebody wants to tell you the truth is.

Fact: Under the Obama administration, real growth continues to average only half the growth of an average recession recovery over the last half century. We have had many recessions, but the surge of economic activity post those recessions has been twice as much as what has happened over this recession, which took place in late 2008 and early 2009. It has been nearly 8 years, and we have had half of the average growth of all other recessions over the past half century.

Fact: Productivity growth has slumped under President Obama.

Fact: Business dynamism has slowed down significantly.

Fact: Today, a smaller number of Americans are working than before the recovery began.

Fact: For those Americans who have been able to get jobs, a larger number are working part time.

While President Obama is touting recent gains in household income, the facts show that the median American household is still bringing home less money than it was before the recession began almost 9 years ago.

Based on these facts, it is clear that the economic policies employed by the Obama administration have not worked.

It is one thing to come down here and listen to the President or Members say: Look, these policies have worked, and it is a great success; it is another thing to look at the reality of what has happened and say: No, it is not a success.

Too many Americans feel there is no end to this current cycling of mediocrity. It has almost become the new normal that we are going to grow at 1, 1.5, or 2 percent a year instead of normal post-recession growth of 3.5 or 4 percent or even more.

There is a reason why these policies, in my opinion, have not worked. I

think it is also a major reason why the American people simply say: Look, you had your shot. You said you knew how to run government. You said you knew how to grow the economy. You put these policies in place. Well, it hasn't worked.

When something doesn't work, you don't just keep perpetuating it—which is what I think the election is all about, frankly—you turn to other policies that worked successfully before.

I want to name three things that I think should substantially improve the growth of the economy in the United States.

Clearly, taxes are too complex, regulations are tying the hands of job creators, and the ever-growing Federal debt is crowding out private sector investment. All these are facts.

So it is time to change this truth, take a long-term look at why the Obama administration policies have failed, and employ new policies. Let me outline three new policies.

First, our broken Tax Code is punishing job creators.

We have the highest combined corporate tax rate in the developed world—all of our competitors have a much lower corporate tax rate than we do—and that puts us at a disadvantage. Of course that is why we have an imbalance in our trade accounts. Small business owners face mind-numbing complexity in rates as high as 44.3 percent due to Obama tax increases.

Reducing business tax rates, both large and small, and simplifying the 74,000 pages in the Internal Revenue Code—the Tax law—will help American companies retain their competitive edge in the face of globalization so that we can expand and create new jobs. We have been talking about this for years. It hasn't happened. Tax reform is absolutely necessary to get our economy growing again.

Secondly, policymakers in the administration need to streamline and reduce burdensome regulations that are holding our economy down.

The Obama administration continues to issue regulations at a record-setting pace. This flood of redtape wastes time and resources, stifles jobs and new business startups, and dampens economic growth. The businesses I visit in Indiana have story after story saying: We are swamped with regulations. Instead of producing or selling our product, we are filling out paperwork and sending it to Washington, going through months and months of waiting for approval of this, that, or whatever.

Regulatory reform is absolutely essential if we are going to get our economy to grow.

Third and last of the three major issues: Growing Federal debt is crowding out the private sector.

Over the years, as I have said, President Obama has nearly doubled our national debt, racking up more debt in the 8 years of this administration than in all previous years of every President who preceded this 44th President.

Think about that. The amount of debt we have incurred under this President exceeds all of the other debt since the beginning of this country under 43 previous Presidents.

When we put these three together, I believe that is the direction in which we need to go. Hopefully, as we are closing out this administration, that is the direction we will be able to take to get our people back to work, get our economy growing again, and make America great again.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### PRESCRIPTION DRUG OVERDOSES

Mr. MANCHIN. Mr. President, we have come to a crisis point in our country, and I speak about this on a weekly basis. It is drug overdose, legal prescription drug overdose. When I talk about legal prescription drug overdose, these are well-noted, good pharmaceutical companies that make a lot of products that save people's lives and help them immensely. It is done with the approval of the Food and Drug Administration, and then it is administered and basically recommended by the most trusted person next to your most trusted family members—your doctor. Then we look around and we have a product on the market that basically is killing Americans every day.

In West Virginia, drug overdose deaths have soared by more than 700 percent since 1999. We lost 600 West Virginians to opiates last year alone—more than any other form that has terminated people's lives in that State. Of the 628 drug overdose deaths in the State in 2014, most were linked to prescription drugs; 199 were OxyContin related, while 133 were attributed to hydrocodone. West Virginia had the highest rate of prescription drug overdose deaths by any State last year—31 per every 100,000 citizens. The next closest State was New Mexico, with 25 deaths per 100,000.

In West Virginia, providers wrote 138 painkiller prescriptions for every 100 people. I want to repeat that. The providers, our doctors, wrote 138 painkiller prescriptions for every 100 people. That doesn't even sound feasible. It doesn't even sound right. It is the highest rate in the country.

Between 2007 and 2012, drug wholesalers shipped more than 200 million pain pills to West Virginia. My State has a population of a little less than 1,850,000. So we have about 1,800,000 people and prescription drug wholesalers shipped more than 200 million pain pills to my State. Think about that—200 million pain pills and we have fewer than 2 million people. Unbelievable. That is 40 million per year. And

this number doesn't include shipments from the two largest drug wholesalers, so it is even higher than that.

Every day in our country, 51 Americans die from opioid abuse. People are dying as we speak. Here are the national drug abuse facts:

Drug overdose was the leading cause of injury and deaths in 2013. Among people 25 to 64 years old, drug overdose caused more deaths than motor vehicle crashes.

There were 41,982 drug overdose deaths in the United States in 2013. Of those, 22,767—or almost 52 percent—were related to prescription drugs.

Drug misuse and abuse caused about 2.5 million emergency department visits in 2011. Of those, more than 1.4 million were related to prescription drugs. Among those emergency visits, 420,000 were related to opiate analgesics.

Nearly 2 million Americans ages 12 or older either abused or were dependent on opiates in 2013, and on top of that, they are recommending giving hydrocodone to children as young as 12 years of age.

Of the 2.8 million people who used an illicit drug for the first time in 2013, 20 percent began with the nonmedical use of prescription drugs, including pain relievers, tranquilizers, and stimulants.

The United States makes up only 4.6 percent of the world population. With over 7 billion people who live in the world, we have about 320, 330 million people, so that is a little less than 5 percent. Yet we consume 80 percent of the opiates. This Nation, which is less than 5 percent of the world's population, consumes over 80 percent of all the opiates that are produced and consumed in the world—how did we become so addicted?—and 99 percent of the world's hydrocodone, which is Vicodin. Opiate abuse has jumped 287 percent in 11 years. We are not very pain-tolerant anymore.

In 2012, health care providers wrote 259 million prescriptions for painkillers—enough for every American to have a bottle of pills.

Misuse and abuse of prescription drugs cost the country an estimated \$53.5 billion per year in lost productivity, medical costs, and criminal justice costs. Ask any law enforcement—town, county, or State police—and they will tell you that 80 to 90 percent of all the calls they go on are related to some kind of drug use or abuse.

Since 1999, we have lost almost 200,000 Americans. If that is not an epidemic, I don't know what is. And why we are not up in arms—everybody in this country—fighting this epidemic is beyond me. I have always said this is a silent killer. It doesn't matter whether you are Democratic or Republican. This is not a partisan killer. Whether you are a liberal or a conservative, whatever your religious beliefs, whatever your race is, this one has no home. This goes after everybody. But it is a silent killer because we keep our mouths closed because we don't want

to admit to anybody outside of our family that we have a problem. My son has a problem. My daughter has a problem. My niece or my nephew, my mom or my dad, my uncle or my aunt has a problem. We think we will keep that in. We won't talk about it. Well, we don't talk about it, and it continues to grow and grow.

We have a lot of bills in the hopper right now.

The LifeBOAT Act. If I hear 1 time a day, I hear 10 times a day: There is no place to get treatment. I want my child to get treatment. I want my parents to get treatment. There is no place to send them.

I have said we need to do something about that. We need to get a permanent funding stream. So I have introduced a bill that says that one penny for every milligram of opioids that is produced in the United States of America will go to a treatment plan. That means every part of the country that has been affected will be able to get treatment. They will have a funding mechanism.

Some people say: Well, that is a tax. We don't want to put a tax on it.

Well, I am sorry, we do it on cigarettes and we do it on alcohol. We know this is killing people all over the country. No State is immune. Yet we are afraid to move forward.

I am hoping we can come together as a body and find a pathway forward so that we can treat addiction as the illness that it is and try to get people back into productive lives and, most importantly, save their lives. This would be one way to do it and do it in a way that we can all look at ourselves and look at what we have done for our constituents and say: We helped you.

The Promoting Responsible Opioid Prescription Act. This bill would decouple hospital and physician payments. Right now, if an addict comes in and they don't get what they want, they will report you for bad service. They will report a doctor and they will report a hospital or a clinic, and that basically determines the type of reimbursement they get from Medicaid or Medicare. That is ridiculous. If addicts don't get what they want, they are going to be mad at everybody. So we need to change that.

The Changing the Culture of the FDA Act. The FDA should not be putting products on the market that we know are going to alter your life or alter the community or destroy your life. They are there to protect us. If they give a stamp of approval, it should be done because it is a product that we know will not deteriorate or destroy our lives.

The FDA Accountability for Public Safety Act will require the FDA to seek advice. I will give a perfect example. They continue to put opioids on the market every day. There are people who are applying to put more products on the market. We don't need any more products. We have enough painkillers, and we are consuming 80 percent of the



world production now. How many more do we need? They come out with tougher and stronger products. I can't even understand why they do it, but they say it is needed for different purposes. And then what happens on top of that is that it is against the advice of their own advisory committee. The experts in their field are saying: Don't put this product on the market, but they do it anyway. We are saying: Stop that practice. And they will not be able to do that anymore if we pass this piece of legislation.

My good friend from Louisiana, who is a doctor, understands Jessie's Law. Jessie's Law basically would say this: If you have a member of your family—a child, and you are the guardian or the parent and you go to the hospital, both the child who is trying to recover from an addiction and the parents sign that this child has an addiction and this child is in recovery right now, so be very careful what you administer. Red flag that. Make sure—the same as if they were allergic to penicillin—that everyone who handles their chart knows.

A young girl named Jessie Grubb in my State of West Virginia died because the discharging physician was not made aware of her condition and prescribed 50 oxycodone. She used 10 of them, and she was dead at 1 o'clock in the morning, the same day she got discharged. This can be prevented. This piece of legislation should have been passed, and I am hoping we can come to grips with that.

I am going to read one letter, if the Senator from Louisiana will indulge me, my good friend and colleague from Louisiana. I am going to read the obituary of Emmett Scannell. This obituary was written by Emmett Scannell's father. No father should ever have to write his own child's obituary.

I have spoken with Mr. Scannell. He has given me permission to share his son's story as part of his ongoing efforts to break down the stigma surrounding addiction. The first thing you break down is the silence. Parents are willing to speak out now. They want help. They want us to recognize that they need help, and we need laws to help protect them.

On April 20, 2016, our 20 year old son, Emmett J. Scannell, lost his battle to Substance Use Disorder and died due to a heroin overdose. Emmett had been in recovery and sober in Alcoholics Anonymous for 2 years when he went off to college in late August 2014. Within 6 weeks, heroin came into his and our lives, stole him from us, and Substance Use Disorder killed him in only 18 months.

Adored brother of Zachary Scannell and Alice D'Arpino of Mansfield. Beloved son of Aimee Manzoni-D'Arpino (and her husband John A. Manzoni-D'Arpino) of Mansfield and William E. Scannell (and his life partner, Brenda Rose) of Bridgewater; Nephew of Paula Mountain and Brian Mountain of Raynham and Brian Scannell of Raynham; grandson of Peter and Patricia Campos Manzoni of Easton and Paul Scannell and Nora Scannell, both of Raynham; loving

cousin of Josie Mountain, Scott Mountain, and Carley Scannell, all of Raynham.

Emmett was a National Honor Society student who graduated from Bridgewater Raynham Regional High School in May 2014. Unfortunately he is not the first member of his class to die from Substance Use Disorder. Emmett was a sophomore at Worcester State University, where he was studying computer science on a full academic scholarship. But most recently he had, and died from, Substance Use Disorder.

Emmett was a caring, funny, smart young man with the potential for greatness. He loved his brother and sister, biking and snowmobiling and had a smile and charm that could light up a room, but it won't ever again because he had and died from Substance Use Disorder.

You see, Substance Use Disorder is not something to be ashamed of or hidden. It is a DISEASE that has to be brought out into the light and fought by everyone. It continues to cut down our loved ones every day. Please do whatever you can to fight it so that you never have to feel what every one of us who has lost a loved one is feeling right now. We all thank you for your condolences and prayers and ask that you continue to pray for Emmett's soul and our family. . . . Please come to the church where he and his Dad attended their 12-Step Recovery Program together and enjoyed the best years of their lives together. . . . Our family cannot begin to express how much the outpouring of love and support we have received means to us. Knowing our son was loved by so many simply means the world to us!

No parent should ever have to write their child's obituary, especially when it was preventable.

We have to come to grips with this as a society. We are losing a generation. We are losing a generation that could be helping us economically, that could be helping us find new cures for diseases, that could be helping us in maintaining the superpower of the world and the world order.

I look at this, and every day people are pleading for help. They need help.

I ask all of you to pray for Emmett and his family, but also, if you have a problem in your family, speak out about it. Let's get the help that is needed. We have professionals who want to help. As a body, let's do the right thing and find a funding source so that we can put the clinics and the treatment centers around the country that are needed.

In the State of West Virginia, my colleague Senator CAPITO knows very well that we have a challenge and we have a problem and we have a killer, and we are going to stop it, rid it, and wipe it out.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

MR. CASSIDY. Mr. President, I have spoken on the floor twice now to tell the stories of the devastation caused by the great flood of 2016 and the depth of need the families of Louisiana have.

Since I last spoke, about 10,000 more people have applied for individual assistance through FEMA, and now about 150,000 folks in Louisiana have applied for individual assistance. This is a serious, immediate issue, and we need help for those who are in great need.

In all of the debate back and forth, some people have forgotten or never realized how massive this disaster was—an unprecedented event. The National Weather Service deemed this as a once-in-a-thousand-years event. Twenty parishes have been declared disaster areas. In the city of Denham Springs, 90 percent of homes flooded, and in about half of the structures flooded, it will cost owners over 50 percent of the value of the building to repair. Ninety percent of the housing stock in this town has been flooded.

According to the estimates by the Advocate newspaper—the paper in the Baton Rouge area—as many as 12,000 Baton Rouge area businesses flooded. The National Flood Insurance Program has found that when businesses floods, as much as 40 percent of them never reopen. For a small business to reopen their doors, there is great cost, and this can prove too great to rebuild. The consequence of this is to the owner of the business, but it is perhaps felt more greatly by the employees—and their families—who lose their jobs.

This flooding caused \$8.7 billion in damage. If you take out hurricanes, this has been the most expensive natural disaster to happen in the United States in the last 100 years. Let me repeat that. Take out Sandy and Katrina, and we have the most expensive natural disaster in the last 100 years—\$8.7 billion.

No one was prepared, and it is not their fault. Less than a quarter of the population had flood insurance because the flood occurred in areas more than 50 feet above sea level. One fellow who called me lives 7 miles from the river, and he got 4 feet of water. He did not expect to have a flood and was not required to have flood insurance. Why would you when you are 7 miles away from the river?

Thousands of families were completely caught off guard by a thousand-year flood and are now struggling to pick up the pieces. They need our help. They are trying to make a decision whether to rebuild or just move on: We can't afford to repair our house. We owe more than it is worth. Let's just walk away from our mortgage, buy a trailer, and hopefully be able to do something different in the future.

Here are a couple of examples of families affected. This is a street. This is not a lake; this is a street. This is a family being evacuated by volunteers. The water was too deep for them to get out. You can imagine, if this is on the street, it is also in the house. And that which most people keep—wedding dresses, picture albums, toys, clothes—is flooded too. When the water recedes and the water goes out of the house, also what goes out are these heirlooms, picture albums, clothes, and piles of debris on the side of the road.

Let me also remind you of Dorothy Brooks. She is 78 years old. In this picture, she was being rescued out of 3 feet of water. You can see the water here next to the deputy's leggings. This

is in Tangipahoa Parish, and this is Sergeant Thomas Wheeler. Dorothy relies on a wheelchair. As you might guess, she could not evacuate, nor could she prepare for the flooding.

Dorothy is not the only person who is handicapped or who is a senior citizen who was affected. At their age, they have been unable to evacuate but also unable to carry out the repairs once the floodwaters recede. One example of this is Roy and Vera Rodney—both in their eighties—who had 4 inches of water in their house. It was not a whole lot, but 4 inches. The FEMA inspector told them their home was habitable, so they were denied repairs and rental assistance. Being in their eighties and having no family in town, they couldn't gut and repair their home on their own. The water sat, and there was damage to the carpet. Their belongings sat. Mold came in, mold spread, and now their house is too unhealthy to live in. They have evacuated to family who live far away, and while there, they are not available to let volunteers come in to gut their house. In the weeks that they have been forced to wait, the house has remained ungutted and mold has continued to spread. Because they could not get their aid in time, the cost of recovery has grown.

The Rodney story is the story of the whole region. Dollars to help that come sooner will have a greater impact than the same amount of money that comes later. Again, if the Rodneys had been able to take out 4 inches of wet baseboard, furniture, carpet, wood flooring, their home would have dried and they would have rebuilt. Because they could not, mold spread, the damage increased, and now the whole house has to be remediated. The same amount of money sooner has a greater impact than later. That is the story of us seeking funding for Louisiana in the CR.

Helping each other is a fundamental American value. I ask all my colleagues to support this continuing resolution with the money for disaster relief for families—not just in Louisiana but also in Louisiana—who have been faced with natural disasters, to help families like these who have lost everything put their lives back together. Let's do what is right and pass this legislation so we can help relieve these flood victims.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, I thank my colleague from Louisiana for all the hard work he has done to try and make sure those folks he talked about, and those tragedies he has brought to light for all us, are getting the best assistance they deserve.

I think every State, whether it is Louisiana, West Virginia, Georgia, or wherever we live, we are all subjected to a national emergency at some point. It could be a flood, fire, large snowstorm, windstorm, or tornado—any of these events could happen to any of us.

That is why I have always, through the course of my legislative career, looked favorably to try and help particular areas of this country that need extra assistance. Senator CASSIDY has been particularly effective here, and it has been my pleasure to work with him and others on this subject.

I have already talked on this topic earlier in the week. We are close to having a vote on this legislation, and hopefully it will pass so we can bring badly needed relief not only to Louisiana, West Virginia, and other places but to also have the funding that will carry us through December.

I am a member of the Appropriations Committee, and the Senator from Louisiana is a member as well. I think we are both frustrated that we are at a point where we have a continuing resolution after passing our appropriations bill out of the Appropriations Committee in a bipartisan way. I think we worked well together to provide the greatest impact and voice on individual bills, but unfortunately that process broke down. We are where we are, and in between the time of those appropriations bills, West Virginia suffered one of the worst floods we have seen.

A State like West Virginia has small communities, such as Clendenin, Rainelle, Richwood, and Clay. These are small towns much like every small town in America, and there are people who are still not able to get back into their homes and water systems that have not been running since June. Banks of creeks and water systems are still in disrepair.

In order for folks to get their needed assistance, we need to pass this continuing resolution. Our Governor has identified 310 million additional dollars through the Federal Community Development Block Grant Program, and an overwhelming amount of this—90 percent of the homes that have now been impacted—was not covered by flood insurance. The \$310 million, which the State has identified as a real need, was supposed to go to putting folks back in their homes, new homes, and homes that any one of us would want to live in, but unfortunately they were not able to do that.

More than 5,000 homes in the State of West Virginia were identified as a loss. Twenty-three people lost their lives in the flood because it came so suddenly. West Virginia has beautiful hills, but we also have some valleys as well. When the water rushes, it rushes fast and quickly fills those valleys, and unfortunately some of the families had very tragic circumstances. Many families, thousands of them, lost everything. Small businesses are unsure if they can rebuild and workers don't know if they still jobs. I know the town of Clendenin—19 miles from where I live in Charleston—has a very uncertain future, and that is why it is very important that we get this downpayment of emergency relief for our State and States like Louisiana and Texas.

We are going to work together to make sure we can secure additional funding, if that is what our Governors—and I think both of our Governors have identified additional problems.

I thank the leader, Senator MCCONNELL. I think this has been a week of pushes and pulls and ups and downs. I think he was very skillful by working with the Democratic leader and the leaders over in the House, and we now have a good pathway forward. I wish to express my appreciation to him for his leadership and his ability to, I think, find an answer to some very difficult questions.

I also thank our Appropriations chair, Senator COCHRAN, for his work on this bill.

I wish to speak about Flint, MI, for a few minutes. Nearly 7 months ago, I was one of the very first cosponsors of the bipartisan legislation that Senator STABENOW introduced, along with Chairman INHOFE and Ranking Member BOXER, that would direct resources to address the serious water problem in Flint. I strongly supported the inclusion of the Flint provisions in the Water Resources Development Act, as did many of us, and the vote was 95 to 3, 2 weeks ago.

I know the leadership is committed to taking final action to help Flint later in the year, and I wholeheartedly support that. Unfortunately, West Virginia had a water crisis, too, and although the impact we had was different than what we saw in Flint, we know how devastating it is for businesses and residents to not have clean drinking water. This also has critical funding for our veterans and the opioid and heroin crisis we see sweeping across the country.

I see my colleague from Maryland is here. Her State has also had some flooding as well. We are right next door to one another, and I thank the Senator for her leadership.

With that, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise in support of voting for the continuing resolution. Over the last several days, there have been votes I have had to oppose, but I think we have arrived at a place where both sides of the aisle can support this continuing resolution. Is it perfect? No. Is it acceptable? Yes. Is it necessary? Absolutely.

The first thing we need to do is make sure we do not have a government shutdown or a government slamdown. Those wonderful men and women who work for the Federal Government, those who are keeping our Social Security offices open, those who serve our veterans, and those who are working at NIH right this minute on a cure for cancer or helping people with Alzheimer's need to know we are not going to play partisan politics with last-minute dramatic efforts to get one party or the other to stare each other down.

This continuing resolution, which will be before our colleagues shortly, meets three goals that we Democrats have laid out. No. 1, it keeps the government open through December 9 so we can finish the work on government spending and what they call an omnibus bill, meaning all of the subcommittees that would fund the U.S. Government; No. 2, that we do it in a way that abides by the balanced budget agreement of 2015; No. 3, ensure that it does not contain draconian poison pill riders, which is true with one regrettable exception, the SEC political disclosure rider, which is where we tell corporations that if they give money to political parties, they need to disclose it.

The bill does do important things. First of all, it fights Zika with \$1.1 billion worth of emergency funding without objectionable riders restricting funding. It also contains funding for our veterans so they get the health care they deserve and have earned so we can shrink the disability backlog and that we don't leave the veterans stranded while waiting to see a doctor.

I wish to compliment those who worked on that particular funding. I also want to say it does contain disaster relief for flooded communities like Louisiana and West Virginia, but the bill does not respond to the compelling needs in Flint, MI. However, we do have leadership on both sides of the aisle and both sides of the dome pledging to get money to Flint during the lameduck session.

I commend Senators STABENOW and PETERS for their advocacy—those of the Senators from Michigan—for their constituents. There are still 100,000 people in Flint, MI, waiting for their water pipes to be clean and safe. Small business owners are trying to keep their doors open, and mothers are worried about whether their children will suffer any cognitive damage as well as slow growth and development in the future due to the lead in their water.

When we were fighting for Flint, we were fighting for the 100,000 people who needed to be able to count on their government so we could get the lead out of what we do and get the lead out of their waters. We were disappointed about Flint, but we do know it contains an approach that is acceptable to the Senators and the Members from Michigan.

This bill includes \$1 billion for Zika funding that I talked about, and it also funds money for our veterans. I could elaborate on this more, but what I want to say is this. Through a conversation that was arrived at by talking across both sides of the aisle, we were able to get through this legislation.

I thank the Republican leader, Senator MCCONNELL, for his work and talking with me as well as working with our leadership to achieve a bill I think we can support. We want to make sure we finish the job today so we can keep the government open and that we pass the omnibus in December, among the

other bills we are going to be dealing with, which will be very important, and I will have more to say about it. What I am saying now, to my side of the aisle, is that this is an acceptable compromise. It might not be the most desirable, and we could continue to debate and dispute that, but it is acceptable.

I urge my colleagues to vote for the bill, and I look forward to keeping our government open and working on the final product of an omnibus bill with my chairman of the Appropriations Committee, the Senator from Mississippi, who again wants to achieve compromise and do it in a way that is civil.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I suggest the absence of a quorum.

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 (Mr. BOOZMAN). Without objection, it is so ordered.

#### CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I move to proceed to the motion to reconsider the motion to invoke cloture on Senate amendment No. 5082 to H.R. 5325.

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

The motion was agreed to.

Mr. MCCONNELL. I move to reconsider the motion to invoke cloture on Senate amendment No. 5082 to H.R. 5325.

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

The motion was agreed to.

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Senate amendment No. 5082 to H.R. 5325, an act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes.

Mitch McConnell, Mike Rounds, Thad Cochran, John Cornyn, Daniel Coats, Roger F. Wicker, Thom Tillis, John Barrasso, Lamar Alexander, John Hoeven, Pat Roberts, Orrin G. Hatch, Susan M. Collins, Lisa Murkowski, Steve Daines, Tom Cotton.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on amendment No. 5082, offered by the Senator from Kentucky, Mr. MCCONNELL, to H.R. 5325, shall be brought to a close, upon reconsideration?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. KAINE) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia (Mr. KAINE) would vote "yea".

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 77, nays 21, as follows:

[Rollcall Vote No. 149 Leg.]

#### YEAS—77

Alexander	Durbin	Murphy
Ayotte	Enzi	Murray
Baldwin	Ernst	Nelson
Barrasso	Feinstein	Portman
Bennet	Fischer	Reed
Blumenthal	Flake	Reid
Blunt	Gardner	Risch
Boozman	Gillibrand	Roberts
Boxer	Grassley	Rounds
Brown	Hatch	Rubio
Burr	Heinrich	Schatz
Cantwell	Hirono	Schumer
Capito	Hoeven	Shaheen
Cardin	Isakson	Shelby
Carper	Johnson	Sullivan
Casey	King	Tester
Cassidy	Kirk	Thune
Coats	Klobuchar	Tillis
Cochran	Leahy	Toomey
Collins	Manchin	Udall
Coons	McCain	Vitter
Corker	McCaskill	Warner
Cornyn	McConnell	Whitehouse
Cotton	Mikulski	Wicker
Crapo	Moran	Wyden
Donnelly	Murkowski	

#### NAYS—21

Booker	Inhofe	Perdue
Cruz	Lankford	Peters
Daines	Lee	Sasse
Franken	Markey	Scott
Graham	Menendez	Sessions
Heitkamp	Merkley	Stabenow
Heller	Paul	Warren

#### NOT VOTING—2

Kaine Sanders

The PRESIDING OFFICER. On this vote, the yeas are 77, the nays are 21.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion, upon consideration, is agreed to.

Cloture having been invoked, the motion to commit falls.

The majority leader.

AMENDMENTS NOS. 5083 AND 5085 WITHDRAWN

Mr. MCCONNELL. Mr. President, I ask unanimous consent to withdraw amendments Nos. 5083 and 5085.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Under the previous order, all postcloture time is expired.

#### VOTE ON AMENDMENT NO. 5082

Mr. MCCONNELL. Mr. President, I ask unanimous consent to vitiate the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to amendment No. 5082.

The amendment (No. 5082) was agreed to.

## CLOTURE MOTION

Mr. McCONNELL. Mr. President, I move to proceed to the motion to reconsider the motion to invoke cloture on H.R. 5325.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

Mr. McCONNELL. Mr. President, I move to reconsider the motion to invoke cloture on H.R. 5325.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on H.R. 5325, an act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes.

Mitch McConnell, Mike Rounds, Thad Cochran, John Cornyn, Daniel Coats, Thom Tillis, Roger F. Wicker, John Barrasso, Lamar Alexander, John Hoeven, Pat Roberts, Orrin G. Hatch, Susan M. Collins, Lisa Murkowski, Steve Daines, Tom Cotton.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on H.R. 5325, an act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes, shall be brought to a close, upon reconsideration?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. KAINE) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia (Mr. KAINE) would vote yea.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 77, nays 21, as follows:

[Rollcall Vote No. 150 Leg.]

## YEAS—77

Alexander	Collins	Hoeven
Ayotte	Cooms	Isakson
Baldwin	Corker	Johnson
Barrasso	Cornyn	King
Bennet	Cotton	Kirk
Blumenthal	Crapo	Klobuchar
Blunt	Donnelly	Leahy
Boozman	Durbin	Manchin
Boxer	Enzi	McCain
Brown	Ernst	McCaskey
Burr	Feinstein	McConnell
Cantwell	Fischer	Mikulski
Capito	Flake	Moran
Cardin	Gardner	Murkowski
Carper	Gillibrand	Murphy
Casey	Grassley	Murray
Cassidy	Hatch	Nelson
Coats	Heinrich	Portman
Cochran	Hirono	Reed

Reid	Shaheen	Udall
Risch	Shelby	Vitter
Roberts	Sullivan	Warner
Rounds	Tester	Whitehouse
Rubio	Thune	Wicker
Schatz	Tillis	Wyden
Schumer	Toomey	

## NAYS—21

Booker	Inhofe	Perdue
Cruz	Lankford	Peters
Daines	Lee	Sasse
Franken	Markey	Scott
Graham	Menendez	Sessions
Heitkamp	Merkley	Stabenow
Heller	Paul	Warren

## NOT VOTING—2

Kaine	Sanders
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The PRESIDING OFFICER. On this vote, the yeas are 77, the nays are 21.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion, upon reconsideration, is agreed to.

The majority leader.

Mr. McCONNELL. Mr. President, I know of no further debate on H.R. 5325.

The PRESIDING OFFICER. Is there further debate on the measure?

If not, the question is on the engrossment of the amendment and third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, shall the bill pass?

Mr. McCONNELL. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. KAINE) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

I further announce that, if present and voting, the Senator from Virginia (Mr. KAINE) would vote yea.

The PRESIDING OFFICER (Mr. TOOMEY). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 72, nays 26, as follows:

[Rollcall Vote No. 151 Leg.]

## YEAS—72

Alexander	Daines	Moran
Ayotte	Donnelly	Murkowski
Baldwin	Durbin	Murphy
Barrasso	Enzi	Murray
Bennet	Ernst	Nelson
Blumenthal	Feinstein	Portman
Blunt	Fischer	Reed
Boozman	Gardner	Roberts
Boxer	Gillibrand	Rounds
Brown	Grassley	Rubio
Burr	Hatch	Schatz
Cantwell	Heinrich	Schumer
Capito	Hirono	Shaheen
Cardin	Hoeven	Shelby
Carper	Isakson	Sullivan
Casey	Johnson	Tester
Cassidy	King	Thune
Coats	Kirk	Tillis
Cochran	Klobuchar	Toomey
Collins	Manchin	Udall
Cooms	McCain	Vitter
Corper	McCaskey	Warner
Cotton	McConnell	Wicker
Crapo	Mikulski	

## NAYS—26

Booker	Leahy	Scott
Corker	Lee	Sessions
Cruz	Markey	Stabenow
Flake	Menendez	Warren
Franken	Merkley	Whitehouse
Graham	Paul	Wyden
Heitkamp	Perdue	
Heller	Peters	
Inhofe	Risch	
Lankford	Sasse	

## NOT VOTING—2

Kaine	Sanders
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The bill (H.R. 5325), as amended, was passed.

The PRESIDING OFFICER. The Senator from Alabama.

## MORNING BUSINESS

Mr. SHELBY. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—  
PRESIDENTIAL NOMINATION

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate proceed to executive session and the Banking Committee be discharged from further consideration of PN1053, the nomination of John Mark McWatters, of Texas, to be a Member of the Board of Directors of the Export-Import Bank; that the Senate proceed to its consideration and vote without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. SHELBY. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Oregon.

ONE-YEAR ANNIVERSARY OF UMPQUA  
COMMUNITY COLLEGE  
SHOOTING

Mr. WYDEN. Mr. President, I want to thank Senator MERKLEY and Senator PETERS for their courtesy to speak for a few minutes.

In a few days, it will be exactly 1 year since the tragic shooting that took nine innocent lives and left nine more injured at Umpqua Community College, outside of Roseburg, OR. Senator MERKLEY and I will be there in a few days. We understand that for the families and the friends of those lost or injured—the students, faculty, and staff—this time is going to be a painful reminder of an extraordinarily difficult day.

Senator MERKLEY and I are so proud of that community. We call it “UCC Strong.” Yet we want to remember those individuals whose lives were ripped away that day and all in the

community who have been suffering. Oregonians everywhere have had these victims and their families in their thoughts, and those thoughts are going to be uppermost throughout Oregon in the days ahead.

Senator MERKLEY and I have spent a lot of time in Roseburg over the last few months. Folks there will tell you they do all they can to go forward, but the trauma doesn't really disappear. Whether it is a walk past Snyder Hall or the sight of a student running on campus, the painful memories just keep rushing back.

As the school presses on, there are a lot of exciting developments on the campus. There is a new college president hard at work. The school just opened its doors to the new Bonnie J. Ford Health, Nursing, and Science Center, with state-of-the-art classrooms. Extraordinary resilience is being seen at UCC and Roseburg, but this is going to be a very difficult few days as we reflect on this horrendous shooting. Of course, the sad reality is that the shooting takes place on a long list of such shootings—horrible mass shootings targeting the innocent. Families and across the country scarred by the shootings share a sorrowful bond.

I know that Roseburg and the movement we know as UCC Strong and the whole State of Oregon have come together over this last year to support the families, the victims, and those who were injured. Over the next few days, Senator MERKLEY and I are going to dedicate and redouble our efforts to do all that we possibly can to reach out again to folks in Roseburg and be supportive and do everything we can as Senators, honored to represent Oregon in the U.S. Senate, to prevent more shootings such as the horrible one that took place at UCC in Oregon.

I yield the floor to my colleague Senator MERKLEY.

I very much appreciate the chance to work with him and our delegation on this.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I join with my friend and colleague, Senator WYDEN, to recognize the somber anniversary of the tragedy that struck our home State of Oregon a year ago. On October 1, 2015, the town of Roseburg was changed forever.

Roseburg is a quiet, beautiful, small town, like so many others across our Nation. I spent part of my childhood in Roseburg. I was there as a toddler, in kindergarten and first grade. That is where I learned to swim, in the Umpqua River. It is a place where I find it hard to imagine anything terrible happening.

Community members are so supportive of each other, but something terrible did happen that beautiful autumn day of October 1, when the lives of 9 Oregonians—students and teachers—at Umpqua Community College were tragically cut short by the ac-

tions of a crazed gunman. Nine incredible, innocent people were taken from us in the blink of an eye.

I want to take a moment to share the names of those nine victims and to say a few words about each of them.

There is 19-year-old Lucero Alcaraz, who was a freshman who had graduated from Roseburg High School. She wanted to become a pediatric nurse and to help care for the most vulnerable of our citizens.

Quinn Cooper was a member of the Cow Creek Band of Indians who graduated with Lucero from Roseburg High School. That fateful October day was only his fourth day of college. He loved dancing and voice acting. He loved martial arts and was just a few days away from taking his brown belt test.

Lucas Eibel graduated from Roseburg High School. Lucas was studying chemistry. He loved soccer. He loved animals. He spent his time out of school volunteering at the Wildlife Safari animal park, as well as at a local animal shelter.

There is 20-year-old Treven Anspach. His parents called him the perfect son, who was, in their words, larger than life and brought out the best in those around him. He was a talented athlete who also loved working with the Douglas County Fire District.

Kim Dietz loved the outdoors, her husband Eric, their daughter Shannon, and their two Great Pyrenees dogs. She would carpool with Shannon every morning and worked alongside her husband for many years as a caretaker at the Pyrenees Vineyards in Myrtle Creek.

Jason Johnson. Jason had been facing substantial challenges, as so many others have, but he was proud to have taken control and turned his life around. After completing a 6-month rehab program with the Salvation Army, Jason decided he wanted to go back to school and continue his education. Jason's mother said: "He finally found his path."

Sarena Moore. Sarena came from my hometown of Myrtle Creek. She was in her third semester at UCC studying business. She was an active member of the Grants Pass Seventh-day Adventist Church and the proud mother of two adult sons.

Lawrence Levine was an English professor at UCC who loved the blues, and he loved fly fishing. He was a quiet, laidback guy who loved teaching, but his true passion lay in writing novels, though tragically his life was cut short before he could publish his work.

Rebecka Ann Carnes. She was my first cousin's great-granddaughter. She was an 18-year-old graduate of South Umpqua High School. She was an avid hunter and loved four-wheeling.

Rebecka was a beautiful spirit. She was excited for college and excited to get out and explore the world. In a picture she posted online, you can see that she had written on her high school graduation cap, which she was holding in front of her, "and so the adventure

begins." She was ready for the adventure of a life to come, but it was an adventure that was cut short in a hail of bullets.

Though the persistence of time may force us to move forward, we must never forget these beautiful members of the community or forget the tragedy that took their lives. Their families, the Roseburg community, the Douglas County community, and the entire State of Oregon continues to mourn their loss.

There is an Irish saying which goes: "Death leaves a heartache no one can heal, love leaves a memory no one can steal." Our hearts continue to ache for these nine wonderful individuals who were taken from us far too soon. In the aftermath of this tragedy, the fabric of the Roseburg community and greater Douglas County community has only grown stronger. The community has rallied together through the UCC Strong Fund to support the families of those who died, to give aid to those who survived, to make Umpqua Community College an even greater asset to the community than it was a year ago, and to celebrate the lives of these nine men and women and ensure that their memories continue to live on.

This Saturday, another autumn October 1, the community will come together and walk together to mourn, remember, and support the families of those lost, embrace and help heal those who were injured and those who were traumatized, and continue to rebuild the community. As they come together on Saturday morning, all of Oregon will come together with them by holding them in our thoughts, our hearts, our prayers, and mourning with them. We will be remembering, supporting, embracing them, and partnering with the amazing Umpqua Strong community.

I thank the Presiding Officer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

#### FUNDING FOR FLINT, MICHIGAN

Mr. PETERS. Mr. President, I wish to take a moment to thank my colleagues for their ongoing support and patience as we continue to fight to deliver Federal support for Flint families. With an agreement earlier today to take up a bipartisan House amendment to the Water Resources Development Act, or WRDA, we have taken another step forward to finally put Flint on the road to recovery.

Just a few days ago, we still had some Members in Congress who were refusing to allow even a vote to provide any assistance to the families in Flint, but with this agreement, we now have a commitment from the House leadership to move forward in helping Flint families. While I am pleased with this development, I remain disappointed that the passage of today's continuing resolution will not deliver Federal funding to Flint residents.

To be clear, I strongly support continuing to fund the government, and I believe there are many good policies in the CR. It contains resources to address the spread of the Zika virus and disaster relief for flood victims, both of which I support a great deal. In fact, we know the threat Zika poses to our Nation's public health, and it is critical that we have finally passed funding to accelerate vaccine development, prevent Zika transmission, and boost public health efforts to the impacted communities. In addition to addressing these emergencies, I also support the inclusion of legislation to fully fund military construction and the VA for the coming year.

As a former lieutenant commander in the U.S. Navy Reserve, I support investments in VA programs, military personnel, and family housing for our servicemembers. This critical funding will also address disability claims processing, the health care needs of female veterans, and the urgent need to modernize the VA's information technology systems. Inclusion of veterans funding and resources to fight Zika had broad bipartisan agreement, but I think it is important to know the Senate also reached consensus on providing much needed relief to the victims in Flint by passing a WRDA bill earlier with 95 votes, but these fully paid-for Flint resources were put on hold while disaster relief for flood victims in Louisiana was included in the CR. I support helping the people of Louisiana, but I also strongly believe we should not be in a position where we pick some States to help and not others. Everybody, no matter who they are or where they live, if they are facing a crisis, if the U.S. Congress is going to help those in need, we need to help everyone regardless of where they live. Americans are Americans regardless of the State in which they reside; therefore, I could not support a government spending bill that will once again force the citizens of Flint to wait for the help they so desperately need.

It is simply unacceptable that a bipartisan, fully offset Flint aid package was left out of the CR. There is no excuse whatsoever for leaving the people of Flint behind. It has been a year since the first public health emergency declaration was made in Flint and over 8 months since a national emergency was declared. Yet almost 100,000 residents of Flint still do not have a reliable source of safe water. They are still using bottled water to drink, cook, and bathe.

I deeply appreciate the progress we have made so far, but Flint families should not have to wait any longer. When a disaster strikes in this country, we pull together to help each other out. We should do that for all communities. We shouldn't tell people who have waited so long—yet we are telling them—to get to the back of the line. This is why I cannot support this bill which prioritizes one State's emergency over another.

We should do right by the people of Flint as well as the victims of flooding, Zika, and other national emergencies.

Over the coming weeks, I will be working to ensure that we follow through on the promises that were made to the people of Flint this week in both Chambers of Congress. We must send a bill to the President that will help the people of Flint continue to replace their damaged pipes so they can turn their faucets on and have clean, safe water flowing from their taps once again. I certainly hope and expect that my colleagues in both Chambers will not let the people of Flint down in their desperate time of need.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

(The remarks of Mr. COONS and Mr. BOOKER pertaining to the introduction of S. 3432 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. BOOKER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### OUR BUDGET PROCESS

Mr. PERDUE. Mr. President, I rise today and ask unanimous consent to engage in a colloquy with my Republican colleagues up through the next hour.

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

Mr. PERDUE. Mr. President, I believe what we are going to talk about over the next hour is one of the most important issues facing our government.

We sat here today and listened to a lot of very valid pleas for help from the Federal Government. The reality is, we don't have the money. There are four words I have not heard in the U.S. Senate or Congress, actually, since I have been here over the last year and a half, and those words are "We cannot afford it."

The problem is that right now we have a budget crisis. We have a debt crisis. Let me say this: Fixing the budget process will not solve the debt crisis. Let's be very clear about that. But we will not solve the debt crisis unless and until we address the dysfunction in our budget process.

The problem is that in the last 42 years, since the Budget Act of 1974, the budget process has only worked four times.

This chart explains this fact. We can see the yellow lines show that—and I hope my colleagues can focus on this—only four times in the last 42 years has this budget process that was enacted in 1974 actually functioned at all to fund the Federal Government.

One of the major responsibilities of our jobs here in the Senate and the House is to fund the Federal Government, to take care of discretionary needs such as those heard today from Flint, MI, Louisiana, West Virginia, and Maryland. These are valid needs, but every dime we spend in our discretionary spending is borrowed. I will talk more about that a little later. We have some speakers today who are going to talk about the results of not having a budget process that works.

This chart explains that over the last 42 years, since 1974, there were four times that the 13 appropriations bills actually got passed and we funded the government the way we are supposed to.

The blue lines are the actual appropriations bills. Since 1998—somewhere in there—we went from 13 bills to 12 bills that actually fund. These are appropriations bills that fund the Federal Government. They fund \$1.1 trillion of a \$3.9 trillion spend of the Federal Government.

This chart shows that over the life of this law—these are the laws, the appropriation bills that have been passed each year, and the average is the red line. The average over this period of time is 2.6 bills of the 12 or 13 bills that have to be passed to fund the government.

Over the last 19 consecutive years, we have used 107 continuing resolutions to get past the fiscal year to make sure we fund the government on the first day of the new fiscal year.

This is how serious this is. Next Monday is the first day of the next fiscal year, fiscal year 2017. We sitting here today are voting on the CR to get us past this day so the government doesn't have to shut down next week—those dreaded words of "irresponsibility" and "intransigence." Quite frankly, this is part of the problem because what happens is what happened last year.

The dysfunction in the system is centered around this: The budget is not a law, it is a resolution. That means that a majority, with 51 percent of the votes in this body, can pass a political statement. That is exactly what happened last year.

Let me say this before we go any further: Everything you hear today is nonpartisan. This should be about a nonpartisan exercise that we have in funding the government. Yes, we are going to have debates based on our partisanship and based on what our beliefs and principles are, but the basic process should be a politically neutral platform that allows us to argue our differences in the budget process, get to a budget, move to the appropriations, and fund the government by the end of the fiscal year, and we have only done that four times in the last 42 years.

The dysfunction is centered around this. If you look at this chart, every year we just don't have enough time, basically. And it is not just time, it is the process. The budget is based on a



resolution, and 51 percent can vote for it. Last year, as an example, the majority—the Republican majority, by the way—voted a political bill that took \$7.5 trillion out of the President's budget over the next 10 years without one Democratic vote. Then we got to the authorization process—and the authorization process, by the way, is a law and they have to have 60 votes. So guess what. The people on the other side of the aisle, my friends, said: Well, you didn't ask our opinion in the budget process, why do you want our help now? So they don't let us get on the appropriations. We have some \$310 billion that we are funding today that is not authorized, over 256 agencies and programs.

The next thing is we go to appropriation. Again, the minority party can stop the process by not letting us get on the bills.

We have a situation right now—this is nonpartisan, but it is a reality. The Defense appropriations bill which funds our military was passed unanimously in committee, the way it was supposed to operate. Democrats and Republicans got together, worked it out, made amendments, and came up with a bill that funded our Federal Government's military. Yet we tried six times to get it to the floor. There are political reasons why it hasn't gotten to the floor, but it shows the dysfunction we have in this process.

Mr. President, the time has come for us to address this process. I am so excited to have various Members of the freshman class here. We have the chairman of the Budget Committee coming down. We have some other senior Members who have been working on this for years.

I notice my good friend from the State of North Carolina, Senator THOM TILLIS, is here, and I will ask him to give us his perspective. There is a big military effort in their State, and Senator TILLIS has been a soldier in this, not only in the Senate but in his time as speaker of the house in North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. TILLIS. Thank you, Mr. President.

I thank my colleague and friend from the great State of Georgia for taking a leadership position to really cleanse the dysfunction and the problems that are going on.

Mr. President, Senator PERDUE is only a 2-year politician. His tenure in the Senate is actually only 2 years. He has spent all of his time in business. He spent time in business, where you didn't keep your job if you couldn't balance your budget. You didn't keep your job if you couldn't make the difficult decisions year to year—making payroll, making strategic investments, and doing the kinds of things good business leaders do. That is what he has done all of his life. Now he finds himself in the U.S. Senate, where that is almost the exact opposite of what we do.

We just had passage of a continuing resolution today for a few weeks because we can't come to terms on long-term spending measures. Over a dozen bills passed out of appropriations with strong bipartisan support and within the constraints of the bipartisan budget, and now we can't get them passed. Why is that a problem? Because when you have the world's largest and most complex entity that has ever existed that can't figure out how much money it is going to spend or commit on more than about a 12-month cycle—and sometimes only a few months—how on Earth can you save money and make long-term investments?

We were in a committee hearing yesterday where we heard that right now it takes an average of 15 years from the concept of a new satellite to the time we are launching it into space. How on Earth can we make those long-term investments when we can't even be clear on what we are going to be spending money on but for every 12 months? This is a threat to our national security. This is a threat to our economic security. This is a threat to the security of every man and woman in the United States because they can't rely on the government to provide businesses or individuals with any kind of certainty whatsoever.

It is tough to make budget decisions, but they need to be made. I know a little bit about this because I was speaker of the house in North Carolina in 2011. We had a budget crisis. We had a \$2.5 billion debt and 6 months to solve it. Unlike the Federal Government, where you can run up a deficit every year—it is now almost \$20 trillion—most States, with the exception of maybe one or two, have a constitutional obligation to balance the budget, so we did it.

What was the result of providing that long-term certainty? Living within our means and actually having a transparent and decisive budget process. We had one of the greatest economic turnarounds in any State in the Nation in the last 5 years.

Being decisive and making the tough decisions accrues a benefit to the business community, accrues a benefit to every man and woman who lives in the United States, and it actually settles the global economic condition more than most people know.

At the end of the day, let's start doing our job. Let's not just create a budget like we did, a bipartisan budget, set it on the shelf, and then pass several appropriations bills and kill them on the floor. That is what is going on here, and I think my freshmen colleagues think it is time—there are a lot of people who put posters up here saying "Do your job," but they are failing to do their jobs by preventing us from doing one of the most important things we can do—make the tough, long-term fiscal decisions that are necessary for this great Nation.

I say to Senator PERDUE, thank you for allowing me to speak.

I thank Senator PERDUE for bringing up this very important subject. We need to stay in front of this and recognize that doing our job is tackling this budget crisis, tackling the uncertainty that we, by failing to do our jobs, are placing on every hard-working American and business in this country.

With that, I yield the floor.

Mr. PERDUE. I say to Senator TILLIS, thank you for coming to the floor and talking about this issue. With your experience in State government in North Carolina, you know that 44 States have a balanced budget law. Guess what States don't have a financial situation, a financial problem.

I thank the Senator for speaking.

I note that my colleague from Oklahoma, Senator LANKFORD, is on the floor.

He has been a warrior on this budget before when he was in the House and now in the Senate for the last 2 years. I welcome his comments to speak about this as well.

Senator LANKFORD.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, this is a long-term issue. This is not something new. I am amazed at the number of times I run into people in Oklahoma who say: Why can't we seem to get the budget done now? What has happened?

I have said: Let's back up for just a second. Since 1974 we have done a budget and done it correctly four times total. The Congressional Budget Act was created right after Watergate, in 1974, to try to create this more transparent process. What they created was a process so incredibly difficult to work with that it has worked four times since 1974. We have only had 2 years since 1974 when we haven't had a single CR. That is a continuing resolution. This body just passed another continuing resolution, meaning the appropriations process won't be done on time again this year. That was settled today.

The issues we face with budgeting are not new. It has been 20 years since we had no CR at all. This constant issue of putting the big budget issues off and trying to figure out how we are going to navigate through the Senate procedures and get the budget done has to stop. At some point we have to have a determination to say that we can't just keep saying: Next year this will improve; next year this will improve.

We are not going to get a better product until we get a better process. We have a very bad process right now, and we need to admit it is a bad process.

What I am proud of is that there are multiple Members of this body—from the leadership of the Budget Committee through the freshmen who are brandnew Senators—who are all focused on the same thing. Let's solve how we do budgeting and actually get to a better product by improving the process. What do we have? We have almost \$20 trillion in debt, and everyone

argues about what we are going to do on a few things to try to do management, but no one is really talking about how we actually get us back to balance and paying off the debt.

It is a common conversation I have with people in Oklahoma.

This is a conversation where people say: Can we ever get this resolved? Is it too late?

On the whole, Americans believe nothing will get better in Washington, DC, dealing with the budget, and their question is this: When and how does it get better? I wish I could give them a lot of hope on that.

What I typically tell people is this: Let's just do a "for instance." Right now, let's take the balanced budget piece that we had and that we put out earlier this year. It actually took 10 years and chipped away at the deficit. In 10 years we chipped away at it and got back to a balance where we had no deficit that year. It was balanced. Then let's say the next year we actually had a \$50 billion surplus. It would be a pretty good surplus. So we chip away and in 10 years get to balance. The next year we have a \$50 billion surplus.

Do you know how long it would take us to pay off our debt if we had a \$50 billion surplus? If we had a \$50 billion surplus every year for 460 years in a row, we would pay off our debt—460 years in a row of \$50 billion surpluses and we can get on top of this. Everyone says that is unreasonable. I would say it is certainly unreasonable if we don't change the way we do our process. It just continues to get worse.

There are some basic things we can do. We can do budgeting every 2 years. People may say: Well, how does that solve anything? Well, that is predictability and planning. It creates greater oversight.

Right now we do this every single year. In the speed of what has to be done, how it has to be done, there is very little oversight on our spending. We could actually put all the areas we have in spending—all accountable, every year.

Right now there is about 25 percent to 30 percent of our budget with the appropriations process that we actually focus on every year. The rest of it is on autopilot, and it is never touched.

Until we get everything in front of everybody every year to be able to look at it for oversight, we are not going to solve the big issues. We have to deal with what are called budget gimmicks.

I have been at war with a budget gimmick called CHIMPS. It is my favorite of the gimmicks. There are a lot of them out there. It stands for "changes in mandatory programs," or CHIMPS. The changes in mandatory programs is a budget gimmick out there that says we were planning to spend this much—when we really weren't, but on paper it said we were—and then instead we said: No, we are not going to spend that much this year so we will spend it on something else.

But guess what. The next year they come back to the exact same dollars

again and say: No, we are planning this year to do it, but we are really not, and so we will to spend it on something else.

It just adds debt every year. We will have billions of dollars of CHIMPS built into our budget and claim that the deficit is even lower than it is. It is not. It is just this budget gimmick, and in real dollars it makes it even bigger. We have to deal with those budget gimmicks in there and be able to take that away so that when the appropriations process is done you get real numbers. The hardest thing to get in DC is the real number. So you have to deal with all these gimmicks out there to remove those. You get a longer time period to be able to plan and create some certainty, but one of the key things we have to have is an actual deadline. This town doesn't function on anything other than deadlines and pressure points. When it is time that it actually has to be resolved, we get it resolved. But if we don't have to resolve it right now, this town just says: Tomorrow. We will get it done next week. We will get it done next session.

The focus is how do we actually create those pressure points? How about a simple idea that says that if we don't get the budget done on time—the appropriations bills done on time—then it goes to an automatic CR so we don't have a government shutdown, because government shutdowns just waste money on the whole? It automatically kicks in to last year's budget amount. But here is what changes. All of the Members of Congress, our budget, our staff for how we function, our operating expenses, all of our committees, and the Executive Office of the White House—that is the three groups. From both the House and the Senate and the White House, all of our budgets drop immediately. Let's say 4 percent, 5 percent, 6 percent the first day and then it does that for 30 days. Then, if you still don't have the appropriations process, it cuts again another big percentage. It puts the pressure where the pressure needs to be. It is not the fault of the agencies or the American people that the job wasn't done. It lies squarely in the House, the Senate, the White House, and our negotiations for not getting it done on time.

It is a simple mechanism to say: If the task has not been done, put the pressure where the pressure needs to be—the cuts in the House, the Senate, and on the White House. Push all of us to the table and get it resolved.

The goal is to do appropriations in a transparent process so the American people can see how their money is being spent and to be able to do it wisely and to be able to create a process where you can actually solve the problem.

Currently, we don't have a process that solves the problem. This magically doesn't balance the budget. It still takes hard decisions, but it at least creates a format where we could solve the problem. Right now, we don't even have that.

In step one, like an AA group, let's at least admit there is a problem. There is a problem.

In step two, let's get to work on fixing it and actually resolve the process. Then let's actually get to work balancing this and paying off our debt.

I appreciate the opportunity to be able to talk about this issue.

Mr. PERDUE. I say thank you to Senator LANKFORD.

I think my colleagues can see the passion and history he has had here and a lot of great thoughts.

I note that the chairman of our Budget Committee in the Senate, Senator MIKE ENZI from Wyoming, is here on the floor. I am going to turn it over to him and ask him to give us his comments. He has been fighting this for years. As chairman of the Budget Committee last year, he managed to get a budget out of our committee that actually took over \$7 trillion out of the President's budget at that point in time.

I say to Senator ENZI, thank you so much for joining us.

Mr. ENZI. Mr. President, I thank the Senator for his comments. I don't get invited many places to speak because I talk about what the Senator has been talking about. It depresses people, but it is about time we got depressed over the budget and made some changes. I appreciate everybody on the committee and those who are not on the committee who have been working to solve this problem. I know that most of you ran on getting a balanced budget, getting to a balanced budget, balancing it now if we could.

I get real frustrated because I know we are \$20 trillion in debt and heading to \$29 trillion. Then I hear people say: Yes, but we cut the deficit in half.

That is not the debt.

I don't like the word "deficit." I call it overspending. That is what we are doing.

We just got the report that we are going to be \$590 billion overspent this year. As Senator LANKFORD pointed out, 70 percent of the budget is on autopilot. So that 30 percent that we get to make a decision on is \$1,070 billion.

We have to worry a little bit because interest rates might go up. But on \$20 trillion, if it is 1 percent, that is \$200 billion a year that we are throwing into a rat hole. But if that goes to 5 percent, which is the norm for the Federal Government, we are out \$1,000 billion a year in interest.

Let's see. We get to make decisions on a \$1,070 billion and \$1,000 billion of that would go to interest. We better solve this pretty quick. I think we could be at 5 percent within 3 years. The defense is over \$500 billion, and that is not enough.

We definitely have a problem, as has been pointed out by the chart. In the 40 years since the Congressional Budget Act was passed, we have only completed all 13 bills four times. We have been holding hearings in the Budget

Committee. This group of people have been holding other meetings to see how it is done in the private sector, how it is done by other countries, and how it is done by the States. Nobody does it like the Federal Government.

When I was trying to figure out first budgets, I found out the format we use is not the same as the one the Appropriations Committee uses and definitely not the same format the President uses. Then I found out that is intentional. That is so you cannot follow the dollars.

But there are a lot of problems besides that in following the dollars. For instance, we have 120 housing programs administered by 20 different agencies. That is not seven per agency or one having more than the others. That means that the 120 programs are administered by all 20 of the agencies. Nobody is in charge. There is no goal set. We don't know if they completed what they set out to do, and there is no way to make a correction if they did.

I pointed out a lot of times how far behind we are on actually approving the things that we do. We don't ever go back and look at the old stuff. We are paying for a program from 1983 that has expired, another one from 1987, and a whole bunch of them from before 2006. We have to get off this auto pilot and get to a new format.

I congratulate this group and particularly Senator PERDUE. The first time we had a Budget Committee meeting I remember introducing him, and I said: Senator PERDUE knows how to balance a budget. He has been working in the private sector.

He said: No, in the private sector you have to show a little bit of a profit.

Well, we are going to have to show a little bit of a profit around here if we are ever going to get rid of the debt. We better do that or our kids are really going to suffer.

In fact, in the private sector we are having some pension problems, but we have been making the private sector put money away for the pensions, invest the money so they would be able to meet the promise that they made.

The Federal Government doesn't do that. We just take it out of this budget.

If we spend \$1,000 billion on interest and there is only \$1,070 billion, what do you think is going to happen to Federal employees who are expecting retirement? That could be in worse shape than the multiemployer plans.

We are going to have to come up with some solutions, and I appreciate this approach where we are looking at what the private sector does, what the States do, and what other countries do—and they have had success.

It is a little difficult because it causes some reorganization in what we are doing. Maybe we can wind up with one or five housing programs, and they would all be under one agency so we could have goals.

We are going to have a portfolio method of budgeting so that we know what we are trying to do and whether

we get it done. There are already some laws on the books that say that we do that, but we don't.

I congratulate you for doing this. I am so pleased that we have Senator PERDUE heading up this effort because, as I mentioned, he has saved some businesses before. They took his advice and reorganized. I think a lot of us have looked at this and said it could be done. It is going to be difficult because we don't even go back and look at old programs—let alone reorganize.

I hope people will pay attention to this and see if they have some other ideas to throw in. But listen carefully to what is being said here today because this has to be fixed.

I was hoping we could fix it before the elections because we were getting cooperation from the other side of the aisle and a lot of good suggestions. One of the reasons we were able to participate in a very bipartisan way, I think, is because none of us knew who was going to be in the majority in the Senate, nor did we know who the President was going to be. I think that made all of us a lot more reasonable. I hope after the elections we can still be reasonable and do something that will save this country.

I thank the Chair.

Mr. PERDUE. Mr. President, I thank the chairman for his comments, but more importantly I thank him for his heart in terms of running the Budget Committee and leading us into this observation and recognition. As this chart says, we have a dysfunctional system, and we don't have an alternative but to find a better plan.

With that, I note my good friend and esteemed colleague from Tennessee Senator CORKER is here. He is chairman of the Foreign Relations Committee, but more importantly he lets me sit next to him on the Budget Committee.

I want to say this about the Foreign Relations Committee. It is a very bipartisan committee. Under Bill Clinton, just 16 years ago, we spent about \$20 billion on the State Department and USAID. Currently, we are spending about \$54 billion. That is just one department. Those are constant dollars to show you how government has sort of exploded in the past 16 years—both under Republican leadership and under Democratic leadership.

I am so glad Senator CORKER is here, and I look forward to his comments.

Mr. CORKER. Mr. President, I am thrilled to be here. I thank the Senator for his leadership on this issue. I also thank Senator ENZI for the way he conducts committee business, as the Senator just mentioned.

We are on a committee where basically the way it is set up, it binds both his arms and his legs behind his back, meaning that just the process we have in place makes it impossible for us to deal with our country's fiscal issues. With the Senator from Georgia joining the committee, having been a person who has dealt with businesses throughout the world, and quickly seeing these

frailties that Chairman ENZI has to deal with, the Senator has thrown himself into trying to deal with those issues, and I admire him for it.

I think the Senator from Georgia and I both know this is going to take a while because, in essence, we are talking about a total reorder. We really don't have a budget process. To even call what we do a budget, for most human beings' understanding of what a budget is, is obviously not realistic. So I thank my colleague for that.

I am an advocate for what Senator PERDUE and Senator ENZI are trying to do. We have to, in essence, get a process in place that actually works. That is impossible with the process we have today, and today is the perfect example of that, right? We passed a CR through December 9, and, by the way, we make no policy changes.

Now, think about an entity the size of our Federal Government, where we spend \$4 trillion of the American people's money each year, and yet we don't do the authorization process which lays out policies. If you can imagine IBM or Apple or Google or any company like that just continuing each year to do things exactly the same way and thinking there is going to be a different result, that is not possible.

Worse than that, in spending the \$4 trillion we spend each year, we only have a budget over \$1.2 trillion, \$1.3 trillion, and the rest is on autopilot. It is the part that is on autopilot that is the greatest threat to our country's national security.

So I actually think we need to do two things at once. One is we need to continue working through the processes that Senator PERDUE and Senator ENZI are working on. It will take a while to get that done. We are going to have a total reordering of how we do business. That affects Senate careers and staff, and we understand how difficult that is. We are dealing with human beings. We are dealing with people who have an investment in what they have been doing for years, and it is going to take us a while to overcome the culture that has been established here.

Simultaneously, as my good friend Senator Gregg from New Hampshire had laid out, we also need to begin putting in place policy changes that begin saving our Nation.

One of the problems with the budget process is, we pass a budget that makes assumptions, but those assumptions never become reality. So we say the budget balances over 10 years, but we never do the tough things it takes for those policies to actually be put in place. So a forcing mechanism—I know several thoughts have been put forth—to force us to do that, to force us to do that and to keep government open and functioning is something that has to occur.

I am proudly a part of this effort as a wingman. I appreciate all the meetings that are taking place. I hope we are going to get to a result. I agree with Senator ENZI that it would have

been good to have done it when we didn't know who the President was going to be or who was going to be in the majority. That is not going to happen, but things like this that matter, that save our Nation, take years to happen.

Senator PERDUE is a young Senator here by tenure. These things take a long time. I look forward to working with him to ensure we get the right outcome to save our Nation and to keep us from this moral depravity that is taking place where, in essence, every day that goes by, we are involved in generational theft because we are not doing this. We are really laying a huge burden on future generations.

I yield the floor, and I thank my colleague for his effort.

Mr. PERDUE. Mr. President, I thank Senator CORKER very much.

Moral depravity is so prevalent here, and it is no more present and no more important than in the area of funding our military.

I notice Senator ERNST from Iowa is here, and I appreciate her leadership as a fellow freshman in the Senate, but let me highlight one thing very quickly. Senator CORKER just mentioned that about one-third, 30 percent of what we spend—35 percent over the last 8 years—is borrowed, and it is projected that over the next 10 years about 35 percent will be borrowed. About 30 percent of what we spend is discretionary. That means every discretionary dollar we spend as a Federal Government is borrowed. Let me say that again. Every dollar we spend in our discretionary budget is borrowed. That means our military, our Veterans' Administration, our military construction, our domestic programs, all the things we are talking about are borrowed. That means we have to get serious.

We have disinvested in our military because of this budget crisis, and it is just another reason to get at this budget process.

I can't tell Senator ERNST how much I appreciate her being here, and I look forward to her comments.

Mrs. ERNST. Mr. President, I would like to thank my colleague from Georgia for spearheading this very important effort. We have heard discussions about getting back to regular order. We have heard discussions about the difference between the debt and the deficit and where do we go as America. So I am glad my colleague is investing his time in this effort, and we look forward to walking through that process.

It is good to see so many of us here today, engaged and very active in this effort, and so I would like to thank all my colleagues. I know a number have already spoken.

Truly, our Nation faces some very serious challenges and challenging budgetary times and all of that coming at us in the future. If we aren't honest about where we are right now and where we are headed in the future and fix it, our children and grandchildren

are going to be handed a very heavy burden.

We are already over \$19.5 trillion in debt and a level that is growing rapidly every single day. I am from Iowa, and back home in Iowa we generally don't talk about things in trillions of dollars or even in billions of dollars. So when you break it down, that debt load represents about \$60,000 per person in this great country. That is quite a number, and one that all of us should be concerned about.

The American people are concerned, and they are frustrated with Washington for a reason. Washington doesn't seem to be serious about stopping the reckless spending habits this town has. That is why I think this proposal is a very interesting one and one that could provide opportunity as we move into the future.

As we stop and look at the reckless spending habits—and most Americans agree we have reckless spending habits here in Washington, DC. I tend to agree with those Americans. I agree. Since coming to the Senate last year, I have worked to cut down wasteful and duplicative spending. Let me give just one example of taxpayer money that has been wasted.

Earlier this year, I introduced a bill that would limit the perks that wealthy former Presidents receive. In 2015, taxpayers spent \$2.4 million on travel, office space, communications, personnel, and other expenses for past Presidents—I might add, wealthy past Presidents. At a time when they receive well-compensated book deals, speaking engagements, and all kinds of activities, hard-working Americans shouldn't foot those bills, and they shouldn't be expected to.

We passed that bill in the Senate and in the House with bipartisan work on that effort. Unfortunately, President Obama decided to veto it. While we are still working on a path forward, it leaves me just as frustrated as all the other Iowans who know we can't continue spending money we don't have on things that aren't necessary.

Washington can't even do the basic business of balancing our own budget. Plain and simple, we should. Families in Iowa do it every day, and they expect us in Washington, DC, to do the same. After all, it is their tax dollars that are being spent, and it deserves to be spent wisely. Unfortunately, it might just take a complete overhaul of Washington's ways to help us solve this problem.

Again, I thank my colleagues for joining us in this effort. While some of my colleagues on the other side of the aisle have certainly made it very difficult, if not impossible, to conduct business in any sort of regular manner, the reality is excess spending in this town seems too often to be bipartisan.

I know my colleague from Georgia mentioned earlier our debt has ballooned under both Republican and Democratic administrations. We are far too often unable to take a good

hard look at the money that is being spent because we often will get a 1,900-page bill at the last minute, and we are given the choice of either taking it or leaving it. Normally, that is for funding most of our government. That kind of practice doesn't show us a good way forward. It forces us to make difficult choices about how we are spending taxpayer money, and it certainly doesn't give us the opportunity to cut wasteful spending. We have to do better by our taxpayers.

I thank my friend from Georgia and my other colleagues joining us today to help us start thinking about how we solve this crisis and how we can do it in a creative way. I again thank Senator PERDUE for leading this effort, being at the tip of the spear, and hopefully we are moving toward a smarter way of doing business in Washington. If we don't do better, I am afraid the future of this great country will be a lot dimmer.

I thank the Senator and I appreciate the opportunity to be here.

Mr. PERDUE. Mr. President, I thank Senator ERNST. I enjoy her leadership in the Senate.

With that, I notice Senator ROUNDS of South Dakota is here. He was a Governor who dealt with this budget issue in an executive and legislative body in South Dakota, and I am looking forward to his comments. I thank him for being here.

Mr. ROUNDS. Mr. President, first, I want to start by thanking my colleagues here today, particularly Chairman ENZI, who leads the Budget Committee, as well as Senator PERDUE for not only being the only freshman who serves on the Budget Committee but for leading us on the floor in the discussion of this very important topic of our Federal broken budget system.

Once again, today, Congress has just met our deadline to fund the government past the end of the fiscal year. While many of us in the Chamber, as well as the American people, are rightly frustrated by this requirement for a last-minute reprieve, it is a reminder of our broken Federal budget process and why we can no longer afford to continue down this dangerous path.

I spent a great deal of time holding different meetings across South Dakota during August, meeting with folks all over the State. During that time, our soaring national debt and runaway spending has continued to be a concern to me. What I relayed to them about our country's fiscal future and what I would relay to you now is that it is just not very pretty.

I shared with them a report from the Congressional Budget Office, which, in January of this year, released an in-depth analysis of our debt and our deficit. It found that, by 2026, annual deficits will double the share of GDP to 4.9 percent—more than tripling in dollar terms to \$1.37 trillion, or \$1,370 billion, as the chairman of the Budget Committee likes to put it.

It also found that in 2026, just 10 short years from now, 99 percent of revenue that comes into the Federal Government—income taxes, both personal and corporate, all the gas taxes, all the fees—will go back out in mandatory payments and net interest spending, leaving no room to pay for roads, bridges, health care, our Armed Forces, and other vital needs within our Nation. That 99 percent number, as they projected in 10 years, is a crisis. I would suggest to my colleagues that crisis is not in 10 years. That crisis is now.

Earlier, we heard Senator CORKER explain very, very eloquently the fact that it takes time to move things here. I suggest that time is of the essence, and we no longer have a 10-year cycle in which to make these changes. We have to begin the process of fixing this broken system, and we need to begin now.

In 2026, our country turns 250 years old. Wouldn't it be a marvelous goal if, by that time, we not only had this process fixed, but it was actually working once again?

The CBO report concluded that the driver for this rising debt is largely from growing mandatory payments, as we heard our colleagues say. That is Medicare, Medicaid, and Social Security, as well as interest on our debt. Yet here in the Senate, when we work through the appropriations process to determine the best way to spend Americans' hard-earned money, we don't even vote on mandatory payments, which are mandatory payments on mandatory programs. Today, those mandatory payments account for nearly three-quarters of all Federal spending. That means the continuing resolution we just did is based upon about 28 percent of the total amount we will spend next year. It is simply not acceptable that we continue to look at and try to balance yearly deficits of \$500-plus billion every single year when we only look at 28 percent of the total spending that goes on.

Let me suggest this. In order to fix this, as my colleagues have said today, we have to begin a process with expectations that the process actually works once again and that there are timelines established well in advance of the end of the fiscal year. But even more than that, any process we use in the future also has to bring in accountability, authorization, and appropriations together. Why is it that when we talk about Social Security, Medicare, and Medicaid—well, we just don't talk about it. There is no place in which we can actually sit down in a committee assigned specifically for Social Security, a committee assigned specifically for Medicare, or one for Medicaid. Why is it that, in States like South Dakota, where we have the South Dakota Retirement System—a retirement system which is one of the best funded and best run in the entire United States, and it has been there since the 1970s—it gets looked at every single year. Yet,

as to Social Security, which is such a huge and important part of a lot of people's lives in the United States, we are afraid to touch. It is not a matter of cutting it. It is a matter of managing and making it more efficient and delivering the services and actually keeping it up to date—revenues and expenses—so that the people a generation from now can count on it being there.

It is irresponsible for us to sit back here and to say that we are going to balance our budgets this year and make a commitment without looking at all of the programs that are out there because we simply can't balance a budget. We can't take care of those programs—Social Security, Medicare, or Medicaid—unless we actively participate in managing them and in making good decisions. Again, the buy-in from the public is that what we are trying to do is to make it better for them long term and that we have their best interests at heart.

With that, I say thank you. I think this is a critically important thing for all of us. Last year, we did an omnibus bill at the end of the year, and a group of us got together and said no more. In our freshmen bear den, as we call it, we said: It is time we have a meeting with our leadership. I cannot tell you how pleased I was with the reception that we received from our leadership, who said: Look, we agree. You guys work together and put this through. I give Senator PERDUE huge accolades for actually doing the hard work to get this done. This is important to our country, and this is one way in which we can begin to build credibility once again with the citizens of our Nation. I thank the Senator for the work he is doing, and I certainly look forward to working with our colleagues to fix a broken budget system—not only in the Senate but in Congress—and to get on with actually sending back to the American people on a regular basis a budget they believe in and they can count on.

With that, I yield the floor.

Mr. PERDUE. I thank Senator ROUNDS for his comments. I appreciate his leadership as an ex-Governor in this body.

I note that Senator SULLIVAN from Alaska is here, and he has been very outspoken about this since he got here last year—another freshman Member. I look forward to Senator SULLIVAN's comments.

Mr. SULLIVAN. Mr. President, I thank Senator PERDUE for his leadership on this important colloquy.

As some of us have seen down here, as Senator ROUNDS mentioned, there are a lot of Members of the Senate who are very concerned. But what we are seeing here are a lot of the new Members—12 new Republican freshmen. It is good to see the Presiding Officer, who is one of them. We are very concerned about this. We were concerned because a lot of us ran for office—a lot of us for the first time—because we saw what was going on with this budget process. With all due respect to my colleagues

on the other side of the aisle, they didn't even attempt to pass a budget for a number of years. They didn't even try.

Think about that. You are back home, in a State government such as Senator ROUNDS was talking about or in a household or a business, and you are not even going to try to pass a budget. That was what was going on in the Senate—remarkable. So what we are trying to do is to fix that.

The first thing we did—and Senator ENZI was on the floor a little bit ago—is we came here and we passed a budget. It hadn't happened in years. We passed a budget resolution. That was an important start. Then we started to pass appropriations bills. As a matter of fact, this year, to the majority leader's credit, we started working on appropriations bills at an earlier time than at any time in decades. We got 12 appropriations bills passed out of the Appropriations Committee. Then what happened? We tried to start bringing them to the floor to vote on them, to move them. The vast majority of those bills—all of which were very bipartisan—were filibustered by the minority leader of the Senate.

Again, I am new here. I still don't understand why they did that. A lot of us who came down to the floor were really upset when the minority leader of the Senate filibustered the Defense appropriations bill—the bill that funds our troops—six times in the last year and a half—six times. That is a disgrace, in my view.

So what are we doing here? More delay. More delay. We just got through a continuing resolution, which is not how to run the government, and they were looking at opportunities for more delay. For example, at the very end of this discussion, there was the idea of maybe adding additional funds for Flint, MI. Well, nobody cares about clean water as much as I do. My State has huge challenges with communities that not just have aging infrastructure, like Flint, MI, but no infrastructure. I have over 30 communities in the great State of Alaska that don't have clean water and sewer and don't have flush toilets—Americans—if you can believe that. So I certainly wanted to focus on that. That is what we did in the regular order through the EPW Committee with the WRDA bill—for Flint, MI, the State of Alaska, and other communities that have challenges with clean water. We are going to address those through the regular order.

That is what Senator PERDUE is leading on right now in the Senate—the regular order and getting back to a budget process that can handle the enormous challenges that we have heard about on the floor here—\$20 trillion in debt and exploding deficit. That is what we need to do, and I commend Senator PERDUE for his leadership. What he did is something that takes a lot of courage here—a whiteboard approach. We just need to look at everything anew. With his leadership and his

experience, a number of us lead by Senator PERDUE have been working on this for months. This is what we need to do to finally get ahold of these enormous budget challenges.

I encourage all of my colleagues—Republicans and Democrats—to join in this process, to bring their ideas to fix what is clearly, clearly a broken process that is not helping our Nation, that is driving up the deficit, that is saddling the next generation with trillions of dollars of debt. We have the beginning of a way to start fixing this.

Again, I thank Senator PERDUE and Senator DAINES for their hard work on this. I am certainly going to be part of their important efforts as we look to put our country on a fiscal path of sustainable economic growth and budgets, which we are not on right now.

Mr. PERDUE. Mr. President, Senator SULLIVAN is a warrior. I am glad to be here with him. It gives me hope that we are going to persevere and get this done.

Now to help us close this out, we have our good friend from Montana, Senator DAINES, who has real world experience—both as a consultant but also starting and running a high-tech company. He understands what profit is about, but, more importantly, he understands what meeting needs is about. I am so glad that he can help us close this out. I have a few remaining comments when he finishes, but I thank Senator DAINES for being here.

Mr. DAINES. Mr. President, I thank Senator PERDUE for his leadership.

What an honor it is to be down here on the Senate floor surrounded by freshmen—the freshmen Republican class. We have the Presiding Officer, Freshman CORY GARDNER from Colorado; Lt. Col. DAN SULLIVAN, U.S. Marines, from Alaska; and DAVID PERDUE, who was the CEO of a company before he came to the Senate. We have LTC JONI ERNST from Iowa. I am proud to serve with Joni here and thankful for her service to the country, both in the military and now in the Senate. There are others. MIKE ROUNDS is a former Governor from South Dakota who had to balance his budget there or he would lose his job.

As Senator PERDUE mentioned, when I first came to Washington, I did come equipped with a skill that was familiar to Montanans, like hunting and fishing are, and that is how to balance a budget. Before I came here, I spent 28 years in the private sector, 13 years with Proctor & Gamble and then 12 years with a startup company, and in between that, 3 years in our family construction business. I know what it takes to make a payroll. I know what it takes to make a family's household budget work. Yet balancing the budget is a skill this body has not embraced for nearly 20 years. As Senator PERDUE mentioned, four times out of 42 years has this process worked. That is broken.

Think about this. It is September 28. On Saturday, it is October 1, the begin-

ning of the next fiscal year of the U.S. Federal Government, on which we will spend about \$4 trillion this next fiscal year. We begin the next fiscal year in 2 days without a budget.

We were all here last year at this same point in time—the last week of the fiscal year, the last week of September—and we moved into this fiscal year without a budget. It is no wonder that we are \$20 trillion in debt when you don't have a budget.

There is an old saying in business: If you aim at something, you will hit it. We do not have a budget here, and that has created \$20 trillion in debt.

When the Congressional Budget Office issued its August 2016 report last month, it shared that this year's projected budget deficit now has increased from an already staggering \$439 billion in a January report. They have raised it now to \$590 billion—an increase of 34 percent.

If I were running a business, I could not get away with this. I would be out of business. Serving on a board of a publicly traded company, we would be firing the CEO and we would be firing the board with results like this.

Here is something to think about. Deficit spending is nothing short of age discrimination because this excessive spending is at the cost of our children and grandchildren. That is what we are passing down. We are racking up the credit card debt, figuratively speaking, and passing it on to our kids. The American people are asking themselves: Why aren't the people they have elected able to ensure the future for our children? How can balancing the budget be so difficult?

Being here for 2 years in the Senate, I have come to realize that the biggest hurdles to balancing the budget are the very rules, the very process that guides this institution. They are broken. Unless we fix the process with the leadership of Senator PERDUE, who is getting out in front of this issue—unless we fix that—we will continue to repeat the growing deficits because this process is yielding the results it was designed to deliver. It is unacceptable. It must change.

We are now approaching \$20 trillion, which is 105 percent of GDP. The first bill I introduced when I came to Congress—in fact, I walked down to the Chamber, laid the bill on the desk of the clerk—was called the Balanced Budget Accountability Act. It said simply this: If Members don't balance the budget, they shouldn't get paid.

Let's bring some real-world accountability to this institution. Let's put the pain on the Members of Congress instead of the American people. I thought perhaps if our pay was on the line, it would force us to be held accountable to not only balance the budget but get on track to long-term responsible spending.

If we do nothing, we know what will happen. We will be right back here—mark it on your calendars—the last week of September, and we will be here

debating a CR, pushing it into December with some big omnibus vote. It will happen again, guaranteed, unless we change this process and change the people who serve in this institution. We need action, we need accountability, and we need it now.

In conclusion, I will say this. I have one distinction, perhaps; that is, I am the only chemical engineer who serves in the U.S. House or the U.S. Senate. When you are trained as an engineer, you are trained to take a look at a problem and identify a solution. We have a solution with Senator PERDUE's leadership. You see, the freshmen Members of the Republican class of 2014 came here not to accept the status quo but to reject it and to change the way this country operates; truly, to save the future of our kids and our grandkids.

I look forward to working with my colleagues to reform the budget process. Let's get this country back on the right track.

I say to Senator PERDUE, it is an honor to serve with you. Thanks for getting in front of this very important issue.

Mr. PERDUE. Mr. President, I say thank you to Senator DAINES. His leadership means the world here. With that, I have hope we are going to get there.

In light of the time and the hour and the other business that is before this Senate body tonight, I will abridge my closing comments. I want to say this. There is a four-letter word missing in Washington today—H-O-P-E. People sent this class, 12 members of the Republican caucus—that is almost 25 percent of our caucus—are freshmen this year. We ran on this topic, as you heard several Members say, but we had the chairman of the Budget Committee here. We had the chairman of Foreign Relations here.

These people are very concerned about this topic. We are not just complaining about the status quo. Again, we are not complaining about the other side. There are no innocent parties when it comes to this debt crisis. If you look at the last 75, 80 years, this country has lived and benefited from the greatest economic boom in the history of mankind. Yet here we are today, \$20 trillion of debt, over \$100 trillion of future commitments already made by this Federal Government. It is basically \$1 million for every family in America.

We don't need to talk about the need anymore. What we need to talk about is what do we do. That is what we came up here for. We need to focus on results. This is what we are proposing. We put it in language now. We are moving to put it into a bill on the floor. We have Democratic input.

Again, let me say this. The goal is not to solve the debt crisis. That is the need. The goal in this process is to create a politically neutral platform where both sides—whether they are in the majority or the minority—can



make their points during a budget process, move to an appropriations process, and get the government funded every year without all this drama. That is what the people of America want.

It will protect our military. It will protect our national security. It will let us take care of the domestic needs we need, and it will let us invest in our infrastructure to get this economy going again. Without this exercise, we will not start down the path that may take 30 or 40 years to bring this debt under control. It is that large.

Let me emphasize one more thing. If this debt is not addressed soon, the rising interest rates that we all know are coming—we are living in a false world today of zero interest rates. If we just get back to our 30-year average of about 5 percent, we will be paying \$1 trillion in interest. That is not possible. It simply is not workable. All things come into the conversation.

This is what is going to happen. We are going to start debating this on the floor, hopefully soon. It may run into next year. It may go to the following year. My commitment to my people at home is, we are not going to give up on this fight until we get something done about this. We proposed a couple of things.

Three guiding principles were developed by a small group of people, and it has been welcomed by a growing number of people in this body. No. 1, the budget needs to be a law. No. 2, everything we spend—all \$4 trillion of it—needs to go into the budget. They need to be debated and covered in the budget by both sides. No. 3, if we don't fund the government by the end of the fiscal year, there has to be serious consequences.

You heard one proposal tonight by Senator LANKFORD. There may be others, but we are going to put on the Senate and the House, for that matter, real consequences if we don't get the Federal Government budget done. Again, this is an exercise that we hope will be bipartisan. We want no advantage in this. We want a process that doesn't advantage either party. It gives both equal standing in the budget process, leading to a reasonable and effective funding of the Federal Government. A politically neutral platform, that is our goal.

I will close with this. If not now, when? If not us, who? I thank the forbearance of the Presiding Officer tonight. Thank you for allowing us to do this.

I yield back my time. I see we have other speakers on the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from New Mexico.

(The remarks of Mr. HEINRICH and Ms. COLLINS pertaining to the introduction of S. 3458 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Ohio.

# UNANIMOUS CONSENT REQUEST— S. 2253

Mr. BROWN. Mr. President, too often this body talks about supporting our veterans while doing far too little to pass critical legislation that would actually help them.

The Senate Committee on Veterans' Affairs, of which I am a member—and I am joined by my colleague on that committee, Senator TILLIS, with whom I have worked on a number of issues in our time together in the Senate. Chairman ISAKSON and Ranking Member BLUMENTHAL have had in this committee perhaps the best cooperation of any standing committee in the Senate. And we continue to work to address challenges facing veterans and the Veterans' Administration.

Through hearings and legislative markups, we have listened and learned from veterans. As a result, we have worked together across the aisle to produce legislation that reflects the needs of those who served our country. It is a minimum we ought to be doing, and I think we are generally doing that pretty well.

One result of our efforts has been the bipartisan Veterans First Act. It is a good bill that comprehensively addresses a host of issues facing veterans, including education benefits, homelessness, health care, and VA accountability. As we see too often, even commonsense legislation like Vets First can't make its way to the floor. Our inability to act on this doesn't mean we shouldn't try to address specific issues that have bipartisan support.

One of those issues which I hope we can agree on is the need to provide relief to veterans who, through no fault of their own, were—there is no other way to say it—bilked by the for-profit school ITT. Veterans and other students were betrayed and bilked, and taxpayers were fleeced. Veterans who were attending ITT at the time of its closure lost the GI bill or VA benefits used to pay for their education. Meanwhile, all other students who were enrolled at ITT were eligible to have their Federal student loans discharged. So if you are not a veteran and you had Federal student loans, you could get those loans discharged. If you are a veteran under the GI bill or VA benefits, you couldn't. It wasn't anybody's intent to do that, but that is what the law says.

I know Senator ISAKSON, the chairman—and we are joined by Senator CARPER on the floor as well—he is interested in this. I also know that Senator TILLIS has cosponsored my bill to actually fix this. This is something we need to do. We are not the only ones who believe action needs to be taken. Governor Mike Pence, the Governor of the State next door to mine, Indiana, who is the Republican nominee for Vice President, supports this.

The closure of ITT was the fault of the management of that school, who spent a lot of money on marketing and a lot of money on helping students get

financing but not much money on education and even less on job placement for their students. The closure of ITT was not the fault of the veterans, for sure, not the fault of the students, but now veterans are worried about being able to pay their rent and pursue their education, which is what this legislation is going to allow them to do. In my State of Ohio, 520 veterans have been impacted by ITT's closure.

There are some questions of finding a way to pay for this legislation, but I believe finding a pay-for is a red herring. We are simply giving the VA the authority to provide relief to veterans. No one is running around trying to find a pay-for for the Federal student loans that are going to be discharged. So we are saying we are just going to do the discharge on the nonveteran students, and we have to find a little legislative sleight-of-hand pay-for to take care of the veterans. That just doesn't make sense. Why should veterans be treated differently or worse than nonveteran students? All we are looking to do is to make sure veterans are treated like all other students who attended an institution like ITT or Corinthian, another scam institution that shut down.

Veterans were promised GI benefits when they signed up to serve our country. ITT has cheated them out of the quality education they earned. If we fail to act today before leaving town, we abandon the responsibility to our Nation's heroes.

Mr. President, I ask unanimous consent that the Senate Veterans' Affairs Committee be discharged from further consideration of S. 2253 and the Senate proceed to its immediate consideration; that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from North Carolina.

Mr. TILLIS. Mr. President, reserving the right to object, my colleague from Ohio and I have worked on a number of different measures on the Veterans' Affairs Committee, and I hope to continue to work with him.

I wish to talk a little bit about the process here. It may seem odd, on a bill on which I am one of the lead Republican sponsors, to come to the floor and object to the UC, but let's talk about structurally what is going on here. We said that the only reason there is a problem is there is no pay-for. In other words, we are trying to pass a policy that we haven't taken the time to make a decision about how to pay for it. We can say that we are authorizing the VA to pay for it, but what are they going to do? We haven't provided them with any funds to do it, so what potentially suffers as a result? That is one piece.

We just heard a number of speeches here with Republican freshmen and a couple of veteran Members on the floor talking about being responsible in the

budgeting process and actually living within our means and paying for things. Now I am in the uncomfortable position of having to object, potentially—reserving my right to object—to a measure that includes policy that I fundamentally support. What I don't want to do, though, is send something half-baked to the House and pretend that somehow it is going to be taken up before we get back from the recess. It won't be. As a matter of fact, if we don't do our job here, it will probably not move in the House.

So why not work with Senator ISAKSON, who has done a remarkable job of trying to work with the veterans service organizations that have a concern with the direction we were going with the pay-fors, to find a legitimate way to pay for this policy before we send it to the House and make it more likely that before we get out at the end of the year, this bill will be passed? This is just about being responsible and doing both parts of our jobs—coming up with good policy and then coming up with a way to pay for it.

So for those reasons, I do object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Ohio.

Mr. BROWN. Mr. President, I thank Senator TILLIS, and I understand his view on this issue. I appreciate the position of Senator TILLIS, my colleague on the Veterans' Affairs Committee. I just fundamentally say that, first of all, we shouldn't leave town. We should finish our work. We should confirm the Supreme Court nominee or at least have hearings. We should finish our work that we haven't done this year. We have been in session less this year than any Senate in the last 60 years. I know Senator MCCONNELL wants to send his Members home so they can campaign for reelection and spend their Koch brothers money that they have benefited from.

More than that, what I don't get here is—we are only giving the VA the authority to provide relief for these veterans. We are treating veterans worse than other students at ITT or Corinthian. So if you were at ITT and you found out 3 weeks ago that that school was closing—2, 3 weeks ago, something like that—and you are a veteran and you have a friend who is a nonveteran, the nonveteran gets their loans discharged, and you as the veteran don't with your GI benefits, because they had Federal student loans and you had GI benefits. It is just not fair to them.

I don't think we should ever leave this place having treated a veteran worse than a nonveteran in the exact same situation. So I don't really understand the opposition. I hope we can re-engage and figure this out and take care of these 500 or so Ohioans who served their country well.

Mr. President, I yield the floor.

Mr. DURBIN. Mr. President, I support Senator SHERROD BROWN's unanimous consent request that the Senate adopt the Veterans Education Relief

and Restoration Act, S. 2253, to support veterans who were harmed by the closure of ITT Tech.

ITT Tech's predatory practices led to its sudden closure early this month, leaving tens of thousands of students in the lurch. Many veterans using GI bill benefits at ITT Tech have been particularly affected by this company's practices and now its closure and bankruptcy.

ITT Tech has for years been a major recipient of GI bill benefits. According to a 2014 report by Senator TOM HARKIN's HELP Committee, ITT Tech was the third largest recipient in 2012-13, receiving \$161 million in GI bill funds. When it closed earlier this month, an estimated 7,000 veterans were enrolled at ITT Tech.

Not only have these veterans used up part or in some cases all of their limited GI bill education benefits, some of them relied on VA housing assistance to pay their rent and afford a place to live for themselves and their families. Veterans can only receive this housing stipend if they are enrolled in a school that qualifies for GI bill benefits, so the closure of ITT Tech has put them at risk of being unable to afford their current housing and further disrupting their lives.

I support the bipartisan Veterans Education Relief and Restoration Act, or VERRA, introduced by Senators BLUMENTHAL and TILLIS, to reinstate GI bill education benefits in certain cases and to give the Secretary of Veterans Affairs the authority to temporarily extend housing benefits to veterans, including those who attended ITT Tech, who find their education interrupted by a sudden closure of a school.

The closure of ITT Tech makes the need to pass VERRA an emergency for so many veterans across the country. This is a commonsense bill—it's bipartisan—and it's time sensitive.

I urge Republicans not to block this effort to extend this modest and much-needed relief to our veterans who have been put in this terrible position by ITT Tech.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I stand before my colleagues this evening as a veteran of the Vietnam War who returned to this country after a third tour in Southeast Asia. I moved from California to Delaware and enrolled there at the University of Delaware in their business school, in their MBA program. I was fortunate enough, along with many other Vietnam-era veterans, to receive a GI bill benefit; it was about \$250 a month. College tuition was a lot less in those days. I was happy to have every penny of it. But today we offer a GI bill benefit that is far more robust and far more needed than it was when I came back from Southeast Asia.

Today, veterans return often throughout the course of the year in Delaware. The Governor and our con-

gressional delegation—Senator COONS, Congressman CARNEY, and I—will either send National Guard men and women off to deployments around the world or we might welcome them home. Whenever we welcome them home, I say to the returning National Guard men and women, the Army Guard and Air Guard: Welcome home to the best GI bill benefits in the history of the country.

If they want to go to the University of Delaware, tuition is paid for; at Delaware State University or Delaware Community College, tuition is paid for. If they need books—they probably do—they are paid for, and fees are paid for. If they need tutoring, it is paid for, and they also receive roughly a \$1,500-a-month housing allowance. That is a great benefit, and folks who go to those schools generally get a very good education, and they get a lot of help in job placement after they have completed their education. That is not always the case in some of our for-profit colleges and universities. Some of them do a good job; some of them don't.

One of them that hasn't done a good job is called ITT Tech. We heard it talked about this evening on the Senate floor. There were about 7,000 veterans using the Post-9/11 GI bill benefits that ITT Tech took from them when the school suddenly collapsed earlier this month. This provided \$22,000 a year in educational assistance to private nonprofit and private for-profit colleges. The Post-9/11 GI bill provides a housing allowance that our veterans depend on to support their families while they attend class.

When ITT Tech closed its doors, it also meant that this housing allowance came to an abrupt halt. I urged the Department of Veterans Affairs to work closely with the Department of Education to ensure that ITT Tech student veterans had the same resources and guidance they need to transfer and continue their education at high quality institutions of learning. But some veterans will not be able to transfer to another school this month or next month. We want them to make smart decisions about their educational future. That is why passing this bipartisan bill or some similar bipartisan bill to restore lost educational benefits and temporarily—underline temporarily—extend the housing allowance for students who attend schools like ITT Tech that suddenly close is so critical to our Nation's veterans and their families.

We want to make sure that the student veterans have enough time—not an endless period, but enough time—to decide whether it is best to transfer to another school, to discharge their student loans, or start over at another school, such as a community college. This legislation is really about making sure the veterans continue to receive benefits they have earned in service to our country.

Our Nation's veterans did not cause ITT Tech to collapse. Our Nation's veterans and our Nation's taxpayers deserve better than they have received at

the hands of ITT Tech. The least we can do is provide some very modest relief during this tough period of transition. I think passing this bill or something similar to this legislation is the least we can do.

My hope is that after we return from the recess after the election we can start talking across the aisle about more help to our student veterans and folks on the Post-9/11 GI bill. It is ironic that folks who are not veterans but recipients of Federal aid for education are in a similar situation, and they essentially would be made whole, but that is not the case with our veterans. I am not comfortable with that situation, and I suspect a lot of my colleagues are not either.

I will close this part of my remarks. I think most of us ascribe to the Golden Rule—treat other people the way you want to be treated. I have been a veteran myself. I got a great education, graduate school at the University of Delaware, but I know how I would want to be treated if I were in the shoes of these thousands of veterans who have been mistreated at the hands of ITT Tech. We need to do something about it, and I hope that when we return, we will.

#### TRIBUTE TO FEDERAL EMPLOYEES

JUSTO "TITO" HERNANDEZ AND MELISSA  
FORBES

Mr. CARPER. Mr. President, as some of my colleagues know, nearly every month for more than 1 year now, I have come to the Senate floor regularly to highlight the diverse and difficult work performed by the men and women at the Department of Homeland Security. I have been privileged to be at times in recent years the chairman of the Senate Committee on Homeland Security and Governmental Affairs and today serve as the senior Democrat, the ranking member of that committee.

The Department of Homeland Security is part of the government that we have direct jurisdiction over, and it is one that I have had a great privilege to work with and have had an opportunity to oversee the operation of that Department. The Department of Homeland Security has more than 230,000 employees stationed around our country at our ports of entry, major transit hubs, and in major cities and small communities alike. Each day the Department of Homeland Security performs some of the most challenging jobs in the Federal Government. From securing radiological material to protecting our cyber networks to responding to natural disasters such as floods, fires, and tornadoes, the Department of Homeland Security employees work around-the-clock to stay ahead of threats to our communities, our homes, and our families.

I commend Secretary Jeh Johnson, Deputy Secretary Mayorkas, and their entire leadership team for their continued efforts to bring the entire depart-

ment together and make the Department of Homeland Security more than just the sum of its parts.

Last week, the 2016 Federal Employee Viewpoint survey was released with some good news. The annual survey is provided to hundreds of thousands of Federal employees every year to gauge their satisfaction with their jobs and their engagement with their agency as a whole. After 6 years of declining morale numbers, the tide has begun to turn at the Department of Homeland Security. That is a good thing. Since last year, morale has increased throughout the Department by some 3 percent. I think that is probably more than any other Department in the Federal Government—over the last year, a significant one-year improvement and a better result than the Federal Government average over the same period.

Like turning an aircraft carrier, improving morale over a large Federal agency takes time. You can turn an aircraft carrier's course, but it takes a little while, and so does changing and improving the morale of a department with a quarter of a million people spread out all over the world. I believe this latest survey shows that the hard work done by Secretary Johnson and Deputy Secretary Mayorkas and their team has begun to put this ship on a better course for the future.

While more work needs to be done to improve morale at the Department of Homeland Security, this effort does not fall on Secretary Johnson alone. Each Member of Congress and every American can help support the Department and its employees by simply acknowledging the good work that the employees do there every day. Whether we simply say thank you to a TSA agent or TSO officer the next time we pass through an airport or give an occasional speech on the Senate floor as I am doing tonight and have done on other occasions, our support makes a difference.

Mr. President, each September, the Federal Emergency Management Agency, which we affectionately call FEMA, marks National Preparedness Month. Throughout the month, FEMA encourages all Americans to prepare for natural disasters and emergencies. To continue highlighting National Preparedness Month and to continue to highlight the important work done by FEMA and its people, I want to take a moment tonight to thank just a few of the employees of FEMA, one of the 22 component agencies all told that make up the Department of Homeland Security.

As my colleagues may know, just last month, historic flooding inundated much of the State of Louisiana. What some may not know is that even before the floodwaters had peaked, FEMA employees and personnel were on the ground there. They were setting up Incident Support Bases to provide supplies, coordinating with State and local officials, and supporting first respond-

ers in rescue efforts. FEMA also set up Disaster Recovery Centers to assist residents seeking Federal aid to get back on their feet in the aftermath of the storms.

One of the first FEMA employees on the ground there more than a month ago was Justo Hernandez, and Justo's picture is right here. Justo goes by the nickname Tito and is a Team Leader of the East II National Incident Management Assistance Team. With 28 years' experience with FEMA, Tito leads his team in immediate response efforts to natural and manmade disasters whenever and wherever they occur.

Ready at a moment's notice, Tito and his team are experts in disaster response, specializing in operations, logistics, planning, and recovery. They put their experience to use by supporting State and local officials as they work through the most trying of situations.

Members of Tito's team say that he is by far the best manager and supervisor they have ever worked for. As a leader, Tito leads by example, not afraid to get his hands dirty and never turning down a task, large or small. With their team expected to be deployed nearly 9 months out of the year, Tito has a deep respect for his team members' personal time.

When Tito does get some time back at home, I know he enjoys spending every moment with his wife and three children. His family is incredibly generous, and we are grateful to them for lending our Nation their husband and father so he may undertake this important work in many parts of America on behalf of all Americans.

As a FEMA employee, Tito embodies the spirit of dedication and caring, shaking hands with each individual he comes into contact with, asking them, "How are you doing?" As with most of the men and women at FEMA, Tito doesn't stop there. He does all he can do to help people.

Last month, I visited FEMA headquarters here in Washington, DC. I met a number of the thousands of dedicated employees who work there. This is a picture from FEMA. These are some of the exceptional people who help us in some of our darkest hours. While many of these men and women were not directly involved in the response effort in Louisiana, they felt obligated to do all they could for their colleagues who were on the ground in Louisiana or coordinating from around the country. In fact, FEMA headquarters established a backup call center in their offices, and dozens of FEMA employees volunteered—during or after their regular working hours—to man the phones and talk to people through some of the toughest situations imaginable.

One FEMA employee who asked how she could help is Melissa Forbes. Melissa has a Ph.D. in public policy and serves as Director of Enterprise Resource Planning in FEMA's Office of Policy and Program Analysis. Melissa's day job is to ensure that FEMA has the

resources needed for the challenges it expects to face in the months and years ahead.

For 27 hours over the course of 5 days—that is more than five hours each day—Melissa put her regular work on hold and came to the call center. In those 27 hours, Melissa took countless calls, answering questions and connecting people with her colleagues at FEMA who could get them immediate help.

In the Navy, when someone does a truly remarkable job, we say these words: “Bravo Zulu.” So, to Melissa and to all who worked and volunteered at FEMA headquarters, I would say a great big “Bravo Zulu.”

As I mentioned earlier, FEMA is made up of thousands of men and women who ask every day: How are you? How are you doing? How can we help? While Tito, his team, and others from FEMA were on the ground in Louisiana, Melissa felt compelled to do all she could do to support them.

More than a year ago, Secretary Johnson launched his Unity of Effort initiative to bring the Department of Homeland Security employees closer together in their shared mission. Last month, Melissa and Tito were reunited from a thousand miles away in their efforts to help the people of Louisiana.

Every month I come to the Senate floor and highlight the amazing dedication of two or three people, in some cases entire teams of men and women who are united in their shared goal of keeping Americans safe.

In closing, let me say that I don't think the results from this year's Federal Employee Viewpoint Survey are a fluke. I believe the improvement in morale that has been reported by the thousands of employees at the Department of Homeland Security represents the growing unity within the Department of Homeland Security, the youngest and third largest Cabinet Department in the Federal Government.

I, for one, look forward to next year's viewpoint survey, as well as those in the years to come, because I believe they will continue to put on display an ever more united and effective department. So to Tito, to the East II team, to Melissa and the volunteers at FEMA headquarters, as well as to everyone at FEMA, we say a great big thank you. Thank you for coming together, not only by asking “How are you doing?” but by going to work to make things better for all of us. Keep up the great work that you are doing, and God bless you.

I have been joined on the floor by the majority leader.

Before I yield the floor, let me say to another person who has joined us, my colleague from New Hampshire, who is the ranking member Democrat on the Appropriations Subcommittee for Homeland Security that she and the chairman, former Governor HOEVEN, Senator HOEVEN now, do a wonderful job that is important to Homeland Security. On behalf of Melissa and Tito

and all the hundreds of thousands of people who work with them in Homeland Security, thank you for being there for them.

The PRESIDING OFFICER. The majority leader.

#### EXECUTIVE SESSION

#### TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE

#### THE CONVENTION ON THE LAW APPLICABLE TO CERTAIN RIGHTS IN RESPECT OF SECURITIES HELD WITH AN INTERMEDIARY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following treaties on today's Executive Calendar en bloc: Nos. 9 and 10; I further ask unanimous consent that the treaties be considered as having passed through their various parliamentary stages up to and including the presentation of the resolutions of ratification; that any committee conditions, declarations, or reservations be agreed to as applicable; that any statements be printed in the RECORD; further, that each treaty be voted on en bloc but considered voted on individually; that the motions to reconsider be laid upon the table; that the President be notified of the Senate's action; and that following the disposition of the treaties, the Senate return to legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The treaties will be stated.

The legislative clerk read as follows:

Treaty document No. 110-19, Treaty on Plant Genetic Resources for Food and Agriculture.

Treaty document No. 112-6, The Convention on the Law Applicable to Certain Rights in Respect of Securities Held with an Intermediary.

Mr. MCCONNELL. Mr. President, I ask for a division vote on the resolutions of ratification en bloc.

The PRESIDING OFFICER. A division vote has been requested.

On treaty document No. 110-19, Senators in favor of the resolution of ratification will rise and stand until counted.

Those opposed will rise and stand until counted.

On a division vote, two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

The resolution of ratification is as follows:

*Resolved, (two-thirds of the Senators present concurring therein),*

#### SECTION 1. SENATE ADVICE AND CONSENT SUBJECT TO AN UNDERSTANDING AND A DECLARATION.

The Senate advises and consents to the ratification of the International Treaty on

Plant Genetic Resources for Food and Agriculture, adopted by the Food and Agriculture Organization of the United Nations on November 3, 2001, and signed by the United States of America on November 1, 2002 (the “Treaty”) (Treaty Doc. 110-19), subject to the understanding of section 2 and the declaration of section 3.

#### SEC. 2. UNDERSTANDING.

The advice and consent of the Senate under section 1 is subject to the following understanding, which shall be included in the United States instrument of ratification: The United States of America understands that Article 12.3d shall not be construed in a manner that diminishes the availability or exercise of intellectual property rights under national laws.

#### SEC. 3. DECLARATION.

The advice and consent of the Senate under section 1 is subject to the following declaration: The Treaty is not self-executing.

The PRESIDING OFFICER. On treaty document No. 112-6, Senators in favor of the resolution of ratification will rise and stand until counted.

Those opposed will rise and stand until counted.

On a division vote, two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

The resolution of ratification is as follows:

*Resolved, (two-thirds of the Senators present concurring therein),*

#### SECTION 1. SENATE ADVICE AND CONSENT SUBJECT TO A DECLARATION.

The Senate advises and consents to the ratification of the Convention on the Law Applicable to Certain Rights in Respect of Securities Held with an Intermediary, done at The Hague on July 5, 2006, and signed by the United States on that same day (the “Convention”) (Treaty Doc. 112-6), subject to the declaration of section 2.

#### SEC. 2. DECLARATION.

The advice and consent of the Senate under section 1 is subject to the following declaration: The Convention is self-executing.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

#### UNANIMOUS CONSENT AGREEMENT—H.R. 4511

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at 5 p.m., on Tuesday, November 15, the Rules Committee be discharged from further consideration of H.R. 4511 and the Senate proceed to its immediate consideration; I further ask that there then be 30 minutes of debate equally divided in the usual form, and that following the use or yielding back of time, the bill be read a third time and the Senate vote on passage of the bill with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Calendar Nos. 720 through 727 and all nominations on the Secretary's desk; that the nominations be confirmed en bloc; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

## IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

*To be brigadier general*

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

Col. Kenneth P. Ekman

*To be major general*

Brig. Gen. Jon T. Thomas

## IN THE ARMY

The following named officers for appointment to the grade indicated in the United States Army under title 10, U.S.C., section 624:

*To be brigadier general*

Col. Alfred F. Abramson, III  
Col. Peter B. Andrysiak, Jr.  
Col. Robert W. Bennett, Jr.  
Col. Jonathan P. Braga  
Col. John W. Brennan, Jr.  
Col. David E. Brigham  
Col. Miguel A. Correa  
Col. Clement S. Coward, Jr.  
Col. Patrick J. Donahoe  
Col. Christopher T. Donahue  
Col. Robert L. Edmonson, II  
Col. Scott L. Efflandt  
Col. David J. Francis  
Col. Paul H. Fredenburgh  
Col. David M. Hamilton  
Col. Neil S. Hersey  
Col. Lonnie G. Hibbard  
Col. Johnnie L. Johnson, Jr.  
Col. Omar J. Jones, IV  
Col. Mark H. Landes  
Col. David A. Lesperance  
Col. Stephen J. Maranian  
Col. Douglas M. McBride, Jr.  
Col. Matthew W. McFarlane  
Col. Stephen L. Michael  
Col. Christopher O. Mohan  
Col. Laura A. Potter  
Col. Anthony W. Potts  
Col. Robert A. Rasch, Jr.  
Col. Kenneth T. Royar  
Col. Douglas A. Sims, II  
Col. Stephen G. Smith  
Col. John C. Ulrich  
Col. Robert F. Whittle, Jr.  
Col. David Wilson

## IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the

grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be general*

Gen. John E. Hyten

## IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be vice admiral*

Rear Adm. Christopher W. Grady

## [NEW REPORTS]

## IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Lt. Gen. John F. Thompson

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Robert D. McMurry, Jr.

## IN THE ARMY

The following named Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. Reynold N. Hoover

## NOMINATIONS PLACED ON THE SECRETARY'S DESK

## IN THE AIR FORCE

PN1768 AIR FORCE nomination of Scott E. Williams, which was received by the Senate and appeared in the Congressional Record of September 22, 2016.

PN1769 AIR FORCE nomination of John D. Cinnamon, which was received by the Senate and appeared in the Congressional Record of September 22, 2016.

PN1770 AIR FORCE nomination of Alfred G. Traylor, II, which was received by the Senate and appeared in the Congressional Record of September 22, 2016.

PN1771 AIR FORCE nomination of Mark C. Anarumo, which was received by the Senate and appeared in the Congressional Record of September 22, 2016.

PN1772 AIR FORCE nomination of Steven C. M. Hasstedt, which was received by the Senate and appeared in the Congressional Record of September 22, 2016.

## IN THE ARMY

PN1773 ARMY nomination of Karl E. Nell, which was received by the Senate and appeared in the Congressional Record of September 22, 2016.

PN1774 ARMY nomination of Todd D. Wolford, which was received by the Senate and appeared in the Congressional Record of September 22, 2016.

PN1775 ARMY nomination of Lance L. Jelks, which was received by the Senate and appeared in the Congressional Record of September 22, 2016.

PN1776 ARMY nomination of Matthew A. Levine, which was received by the Senate and appeared in the Congressional Record of September 22, 2016.

PN1777 ARMY nomination of Daniel J. Donovan, which was received by the Senate and appeared in the Congressional Record of September 22, 2016.

PN1778 ARMY nomination of Donna A. McDermott, which was received by the Senate and appeared in the Congressional Record of September 22, 2016.

## IN THE FOREIGN SERVICE

PN1642-2 FOREIGN SERVICE nominations (188) beginning Diana Isabel Acosta, and ending Elisa Joelle Zogbi, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1643-2 FOREIGN SERVICE nominations (4) beginning Jennisa Paredes, and ending Jamoral Twine, which nominations were received by the Senate and appeared in the Congressional Record of July 13, 2016.

PN1704-2 FOREIGN SERVICE nominations (99) beginning Jorge A. Abudei, and ending Deborah Kay Jones, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1705 FOREIGN SERVICE nominations (161) beginning John Robert Adams, and ending David M. Zwick, which nominations were received by the Senate and appeared in the Congressional Record of September 6, 2016.

## IN THE NAVY

PN1700 NAVY nomination of Thomas M. Hearty, which was received by the Senate and appeared in the Congressional Record of September 6, 2016.

PN1779 NAVY nominations (40) beginning JORDAN M. ADLER, and ending RICHARD C. WONG, which nominations were received by the Senate and appeared in the Congressional Record of September 22, 2016.

PN1780 NAVY nominations (59) beginning JOHN A. ALLEN, and ending TIMBERON C. VANZANT, which nominations were received by the Senate and appeared in the Congressional Record of September 22, 2016.

PN1781 NAVY nominations (23) beginning CHRISTOPHER D. AYALA, and ending ANDREW S. WEST, which nominations were received by the Senate and appeared in the Congressional Record of September 22, 2016.

PN1782 NAVY nominations (13) beginning FRANCIS B. CARNABY, and ending REBECCA I. SUMMERS, which nominations were received by the Senate and appeared in the Congressional Record of September 22, 2016.

PN1783 NAVY nominations (14) beginning BENJAMIN R. ADDISON, and ending RUSSELL P. WOLFKEIL, which nominations were received by the Senate and appeared in the Congressional Record of September 22, 2016.

PN1784 NAVY nominations (27) beginning JOSHUA C. ALCAZAR, and ending JUI I. YANG, which nominations were received by the Senate and appeared in the Congressional Record of September 22, 2016.

PN1785 NAVY nominations (4) beginning SILAS O. CARPENTER, and ending CHRISTOPHER E. WELLS, which nominations were received by the Senate and appeared in the Congressional Record of September 22, 2016.

PN1786 NAVY nominations (17) beginning GALO A. CAVALCANTI, and ending AUDRA M. VANCE, which nominations were received by the Senate and appeared in the Congressional Record of September 22, 2016.

PN1787 NAVY nominations (902) beginning CHRISTOPHER T. ABPLANALP, and ending RYAN E. ZYVITH, which nominations were received by the Senate and appeared in the Congressional Record of September 22, 2016.

PN1788 NAVY nominations (42) beginning STEVEN M. ARBOGAST, and ending JOSEPH M. STARK, which nominations were received by the Senate and appeared in the Congressional Record of September 22, 2016.

PN1789 NAVY nominations (154) beginning DORIAN R. ACKER, and ending JASON YORK, which nominations were received by the Senate and appeared in the Congressional Record of September 22, 2016.

PN1790 NAVY nominations (65) beginning MICHAEL A. AMMENDOLA, and ending MICHAEL B. ZIMET, which nominations were received by the Senate and appeared in the Congressional Record of September 22, 2016.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of Calendar Nos. 728 through 734.

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

The clerk will report the nominations en bloc.

The legislative clerk read the nominations of Rena Bitter, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Lao People's Democratic Republic; Sung Y. Kim, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Philippines; Andrew Robert Young, of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Burkina Faso; W. Stuart Symington, of Missouri, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federal Republic of Nigeria; Joseph R. Donovan Jr., of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Indonesia; Christopher Coons, of Delaware, to be Representative of the United States of America to the Seventy-first Session of the General Assembly of the United Nations; and Ronald H. Johnson, of Wisconsin, to be Representative of the United States of America to the Seventy-first Session of the General Assembly of the United Nations.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc without intervening action or debate; that, if confirmed, the motions to reconsider be considered made and laid upon the table, the President be immediately notified of the Senate's action, and the Senate then resume legislative session without any intervening action or debate.

The PRESIDING OFFICER (Mr. DAINES). Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Bitter, Kim, Young, Symington, Donovan, Coons, and Johnson nominations en bloc?

The nominations were confirmed en bloc.

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

### MAKING A CORRECTION IN THE ENROLLMENT OF H.R. 5325

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 53.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 53) directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 5325.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 53) was agreed to.

(The concurrent resolution is printed in today's RECORD under "Submitted Resolutions.")

### EXPRESSING SUPPORT FOR DESIGNATION OF THE WEEK OF OCTOBER 9, 2016, THROUGH OCTOBER 15, 2016, AS "EARTH SCIENCE WEEK"

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Commerce, Science, and Transportation Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 562.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 562) expressing support for designation of the week of October 9, 2016, through October 15, 2016, as "Earth Science Week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 562) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of September 15, 2016, under "Submitted Resolutions.")

### RESOLUTIONS SUBMITTED TODAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Sen-

ate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 585, S. Res. 586, S. Res. 587, and S. Res. 588.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles, where applicable, be agreed to, and the motions to reconsider be laid upon the table en bloc.

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

The resolutions were agreed to.

The preambles where applicable, were agreed to.

(The resolutions, with their preambles, where applicable, are printed in today's RECORD under "Submitted Resolutions.")

The PRESIDING OFFICER. The Senator from Florida.

### ZIKA VIRUS FUNDING

Mr. NELSON. Mr. President, I express my appreciation to the Senate that in the funding bill it includes the money for Zika, \$1.1 billion that has been so desperately needed, not only assisting local governments and State governments with things such as mosquito control but also starting the trial on the Zika vaccine. The first trial is necessary. There will be a second and larger trial, and, hopefully, at the end of that, we will have a Zika vaccine.

This has gotten to the level of being quite uncomfortable. Over 2,000 pregnant women in the continental United States and our territories have the Zika virus. We know from the CDC that for up to 12 percent, it is likely there will be a birth defect.

So I want the Senate to know how much I appreciate this. In my own State of Florida, we have been so severely hit now, with 91 of our fellow citizens who are pregnant and have the virus. We say Godspeed to them and hope they will not have babies with birth defects. But now at least the cavalry has arrived and we have the money to proceed with trying to stamp out this Zika virus.

I thank the Chair.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

### SURVIVORS' BILL OF RIGHTS ACT OF 2016

Mr. GRASSLEY. Mr. President, I come to the floor for the same reason Senator SHAHEEN of New Hampshire is here. I rise today to speak on the Survivors' Bill of Rights. This is a non-controversial and very bipartisan bill. It has already passed the Senate.

Amanda Nguyen is a rape victim and a survivor who has been the driving force behind this legislation. She is founder and president of an organization that goes by the acronym RISE, a



group which advocates on behalf of survivors of sexual violence. Amanda has worked hand in hand with both political parties on this bill to establish new rights for survivors of sexual violence. That is the way it should be because regardless of political party, all Members of Congress should be empowering survivors of sexual violence. However, while Republicans were ready to move forward on this bill last week, Democratic leadership has been stalling Amanda's diligent efforts.

This bill ensures that all survivors of sexual violence have equal access to all available tools in their pursuit of justice. This includes the proper collection and preservation of forensic evidence that is so vital in cases of sexual violence. This bill also guarantees these survivors a new package of rights.

As I said, this is a bipartisan bill, very noncontroversial. It has already passed this body 89 to 0.

Each day, others like Amanda will fall victim to sexual violence. The Senate should not wait one more day to help these people seek justice, so, after Senator SHAHEEN speaks, I am here now to request unanimous consent to move this bill. My understanding is that it is now OK with the Democrats to agree to the passage of this legislation.

Mr. President, I yield the floor, hopefully for the purpose of Senator SHAHEEN stating her views on this bill.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am pleased to join my colleague, the chair of the Judiciary Committee, as he requests a unanimous consent vote to pass the Sexual Assault Survivors' Rights Act. Passage of this bill marks a momentous day for survivors of sexual assault, and it really is a testament to the important progress we can make in Congress when we work together on a bipartisan basis to address the needs of the American people.

The Sexual Assault Survivors' Rights Act for the first time establishes a set of codified, court-enforceable rights to address unique issues faced by sexual assault survivors. It also ensures survivors the opportunity to enforce these rights in Federal court.

Last February, I introduced this legislation, but the real inspiration for the bill came many months earlier when I first met with Amanda Nguyen, a young sexual assault survivor who faced heartbreaking challenges after reporting her assault. As Senator GRASSLEY said, she was really the moving force behind this legislation.

Amanda told me about the repeated battles she fought to prevent her rape forensic kit from being destroyed, and she recounted the grueling legal process that she and other survivors have endured in order to win justice. Well, I was deeply moved by Amanda's experience, and soon after that initial meeting, I got to work with staff. We worked through multiple drafts, and

with invaluable counsel from Amanda, as well as dozens of nationally recognized experts and organizations, we produced the final bill that was introduced in February.

I thank Senators BLUMENTHAL and LEAHY for their counsel throughout the process and for serving as original cosponsors. As I said earlier, I also thank Senator GRASSLEY and Senator SCHUMER, who helped moved the bill through the Judiciary committee in April. It passed the full Senate in May. The same legislation, sponsored by Representatives WASSERMAN SCHULTZ, LAMAR SMITH, MIMI WALTERS, and ZOE LOFGREN, was unanimously passed by the House earlier this month.

Following the introduction of the bill, there was a groundswell of nationwide support for the rights set forth in this legislation, including more than 90,000 people who signed a petition urging Congress to act. Clearly the bill resonated with the American people, especially survivors of sexual assault because so many survivors feel intimidated by the legal process and they choose not to go forward. That is one reason sexual assault is among the most underreported and unpunished crimes nationwide. Nearly 70 percent of attacks go unreported. Many survivors who initially file charges become frustrated by the legal obstacle course, and they give up before their cases are resolved, or, for many of them, their cases simply slip through the cracks.

The rights set forth in this new law will apply only in Federal cases, but we know from experience that when Congress makes reforms to Federal statutes, it often serves as a model and catalyst for States to improve their own laws. The goal is to create a standardized, transparent process that reassures survivors they will be supported and protected as they pursue justice.

The Sexual Assault Survivors' Rights Act, as Senator GRASSLEY said, will establish fair procedures with regard to rape forensic kits, including the right not to be charged any fees related to the forensic medical examination; the right to have sexual assault evidence preserved for the entire statute of limitations period; the right to be informed of the results of medical exams; and the right to written notice prior to destruction of a rape kit. These and other rights are basic and essential protections that all survivors ought to have regardless of where they live.

In drafting the legislation, we wanted to make clear that by establishing these rights for survivors, without precondition we ensure that survivors' interests are legally protected, regardless of how or if they choose to move forward with an official report to police. We know that sometimes in the immediate aftermath of an attack, many survivors are not prepared to face the additional emotional challenges of confronting their attacker in the legal system. We also know that after survivors have a chance to heal, they are often more prepared to seek justice. States

around the country are recognizing this fact and extending their statute of limitations on sexual crimes.

The rights in this legislation, hand in hand with that process at the State level, ensure that even if a survivor only seeks a medical forensic exam or reports an assault anonymously, even if a survivor is not ready to immediately move forward with the criminal process, the survivor will have enforceable rights in our legal system and can be assured that evidence is preserved for the future.

I thank all my colleagues in both the Senate and the House who have come together on a bipartisan basis to create a reform process that ends the silence surrounding sexual assault, that brings it out of the shadows, and that gives survivors a fair shot at justice.

When the President signs this bill into law in the days ahead, it will send a powerful message to survivors all across the country: You do have rights. We do care about you. And if you choose to come forward, we are going to ensure a justice system that treats you with dignity and fairness.

Again, I thank all my colleagues. I know Senator GRASSLEY is going to be requesting unanimous consent that this legislation go forward. Mr. President, I would like to be recorded as present and voting yes on that unanimous consent request, and I am pleased to be able to join Senator GRASSLEY as he makes this momentous request.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I thank Senator SHAHEEN for her support and her detailed explanation of what the legislation does and for everything she has done to help move this legislation along.

At this time, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 5578 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 5578) to establish certain rights for sexual assault survivors, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the bill be considered read a third time.

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

The bill was ordered to a third reading and was read the third time.

Mr. GRASSLEY. Mr. President, I know of no further debate on the measure.

The PRESIDING OFFICER. Is there further debate on the measure?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 5578) was passed.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

Mr. LEAHY. Mr. President, on H.R. 5578 we take an important step forward for victims of crime by establishing key protections for survivors of sexual assault in our criminal justice system.

I was proud to work with Senator SHAHEEN on this legislation when it passed in the Senate earlier this year. Her Sexual Assault Survivors' Rights Act addresses the unique challenges faced by sexual assault survivors. This bipartisan bill received overwhelming support in the Senate. The House has acted on a companion bill, H.R. 5578, that is nearly identical to what Senator SHAHEEN championed in the Senate. Today we pass the House measure and ensure that it will become law.

In many jurisdictions across the country, survivors of sexual assault face a labyrinth of complex policies that deter them from pursuing justice. We have seen that even when survivors make the decision to come forward, sometimes evidence is not properly preserved or tested. This is not acceptable. Survivors of sexual assault should never feel abandoned by our criminal justice system.

Senator SHAHEEN's Sexual Assault Survivors' Rights Act treats survivors with the dignity and respect that they deserve. It guarantees basic rights to survivors and serves as a model for reform across our Nation. It strengthens notice requirements to ensure that survivors understand their rights, and know the status of their cases.

Senator SHAHEEN was an original co-sponsor of the Leahy-Crapo Violence Against Women Reauthorization Act, which was signed into law in 2013 and significantly increased resources for survivors of sexual assault. We are building on that progress today by passing the Sexual Assault Survivors' Rights Act, but our work is not done. I urge the House to pass my bipartisan Justice for All Reauthorization Act, which increases protections for victims of crime and provides resources to ensure key evidence is tested. The Senate passed this bill in June by voice vote, and I hope the House will act soon so that it can become law.

Today, I stand with survivors of sexual assault and with Senator SHAHEEN, whose work to protect the rights of victims is of great importance.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak for such time as I may consume, and I would say it would be in the neighborhood of about 10 or 12, maybe 15 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### THE DEMOCRATIC LEADER

Mr. GRASSLEY. Mr. President, I very much appreciate the leadership on

the other side of the aisle in letting this survivors' bill of rights pass. I do have some comments on the procedures that have held this bill and other bills up for too long a time. I usually don't feel the need to address the Democratic leader's remarks on the floor, but he has decided to put partisan politics above rape survivors for the last week at least, so I cannot stand on the sidelines and let those remarks go unrebuted.

The Democratic leader recently said right here on the floor of the Senate that "Congress is floundering because of Republican inaction." This could not be further from the truth. If you want to know what is really going on, it is that the Democratic leader is using political gamesmanship to hold up noncontroversial as well as bipartisan legislation, mostly by Republican Members who are up for reelection this year.

Why isn't the so-called objective media reporting on this? One need look no further than earlier today when Senator JOHNSON offered a noncontroversial bill to fight ALS, a tragic disease, and the Democratic leader blocked it. Look no further than what happened last week to Senator TOOMEY's bill, a noncontroversial bill to prevent animals from cruelty and torture. The Democratic leader blocked it. Look no further than what happened earlier this week to Senator THUNE's bill, the noncontroversial MOBILE NOW Act. The Democratic leader blocked it. Look no further than what happened earlier this summer to another noncontroversial bill backed by Senator JOHNSON that would improve whistleblower protections. The Democratic leader blocked it. Look no further than what happened a few months ago to Senator AYOTTE's bill, a noncontroversial bill to make anthrax vaccines available to first responders. The Democratic leader blocked it. That same day, just a week after five police officers were killed in Dallas, I tried to pass my noncontroversial bill to assist families of fallen police officers. The Democratic leader blocked that bill as well.

Each time Republicans tried to pass noncontroversial, bipartisan legislation, the Democratic leader blocked it. He is the common denominator. I wish I could say that I am surprised by the obstruction that is being pushed by the Democratic leader. But how can I be? This is how the Senate operated under his control. Under his tenure, even Members of his own party weren't allowed to offer amendments to his legislation unless he allowed it. In fact, there was at least one Member on the other side who went a full 6-year term without ever being allowed to offer a single amendment on the Senate floor for a vote.

The Democratic leader's actions in recent weeks—blocking these other bipartisan and, let me emphasize, noncontroversial bills—is pure, unfiltered partisanship. It is election-year poli-

tics at its very worst. It is the same failed strategy American voters rejected in 2014 when they gave Republicans control of the Senate. Perhaps the Las Vegas Tribune had it right a few months ago when they wrote that for the Democratic leader, "[it's] politics first, last and always."

Today I had an opportunity to champion for Amanda Nguyen and all survivors of sexual assault across the country. I am delighted the Democratic leader relented on this very important piece of legislation and let this bill pass. I urge the Democratic leader to allow these other bipartisan initiatives to pass as well.

#### RESTRICTIONS ON UNCLASSIFIED DOCUMENTS

Mr. GRASSLEY. Mr. President, today I want to again discuss the unnecessary restrictions on unclassified documents from the FBI's investigation of Secretary Clinton.

By way of background, on September 12, I came to the floor and gave a speech about the FBI improperly restricting unclassified documents as if they were actually classified. Since that speech, the FBI Director has continued to talk about transparency, as transparency should be talked about because the public's business ought to be public, and when there is transparency, there is accountability in government.

Behind the scenes, the FBI won't provide documents to the Senate Judiciary Committee unless we agree to very strict controls and strict secrecy. The FBI doesn't want the committee or the committee staff talking about what is in these documents to anyone, not even privately with witnesses and their attorneys.

Today, I personally spoke with Director Comey about the terms his staff is insisting on as a condition for providing the Clinton investigation documents. I want to be clear with the people of Iowa and the American public about what I told him and what my position is as chairman of the Senate Judiciary Committee, which is responsible for oversight of the FBI.

The committee did not agree to any conditions before the first document delivery last month. In fact, nobody at the FBI, Senate security, or Senate leadership consulted with me as chairman of that committee before accepting the documents addressed to the Judiciary Committee. Still, we honored those limits in good faith anyway while we tried to get the unclassified material separated from the classified material. We honored the limits even though we were not obligated by any legal restriction or agreement.

The controls of these documents are overkill for this kind of unclassified material. The access controls make it unnecessarily difficult to use documents and to follow up on the information in those documents.

The most objectionable restriction is that we cannot talk about the content

of the documents with witnesses and other third parties, such as their counsel, even if we do it in a nonpublic way, and that substantially interferes with the Senate's ability to continue its constitutional oversight of the executive branch. So the majority leader and I each wrote to Director Comey asking for a separate set of unclassified documents. Director Comey did not answer that letter. Then the FBI released, through the Freedom of Information Act, virtually all of the same unclassified material that it was asking the Senate to treat as if it was classified.

Releasing as much as possible to the public is the right thing to do, and I very much appreciate that Director Comey is complying with his legal obligation for transparency under the Freedom of Information Act. But these document controls imposed before the public release make it look as if the FBI is trying to muzzle Congress and keep us from working with the information until after the FOIA process is completed. So what is Congress forced to do? Congress has to wait in line behind FOIA requesters before we get access to information in a way that we can actually use it as followup for our investigation. The way this process is working sets a very dangerous precedent that could undermine transparency, and transparency is essential for accountability in government.

Frankly, this whole process is an end run around our constitutional oversight responsibility. If an agency wants to slow-walk Freedom of Information requests and give unclassified information to Congress with all kinds of strings attached to prevent us from using it, it could easily thwart oversight and accountability for months or even years.

I cannot agree to document controls that prevent the committee from doing its job, and the FBI should not ask me to do that.

We actually offered not to publicly disclose the contents of the documents and to treat them as confidential under Senate rules. Why is that not enough for the FBI to provide documents before the Freedom of Information process is complete so that we can use those very same documents in privately questioning witnesses?

All 100 Senators need to consider the consequences of allowing the executive branch to unilaterally impose restrictions on unclassified information like this. We must protect the independent powers of the Senate from the executive branch overreach.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

#### UNANIMOUS CONSENT REQUEST— S. 2971

Mr. PORTMAN. Mr. President, I rise today to talk about legislation that would support our first responders—specifically those who work on our urban search and rescue teams. These

are FEMA forces around the country staffed by volunteers—brave individuals who are willing to go into danger, who are willing to go into places like the aftermath of 9/11, as they did, or Katrina, as they did.

We just had the 15th anniversary of the 9/11 attacks, and many of my colleagues came on the floor and talked about how much they appreciate those first responders who responded for us. They talked about their virtues and how they put their lives on the line to rescue victims. Those heroes included members of our urban search and rescue teams.

As we all do, I remember where I was on 9/11. I was here in Washington. My wife was in for a rare visit. The morning 9/11 happened, I think she got the last Enterprise rental car out of town and went straight home to be with our three kids to let them know they would be safe. As she was driving back to Ohio on a Pennsylvania highway, she saw flashing lights coming the other way. It was Ohio Task Force One. She recognized the truck right away because we knew a lot of the members of that task force. The lights were flashing as they went into danger: They were driving to 9/11. They were there for weeks. Some were there for months. They put their lives on the line for all of us.

At every place around the country, these task forces are staffed by the same brave individuals—not just brave but highly skilled. We think about the bravery of people like Chief Jeff Payne of Ohio Task Force One, who immediately left his family and went to the World Trade Center. We think of men like Ray Downey, one of the architects of FEMA's Urban Search and Rescue Program. Ray gave his life that day, 9/11, so that others could live. I think about so many around the country who are not just brave but highly skilled and do extraordinary work. They bring specialized skills that most first responders wouldn't have, skills such as heavy rigging or the ability to lift large and heavy objects like iron beams and concrete walls—tools that were needed at the World Trade Center. They are absolutely critical to the future of our emergency response. They also went to Katrina to save lives there. They are volunteers. They leave their families on a moment's notice when they are needed for this vital support. On 9/11, some lost their lives in service.

The families who were affected by that want to be sure that when those members deploy at the risk of their health, employment, and personal liability, that when they put it all on the line, we are there for them. That is what this legislation does.

It doesn't have to be the way it is now because we could put legislation in place that would take a lot of those concerns away, give people more peace of mind, and protect these first responders from lawsuits, medical expenses, and job loss as a result of their

service. The legislation is called the National Urban Search and Rescue Response System Act. It is something FEMA asked this Congress to do after 9/11. It took Congress a while to get through it, but we finally put together legislation with FEMA over the last year and a half. The legislation was worked on by Republicans and Democrats alike. It has been totally non-partisan.

The coauthor of this legislation is TOM CARPER, the ranking Democrat on the Homeland Security Committee. The Homeland Security Committee passed this legislation not with a vote of Democrats and Republicans on each side but unanimously, with Democrats and Republicans working together. We actually passed the legislation unanimously back on May 25.

The legislation not only has the support of Homeland Security & Governmental Affairs Chairman JOHNSON, Ranking Member CARPER, Senator CORY BOOKER, Senator MIKE BENNET, Senator DIANNE FEINSTEIN, but it is also just common sense. This is exactly the kind of legislation we should be passing around here.

It has the support of FEMA, strong support. They are the ones who worked with us to put this together because they want to codify what current rules are and expand those rules and clarify them.

It has the strong support of the International Association of Firefighters, and they are wondering why we can't get this done.

It also has the support of Homeland Security Secretary Jeh Johnson, with whom I spoke yesterday in a public hearing about this very bill. He said, "Let's get it done." He wants us to complete this project. He testified before us yesterday—what will probably be his last testimony as Secretary before the Homeland Security Committee—and he said, "Let's get this done."

Despite this unusual and strong bipartisan support on a critical bill to help these first responders, we can't seem to get it done.

After getting out of committee on May 25 with a unanimous vote, we then took it to the floor. In fact, over the last couple of weeks, we have had it as a hotline, meaning you ask your colleagues whether they are OK with it passing. Of course, there has been no concern at all about the substance of the bill, so on our side of the aisle, no concerns were raised. By the way, it took 1 day to hotline it on our side, of course, because there is no controversy about it.

On the other side of the aisle, we have been asking every day. I have been asking my colleagues, including TOM CARPER and CORY BOOKER, who want to get this done, if they can help. They said there seems to be a hold on it. They say it is an anonymous hold. In other words, somebody is objecting to it over there on the other side of the aisle, but they won't come forward and

say they are objecting to it. To me, that is wrong. That is why a couple days ago I said I was going to come to the floor and ask unanimous consent to find out who could possibly be objecting to this. My colleagues asked me if I could give them a couple days to check it, so I have. So I didn't do it the day before yesterday when I planned to, and I didn't do it yesterday because they wanted more time to check on it.

They continue to tell me that there is a hold, and it is an anonymous hold. I hope it is not for political purposes. That would, of course, be an incredible disservice to these first responders. If they think these task force members should come home from saving lives and have to pay for expensive injuries or health problems acquired in their service, we should have a conversation about that. If they think they shouldn't have a job waiting for them when they get back, we should have a conversation about that. But frankly, in my view, I don't think that is the issue. I can't imagine anybody objects to this on the substance, so let's get this done.

Mr. President, I ask unanimous consent that we get it done; that the Senate proceed to the immediate consideration of Calendar No. 578, S. 2971; further, that the committee-reported amendment be agreed to, the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Democratic leader.

Mr. REID. Mr. President, my friend from Ohio talks about common sense. Common sense dictates to me that the Republicans who run the Senate have had months to turn their attention to bills like this. They also have had months to do something else. For almost 200 days we have been waiting—waiting for the Republicans to have a hearing with Merrick Garland.

The Supreme Court is at a standstill. Nothing is being done. A new term, and they basically are afraid to take cases of controversy. Why? Because it is four to four. So common sense dictates to me that we should address the vacancy on the Supreme Court caused by the death of Justice Scalia.

On March 16, 2016, he was nominated. We are approaching October. To date, the Senate has not held a vote or even a hearing. It is nice that a few have decided to break from the Republican leader and even met with the man. That was nice of them to do that. Why haven't they held a hearing? Because they know they can't hold a hearing. Here is one of the most reasonable people who could ever be selected for the Supreme Court. The former chair of the Judiciary Committee, ORRIN HATCH, said he should be put on the bench. He would be a consensus nomination. But not in this Republican world, no.

So Democrats would be happy to consider bills like this about which the

Senator inquires as soon as Republicans have a little common sense—they used that word—and schedule a hearing and a vote on the nomination of Judge Garland.

I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio has the floor.

Mr. PORTMAN. Mr. President, this will probably be the last time I will have a chance to talk to the minority leader across the floor. I have worked with him on a number of things over the years, including when I was in the Senate and before the Senate. I guess I am going to plead with him this evening and say please don't block this. This has nothing to do with Supreme Court nominations. It has nothing to do with the other rancor we have seen here on the floor. This is a bill that is totally bipartisan. In fact, it is one that TOM CARPER, the ranking member of the committee, is the co-author of. It is one they have been asking for from FEMA for 10 years, even going back to a previous administration. It is one that has been up here on the floor for the last couple of weeks with no objections on the substance, not a single one.

I know Senator REID knows well that he has a task force in Nevada too. It is Nevada Task Force 1, located at the Clark County Fire Station in Las Vegas. I know he knows it well. They strongly support this legislation. Of course they do. All of them do. The International Association of Firefighters strongly supports this legislation.

If I can ask unanimous consent to put Senator REID's name as the author rather than me, I would do that tonight. Am I permitted to do that, Mr. President?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. PORTMAN. Mr. President, I am willing to have this be a Reid bill. It would be a good bill here toward the end of the session for the Senator to do, which would help his firefighters. I will withdraw my name from the bill.

I ask unanimous consent to withdraw my name from the bill and insert Senator REID's name instead or anybody else he chooses.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Yes.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. I have objected.

The PRESIDING OFFICER. Objection is heard.

Mr. PORTMAN. Mr. President, I thank him for hearing me out tonight.

And to my colleagues, I hope this is legislation we can move forward on as soon as we get into another session, I guess the lameduck session. I hope to go to work with my colleague from Nevada on that. I know he has been very

supportive of firefighters and does not object to the merits of the legislation, so my hope is that we can get this done.

Mr. REID. Mr. President, I would ask my friend before he leaves that the Senator modify his request: that following a vote on confirmation of the nomination of Merrick Garland to be a Justice of the United States Supreme Court, the Senate proceed to the immediate consideration of his matter.

The PRESIDING OFFICER. Will the Senator modify his request?

Mr. PORTMAN. No. On behalf of the majority leader, of course I object to that. I am amazed that we are blocking legislation to help our urban search and rescue teams by bringing partisan politics into this discussion, and I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I submit that—my friend still has the floor, so I don't want to interrupt.

Mr. PORTMAN. I would be happy to yield to the minority leader.

#### THE SENIOR SENATOR FROM IOWA

Mr. REID. Mr. President, I don't know how anything could be more political, more repugnant to our system of government than what has happened with Merrick Garland.

The senior Senator from Iowa came here, and I waited for him—came to the floor to talk for a long time and in the process took credit for a bill that was Senator SHAHEEN's bill. It was her bill. He took it and put his name on it. That was interesting. In the same setting, he complained that I had objected to some bills advanced by Republican Senators.

I have to say that the Senator from Iowa has a lot of nerve to complain about our side blocking legislation. The Republican Senate has written the book on obstruction, filibustering 644 times in the time I was leader. That is a lot. It is so far out of the norm that it is not worth trying to be able to state more than what I did yesterday.

Lyndon Johnson was the majority leader for 6 years. There is some dispute over how many filibusters he had to overcome. We know it was one, and some say two. So two compared to 644 shows how outrageous is the conduct of the Republicans. The Senator from Iowa has written the book on obstruction of nominations. He singlehandedly blocked Judge Garland's nomination, and doing so is unprecedented. Never has a Judiciary Committee acted in this manner.

To use Senator GRASSLEY's own words, Senator GRASSLEY's action is "pure, unfiltered partisanship. It is election-year politics at its very worst." That was a quote from my friend, Senator GRASSLEY. If the senior Senator from Iowa is looking for pure, unfiltered partisanship, the next time he combs his hair or shaves, he should look in the mirror.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

#### ZIKA VIRUS FUNDING

Mr. RUBIO. Mr. President, I want to come to the floor to say that after a lot of work, the Senate has finally passed funding to take on Zika—a cause I have been talking about since April of this year. I want to say, in full credit to the Senate, that this is actually a very similar proposal that the Senate proposed in May, and it is now the one before us. I am sad that it took so long to get to this point, but at least we are here now.

As I said before, it is better late than never. To the people of my home State of Florida, to the people of the island of Puerto Rico, who have been disproportionately impacted by the outbreak of Zika in the United States, I want to say that despite a long wait, help is finally on the way. Help is finally on the way in the form of a \$1.1 billion anti-Zika package which is part of this larger law—this larger bill that passed today to keep the government open beyond September 30.

Included in the law that passed today is \$15 million that is specifically targeted for States with local transmissions. The only State so far that has had local transmissions is my home State of Florida. Today, \$15 million is, hopefully, on its way to Florida if we can get this done in the House to help with the fight against Zika.

It also includes \$60 million, specifically for territories like Puerto Rico. Puerto Rico has the highest number of infected American citizens with Zika. Today is good news for Puerto Rico.

This took far too long, but I am glad we are finally here. This anti-Zika package rightfully prioritizes Americans in Florida and in Puerto Rico, and I am encouraged that after months of working on this, my calls for action have finally been answered and real assistance from the Federal Government is finally on its way.

I have to reiterate that it is shameful that it took so long and that this public health crisis was made worse by people playing political games in Washington, DC.

If anyone is in doubt about whether that is partisan, I think the games have come from both side of the aisle. It took far too long for colleagues in my own party to understand the gravity and severity of this outbreak, and, sad to say, the Democratic minority in the Senate used this as a political tool for much of the month of August and even as late as yesterday. I am glad that these critical resources are now moving forward so that we can help thousands of Americans suffering from this virus and so that we can step up our mosquito eradication efforts and ultimately so that we can develop a vaccine that eradicates Zika for good.

While the funding is on its way, the problem still continues. In the mainland of the United States, there are

now 3,358 cases of Zika. In U.S. territories, primarily the island of Puerto Rico, there are now close to 20,000 cases. In my home State of Florida, there are now 904 cases—109 of them were locally transmitted, meaning they were not acquired abroad. They were acquired in the State. There are 91 pregnant women in the State of Florida infected by Zika.

While Congress did nothing and while the President refused to fully spend the spending authority it had available to him for weeks, this crisis continued to grow. The health impact of it is well understood, but the economic impact has not been discussed nearly enough.

We know for a fact that there are bookings that are down in Miami Beach. That is not just an inconvenience. My parents worked in the hotel industry. That is how they raised our family—my father in particular. If hotels are suffering because people are canceling trips because they are afraid of Zika, it is the people that work at those hotels who are most immediately impacted.

We have seen restaurants and small businesses associated with visitors report the same thing. Anecdotally, I have had people come up to me over the last month and say: Is it safe to travel to Florida? Is it safe to go down there?

The answer is that it is. It is safe to come to Florida, but that doesn't mean we don't have a Zika problem. It doesn't mean it doesn't need to be addressed. Local communities in the State of Florida and the island of Puerto Rico—the territory, the Commonwealth—had to step forward and fund it on their own until now.

While it is good news that we have finally passed Zika funding in the Senate, it now has to go to the House. I would urge my colleagues in the House to pass this quickly—not just to keep the government open but to finally fund the fight against Zika and to ensure that the research that is going into the development of vaccine is not slowed down.

There are other things we can do to address this. For example, I have proposed opening up the Small Business Administration loan program that is available for businesses that suffer the effects of natural disasters to also be able so that businesses may avail themselves of these loans if they are suffering because of a health epidemic. The SBA has indicated that they are open to that change, and I hope that is something we look at when we return in November.

Suffice it to say that I want to close out here today by telling the people of Florida that, after a wait that took far too long, after months of hard work and focus and bipartisan cooperation, help is finally on the way. Help is finally on the way in the form of \$1.1 billion, including \$15 million for Florida and \$60 million for the territory of Puerto Rico.

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

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

#### TAX AND HEALTH CARE POLICY

Mr. HATCH. Mr. President, we are currently in the middle of an election year. Like most Americans, I look forward to the end of the political campaign season and the end of the rhetoric, spin, and constant battle to win the latest news cycle.

Don't get me wrong, I am not saying this election is meaningless. In fact, there is quite a bit at stake this coming November. And the American people have some clear choices to make.

Unfortunately, some of the more complex and consequential policy matters are the ones that most frequently end up in the middle of the political echo chamber, surrounded by hyperbolic rhetoric, empty promises, and overly simplistic answers to some very difficult questions.

This includes, among many other areas, tax and health care policy, both of which fall largely under the jurisdiction of the Senate Finance Committee, which I chair.

Let me be clear: I understand why both tax and health care policy are fertile grounds for political gamesmanship.

When we are talking about the Tax Code or our health care system, we are talking about issues that impact the lives and livelihoods of individuals, families, and businesses throughout our country. As a result, people are particularly sensitive to the notion that one party or candidate might raise their taxes or enact policies that will increase—or decrease—their health care costs.

Politicians are usually more than willing to promise that, if elected, they will make sure that the people in category X will “finally pay their fair share in taxes,” while simultaneously promising that the intended audience will not see their taxes go up.

Similarly, politicians are quite fond of telling people that their policies will bring down their health care costs—or even eliminate them altogether—while promising that the people in category X will be the ones to pay for it.

I suppose the factor that most often separates these politicians from one another is whom they include in category X, whom they choose to slap with an unfavorable label so that their audience has no problem raising their taxes or making them foot the cost of an expanded health care system.

This type of rhetoric—defining enemies and promising to make them pay—may make for good politics, but it almost never results in favorable conditions for meaningful reforms.

That is a big reason why, despite almost universal dissatisfaction with the Tax Code, Members of Congress have for years now been unable to enact meaningful reforms.

It is also a major reason why, even though the vast majority of Americans do not believe our current health care system works for them, many politicians refuse to even acknowledge that there is even a problem.

Put simply, we need to do better. While I understand the importance of elections to our system, we should not let election-year rhetoric paint us into a corner when it is time to draft and enact policy.

Case in point, for years now, the Obama administration has been ramping up its political rhetoric on corporate inversions, fully aware that the American people were rightly concerned about U.S. businesses moving their headquarters offshore.

After years of attacking American businesses—and Republican politicians—for a supposed lack of “economic patriotism,” they finally had to translate their rhetoric into policy, which resulted in the recently proposed debt-equity regulations that have drawn criticism from observers and businesses throughout our economy and Members of Congress on both sides of the aisle for being too broad and too blind to ways in which businesses legitimately manage their finances.

By all means, we should try to prevent inversions and go after earnings stripping, which is a closely related problem. I think most reasonable people want to do that. But the Obama administration’s proposed regulations go after many legitimate business transactions—transactions that are not at all motivated by tax avoidance.

Put simply, these regulations will impose substantial burdens on businesses throughout the country and will likely hamper our still fragile economic recovery.

Despite the backlash that we have seen to the Treasury Department’s proposed regulations under section 385, they show no signs of backing down—and how could they? After years of demonizing American companies and Republicans over inversions, how politically advantageous would it have been to sit down with Members of Congress to craft more narrowly focused, reasonable solutions that would not grab as many headlines?

Ultimately, the Obama administration has determined that it is better—politically speaking—to, as the saying goes, go big or go home on its anti-inversion policies and hope that anyone from the opposing party who speaks out against them will be seen as soft on corporate inversions.

And, when it comes to tax policy, it appears that the pattern will not be changing if we are faced with another Democratic administration after November.

The Democrats’ nominee for President has been relatively short on de-

tails when she talks about her tax proposals. For the most part, her campaign sticks to the tried and true Democratic tactic of promising everything from tax cuts to “free” college tuition, to child care for middle and lower-income workers, while simultaneously claiming that all of it and more can be paid for simply by raising taxes on the rich and closing corporate tax “loopholes.”

Just last month, a top advisor to the Democratic nominee said that she opposes any reduction of the U.S. corporate tax rate, even though there is a broad consensus among both parties that our corporate tax rate is too high and needs to come down.

I suspect that Secretary Clinton’s advisors share this belief behind closed doors, as it is, for the most part, conventional wisdom among tax policy experts; yet, as they have in countless other situations, they have made a political calculation that supporting a reduction in corporate tax rates doesn’t play well with the Democratic base.

Let’s set aside the fact that increasing the tax burden on American businesses results in costs that are largely passed along to consumers, including lower and middle income earners.

Let’s also set aside that their nominee has expressed support for ideas like a carbon tax that would also result in higher costs of living for Americans across the board, particularly on the middle class and lower-income workers.

And let’s also set aside the fact that she has endorsed taxes on goods like guns and soda, many of which would be predominantly imposed, not on the super wealthy, but the middle class and lower-income earners.

If you ignore those statements on her part and focus on her plan, her tax and spending proposals have little basis in reality. Modest increases in the individual tax rates for the highest earners wouldn’t cover our current and projected deficits, let alone pay for the massive spending increases she has proposed. Similarly, there aren’t enough corporate tax “loopholes” that could reasonably be eliminated to cover the costs of her campaign promises.

We know this because we have gone through it with the current occupant of the White House. In every major budget dispute and many of the conflicts surrounding the statutory debt limit, President Obama has repeatedly clamored for increased taxes on the so-called rich, often claiming that doing so would solve our budgetary problems.

This is, of course, a facade that only serves a political agenda and it has permeated beyond the election season and into discussions that are supposed to be about actually creating policy.

As I mentioned earlier, this problem persists outside of the tax space. We also see it in our debate over health care policy.

Here is the reality we are living in when it comes to health care: Costs are going up across the board as insurance

premiums continue to skyrocket while the implementation of the President’s health law continues to be a disaster. Enrollment numbers in the Obamacare exchanges continue to fall well below the projections made by both the administration and the Congressional Budget Office, and the result is a steady decrease in options for patients and consumers and increased burdens on businesses and hardworking taxpayers.

Even without the inherent systemic problems causing the downward spiral of the entire Obamacare system, the implementation of the law has been remarkably inept and unaccountable.

For example, nearly two-thirds of the Obamacare CO-OPs have failed, costing taxpayers billions of dollars.

In addition, the Government Accountability Office repeatedly reports that criminals and fraudsters are likely able to navigate the Obamacare exchanges and even obtain tax subsidies due to the lack of proper safeguards in the system.

Despite all of these failures, which highlight both the shortcomings of the law and the innate inability of government to regulate such a vast and complex marketplace, the Democrats still argue that more government is the answer.

President Obama has repeatedly refused to acknowledge that the health law isn’t working, writing off unfavorable data points as being anecdotal or irrelevant to the bigger picture.

The Democrats’ nominee for President takes it one step further, doubling down on the Obama administration’s position while promising even more government control of the health care system.

She has outlined a number of “reforms” she would like to add to the “progress we’ve made” under Obamacare. And, each of her proposals amounts to an expanded role for the Federal Government.

Most notably, of course, she has resurrected the so-called public option, by promising voters access to a government-run health care plan.

She is not alone. An expanded role for the government in health care is what most Democrats openly say that they want.

I am not making that up or casting unfounded aspersions. This isn’t paranoia on my part. My colleagues have purposefully chosen to make the creation of a government-run health care plan a central tenet of their 2016 campaigns. Just a few weeks ago, the vast majority of the Senate Democratic caucus signed onto a resolution calling for a government-run health insurance option.

It is almost as if the last 7 years didn’t happen.

It is almost as if my colleagues haven’t seen the failures of the existing system and the overwhelming evidence of government ineptitude when it comes to health care.

In their resolution, my colleagues are telling the American people that expanding the government’s role in



health care will “lead to increased competition and reduced premiums,” and “ensure that consumers have the affordable choices they deserve,” even though virtually everything about the Obamacare experience contradicts that conclusion.

The inevitable result of the course my colleagues want to follow is a single-payer health care system, even if many of them won’t admit that is their long-term goal. I have noted several times that, in a world where the government dictates both the products on the health insurance market and the prices at which they are sold, the eventual result will be a market where the government is the only available provider.

From the time Obamacare was drafted, I have argued that Democrats intended to keep expanding the role of the government in the health care sector until they could argue that, after a series of failures, the only option left is a nationalized, single-payer health care system.

And my arguments have been called paranoid and inflammatory by pundits and politicians on the other side; yet, looking at this current campaign season, it is not remotely a stretch to say that my colleagues support and eventually intend to impose a health care system run entirely by the government.

Whether we are talking about taxes or health care or anything else, the problem with this type of rhetoric and all of these campaign promises isn’t that my colleagues are simply wrong on the facts. The problem is that, when the rubber meets the proverbial road, these kinds of promises don’t lead to good results for the American people.

And, here is why: While some unfortunately seem to live in a perpetual election cycle, once the votes are all counted, we have an obligation to actually govern the country.

I know that fact is sometimes lost on a number of people in this town, but it is the cold, honest truth. The purpose of elections is to eventually enact policies that are preferred by the voters.

Yet, in every election, candidates and Members of Congress spend months taking unreasonable positions and making outlandish promises because they play well with the voters. But, once the election is over, all of that rhetoric—the promises as well as the attacks—have to be translated into actual policy. And, far too often, that process of translation leads either to gridlock when elected officials refuse to move off of their unreasonable campaign positions or to results that, in the eyes of many voters, appear watered down in comparison to the promises they heard in the middle of campaign.

Is it any wonder, then, that the American people are, by and large, growing more distrustful of the government?

Is it any wonder why the vast majority of Americans across the ideological spectrum have a negative view of Congress?

As chairman of the Finance Committee, I am well aware that I am going to be tasked with translating election-year rhetoric into workable policies. I am also aware that the policies that fall within the Finance Committee’s jurisdiction are often those where we hear some of the most contentious rhetoric and unrealistic promises during each and every election cycle, which makes the job of crafting policy that much harder.

Don’t get me wrong, I don’t doubt my own ability to reach policy solutions that can satisfy members of both parties, and, as chairman and previously as ranking member, I have worked very hard to do so. And, prior to that time, I had a great deal of success working through difficult policy matters with members in both parties to find the right answers to complex problems.

I believe strongly that we can be successful in coming up with tax policies, health care policies, or any other policies that serve the best interests of the American people. I simply do not believe that election-year rhetoric and hyperbolic campaign promises are the right starting points for these efforts.

Allow me to boil it down a little further and get more specific.

I believe wholeheartedly that we can reform our broken Tax Code on a bipartisan basis. I just don’t think we can do it by starting with the notion that tax reform should be about raising revenue for increased spending and punishing disfavored income groups, unpopular industries, or savvy investors.

I also believe we can find a bipartisan way to fix our ailing health care system. But I simply don’t believe that it can be done if we are focusing on expanding government in order to keep campaign promises to create a government-run health plan.

I look forward to tackling these issues with my colleagues and to reaching across the aisle to find the right answers. In my view, that will be much easier to accomplish if my friends on the other side of the aisle will eventually be willing to set aside the rhetoric they have employed during the campaign to appease their base.

I am willing to work with anyone to address these and other issues. We’re just going to have to find a way to cut through the politics and partisan ship that all too often slows us down.

#### JUSTICE AGAINST SPONSORS OF TERRORISM BILL

Mr. REID. Mr. President, today I reluctantly voted to sustain President Obama’s veto of the Justice Against Sponsors of Terrorism Act, JASTA. It is essential that we honor families of the 9/11 victims. I am supportive of their efforts to pursue justice and hold accountable foreign powers that support terrorism in the United States. However, I am concerned that JASTA erodes longstanding international immunity protections that are essential to the security of the United States.

As President Obama explained in a letter to me, “Enacting JASTA into law . . . would neither protect America from terrorist attacks nor improve the effectiveness of our response to such attacks. . . . JASTA sweeps much more broadly than 9/11 or Saudi Arabia, and its far-reaching implications would threaten to undermine important principles that protect the United States, including our U.S. Armed Forces and other officials overseas, without making us any safer.”

In its current form, JASTA undermines the principle of sovereign immunity in U.S. courts, which could have significant reciprocal ramifications. If JASTA becomes law, other countries will likely follow suit and enact laws that threaten U.S. interests and jeopardize the United States’ ability to operate internationally. As Secretary of Defense Ash Carter noted, “[JASTA] is likely to increase our country’s vulnerability to lawsuits overseas and to encourage foreign governments or their courts to exercise jurisdiction over the United States or U.S. officials in situations in which we believe the United States is entitled of sovereign immunity. U.S. Servicemembers stationed here and overseas, and especially those supporting our counterterrorism efforts, would be vulnerable to private individuals’ accusations that their activities contributed to acts alleged to violate a foreign state’s law.”

As the Senate Democratic leader, I feel an obligation to support my President. Although I am voting to sustain the President’s veto, I would be supportive of follow-on efforts to modify the JASTA bill in a way that would allow victims to secure justice while protecting core U.S. interests.

#### CONTINUING RESOLUTION

MR. DURBIN. Mr. President, I want to take a few minutes to talk about the continuing resolution passed by the Senate earlier today. This bipartisan agreement is the result of weeks of negotiations between Democrats and Republicans in both the House and Senate. It funds the Federal Government through December 9 at fiscal year 2016 levels and provides much-needed funding to fight the ongoing Zika public health emergency. We also now have an agreement on a path forward to finally address the public health crisis in Flint, MI.

Funding the government through a stop-gap measure like this is not ideal, but it provides Congress additional time to negotiate a larger funding agreement to fund the Federal Government through the end of the 2017 fiscal year.

Included in this agreement is \$1.1 billion in emergency funding to help States and our Federal health agencies properly respond to the Zika epidemic. As of last week, there were more than 23,000 reported cases of Zika in the United States and its territories, including more than 2,000 pregnant

women who have been infected. This money will be used for vaccine development, mosquito control, and the delivery of much needed health care.

While I am glad Congress will finally provide these much-needed funds, Congress should have provided this funding sooner. It has been 7 months since the President requested emergency funding to address Zika and 4 months after the Senate passed a bipartisan bill to provide Zika funding.

But it has taken this long for Republicans to finally agree to drop their outrageous demands to attach partisan poison pills to this vital public health funding. The agreement does not include controversial policy riders to overturn provisions of the Clean Water Act, nor does it block money from going to Planned Parenthood health centers that so many women rely on to access health care.

We have also reached a bipartisan agreement on providing funding to address the crisis in Flint, MI. The people of Flint have waited 1 year—far too long—for Congress to do our job and address the public health emergency that has poisoned 9,000 children and left 100,000 residents without access to clean and safe water. Instead of turning on the tap to make breakfast or take a shower, Flint residents start their day by waiting in long lines for bottled water to feed and bathe their children, take showers, and stay healthy. The House has moved to include funding for Flint in their Water Resources and Development bill, and I am hopeful that a final agreement on assistance for Flint will be reached in the coming months. I also hope the final agreement will include funding for other communities, like those in my home State of Illinois, facing lead contaminated water issues.

While this continuing resolution is a promising, bipartisan step forward, I am concerned about a provision that limits the Security and Exchange Commission's ability to finalize, issue, or implement a corporate political spending disclosure rule. In 2010, the Supreme Court issued a far-reaching decision in *Citizens United v. Federal Election Commission*. On a divided 5-4 vote, the Court struck down years of precedent and held that the First Amendment permitted corporations to spend freely from their treasuries to influence elections. As a result of *Citizens United* and a series of decisions that followed in its wake, special interests and wealthy, well-connected campaign donors have so far poured more than \$2 billion of outside spending into recent Federal elections, including 2016 races. In the years since *Citizens United*, several of my colleagues and I have called for the SEC to initiate a rulemaking requiring public companies to disclose their political spending to shareholders. More than 1.2 million securities experts, institutional and individual investors, and members of the public have asked the SEC for a disclosure rule. Such a rulemaking would

bring much-needed transparency to the U.S. political process. Shareholders deserve to know when outside spending in political campaigns comes from the coffers of a company they have invested in.

Unfortunately, last year, this provision limiting the SEC's rulemaking authority was slipped into the omnibus appropriations bill, which we had to pass in order to fund the government for the 2016 fiscal year. And I am disappointed that under this continuing resolution, this rider will continue to strangle the SEC's authority. I will work with my colleagues to strike this problematic rider in future legislation.

I am also disappointed that the continuing resolution fails to address ongoing issues with the Export-Import Bank. Last fall, a bipartisan majority of the House and Senate joined together to end a 5-month shutdown of the Export-Import Bank. Despite the end of the shutdown, the Bank remains unable to function because the board lacks the quorum necessary to approve financing deals of more than \$10 million. This not only harms large manufacturers and their employees, it also has a negative impact on thousands of small businesses that are suppliers and subcontractors and the hard-working men and women they employ. The President has nominated two qualified candidates, including a Republican, to serve on the board, but those nominations are being held hostage by the Chairman of the Senate Banking Committee. That is why I have supported language to deem the existing board as having the quorum needed to do its work until these nominations can be considered—a move that is not unprecedented. It is my hope that we will continue to work together to restore the Bank's operating board quorum so that we can prevent further disruption to the economic security of American workers.

I am proud that bipartisan cooperation resulted in today's continuing resolution to keep the federal government open and operating through December 9, but our work here in Congress is hardly done. I will continue to work with colleagues over the months ahead to reach a bipartisan agreement on how we will fund the federal government for the year to come and finally provide funding to address the public health crisis in Flint.

#### 75TH ANNIVERSARY OF THE ILLINOIS ASSOCIATION OF CHIEFS OF POLICE

Mr. DURBIN. Mr. President, this year marks the 75th anniversary of the establishment of the Illinois Association of Chiefs of Police, and I wish to commend the association for its seven-and-a-half decades of dedicated service to the people of Illinois.

Since its creation in 1941, the association has worked to elevate the training and professional development of law enforcement leadership through-

out the State, including working to establish the Police Training Institute at the University of Illinois. The association makes sure that police chiefs have the information and training they need to engage in effective community policing. From its headquarters on Fifth Street in Springfield, the association's influence has spread across the Nation and the world, with seven members of the association having served as the president of the International Association of Chiefs of Police.

Throughout its history, the association has worked to earn and maintain the respect of the people the association's members serve. The association has been guided by its values of compassion, integrity, accountability, fairness, professionalism, innovation, continuous improvement, diversity and inclusion. Not only has the association represented the voices of Illinois' law enforcement leaders as they work to protect the community, but the association also has given back to the community through its longstanding support of the Special Olympics and other charitable causes.

As the association comes together on October 1, 2016, to celebrate its 75th anniversary, I want to recognize and honor the Illinois Association of Chiefs of Police, its more than 1,200 members from nearly 500 agencies across Illinois, its staff, and its board of officers: President Chief Steven Casstevens of the Buffalo Grove Police Department, First Vice President Chief James Kruger of the Oak Brook Police Department, Second Vice President Chief Brian Fengel of the Bartonville Police Department, Third Vice President Chief Steven Stelter of the Westchester Police Department, Fourth Vice President Chief James Black of the Crystal Lake Police Department, Immediate Past President Chief Frank Kaminski of the Park Ridge Police Department, and Parliamentarian Chief Russell Laine of the Fox Lake Police Department.

Our men and women in law enforcement put their lives on the line every day to help protect and serve our communities. For the past 75 years, the Illinois Association of Chiefs of Police has been there to help support and guide Illinois' police chiefs and their departments every step of the way. I am grateful to the association for its steadfast service to our State, and I commend and honor the association on the occasion of its 75th anniversary.

#### RECOGNIZING CREATING ENTREPRENEURIAL OPPORTUNITIES PROGRAM

Mr. DURBIN. Mr. President, today I wish to recognize the Creating Entrepreneurial Opportunities, CEO, program, a yearlong class that creates a real-world learning environment for high school students across Illinois.

The CEO program was started by author Jack Schultz, Craig Lindvall, and other community leaders to change the

way America's youth approach problems and give them more control over their futures. The mission of the CEO program is "to prepare youths to be responsible, enterprising individuals who become entrepreneurs and contribute to the economic development and sustainability of their community."

Throughout this program, participants visit 30 to 50 community businesses during the school year. They learn how to start their own businesses from actual CEOs of local, national, and international companies. They also develop important life skills: critical thinking, problem solving, teamwork, and communication. Through this program, students gain a new sense of self-confidence to become future business leaders.

The success of the CEO program would not be possible without Craig Lindvahl, the executive director of the Midland Institute for Entrepreneurship in Effingham, IL. Every day he works to empower students through the CEO program. Craig, who is a nationally recognized teacher and filmmaker, has spent the last 5 years teaching the CEO program and bringing together business people, community leaders, and students from high schools across Illinois. The program has also expanded into Minnesota and Indiana.

Under Craig's leadership, the CEO program is helping build a strong foundation for our students, which will have a lasting effect on their futures. Our Nation's economy is evolving at a rapid rate, and in order to meet labor demands and foster innovation, we need mentors like Craig and programs like CEO to help prepare our students with the necessary skills to be competitive and successful. I had a chance to see this for myself when I visited the Williamson and Jackson Counties CEO classes in May and watched students present their final projects.

It is with great pride that today I recognize the Creating Entrepreneurial Opportunities program for the transformative education they are providing the next generation of entrepreneurs and community leaders.

#### TRIBUTE TO DAVID YEPSEN

Mr. DURBIN. Mr. President, I want to take a few moments to acknowledge David Yepsen, director of the Paul Simon Public Policy Institute at Southern Illinois University, SIU. Earlier this year, David announced that he would be retiring in late October.

Prior to joining the Paul Simon Public Policy Institute at SIU, David was a political writer, editor, and columnist. He spent over three decades at the Des Moines Register. If you have a passion for covering politics, like David Yepsen does, there is no better place to be. Every 4 years, the political class descends on Iowa, and no one takes this more seriously than Iowans. Iowans and politicians fill churches, community centers, schools, libraries, and homes on cold winter nights to talk politics

with friends and neighbors. At the center of this political three-ring circus is the Des Moines Register, and for nine Presidential campaign cycles, that meant David Yepsen.

It should come as no surprise that David has had a lifelong interest in politics. In high school, he was elected student body president, governor of the Iowa American Legion's Boys' State program, and U.S. senator in the group's Boys Nation program.

David Yepsen is "Mr. Iowa." Born in Jefferson, IA, David graduated from the University of Iowa, studied journalism and mass communications at Iowa State University, and earned a masters in public administration from Drake University in Des Moines. In 1977, David became a Statehouse reporter for the Des Moines Register. And in 1983, he got his big break becoming the Des Moines Register's chief political reporter. He was later named political editor and, in 2000, was promoted to full-time political columnist.

In 1997, after retiring from the U.S. Senate, Paul Simon established a public policy institute at Southern Illinois University. When it first opened, the institute was considered a think tank by many, but not by Paul Simon. He called it a "do tank." In 2009, David Yepsen became director of the Paul Simon Public Policy Institute, and under his leadership, it was exactly that. Throughout the years, he has organized countless events—including a "pizza and politics" program—encouraging students on campus to get involved in politics and government. David never lost sight of Paul Simon's vision and always searched for ways the institute could educate the public and even influence Washington, DC. He was always looking for opportunities to take the institute to the next level.

Although Senator Paul Simon never saw David Yepsen lead his institute, it was clear what he thought of him and the job he would do. In 1988, when Senator Simon ran for the Democratic nomination to be President of the United States, he praised David's objectivity. He said: "Every four years the chief political reporter for the Des Moines Register becomes the most important reporter in the nation. It is a position that could cause vanity and abuse. To his credit, David Yepsen handled this position with sensitivity and balance. And he worked hard." That is high praise, but well deserved.

Some of the best advice I have received is from Senator Paul Simon. He used to say that "when people disagree with my vote I want them to say that it's because I'm ignorant or stupid, not because I'm greedy or making money." With his credentials and years at the Des Moines Register, David had plenty of opportunities to cash in on his success and make money, but instead, he chose to take a job as director of the Paul Simon Public Policy Institute at SIU in Carbondale, IL. Paul Simon would have been proud.

I want to congratulate David Yepsen on his distinguished career and thank

him for continuing the outstanding work started by Senator Paul Simon at Southern Illinois University. I especially want to thank David's wife, Dr. Mary Stuart, and daughter Elizabeth for sharing so much of their husband and father with the Paul Simon Public Policy Institute at SIU. I wish him and his family all the best.

#### NOMINATION OF JEFFREY DELAURENTIS

Mr. LEAHY. Mr. President, yesterday President Obama nominated Jeffrey DeLaurentis to be U.S. Ambassador to Cuba. If confirmed, Mr. DeLaurentis would be the first U.S. Ambassador in Havana in more than half a century.

I have known Jeff DeLaurentis since he became the U.S. chief of mission in Havana, and he is the obvious choice to be ambassador. He is a career diplomat who is universally respected by his peers and by Democrats and Republicans in Congress for his intellect, his integrity, and his thoughtfulness.

The decision to resume diplomatic relations with Cuba has been widely supported, and the number of Americans traveling to Cuba is increasing dramatically. We need an ambassador who knows Cuba, who is respected by the Cuban Government, and who will stand up for U.S. interests and values. Jeff DeLaurentis is that person. The Cuban people have their ambassador in Washington. The American people need their ambassador in Havana.

Not surprisingly, one Senator who has opposed the resumption of diplomatic relations with Cuba criticized the nomination of Mr. DeLaurentis. While he did not challenge Mr. DeLaurentis's qualifications for the job, since he is obviously exceptionally well qualified, the Senator instead said "rewarding the Castro government with a U.S. ambassador is another last-ditch legacy project for the president that needs to be stopped." He said the nomination "should go nowhere until the Castro regime makes significant and irreversible progress in the areas of human rights and political freedom for the Cuban people." He was joined in his opposition to Mr. DeLaurentis's nomination by another Senator.

Having been to Cuba many times where I have met with Cuban Government officials, as well as with critics of the government, including some who have been persecuted and imprisoned, no one is a stronger defender of human rights there than I am. Like President Obama, we all want the Cuban people to be able to express themselves freely and to choose their own leaders in a free and fair election.

For 50 years, we have tried the isolationist approach advocated by a dwindling minority of Members of Congress, and it has failed miserably. The Castros are still in power, and Cuba is still a country where political dissent is not tolerated.

No one who knows Cuba expected the resumption of diplomatic relations to

quickly result in an end to repression or free elections. But I am confident that, in a lot less than 50 years, the Cuban people will have a lot more freedom than they have had for the past 50 years.

Consider for a moment what it would mean if we did what these Senators advocate. Not only would we have no ambassador in Cuba, to be consistent, we would have no ambassador in China, Vietnam, Russia, South Sudan, Egypt, Ethiopia, or in any number of other countries where human rights are routinely violated, where political opponents, journalists, and human rights defenders are imprisoned and tortured, where there is no such thing as a fair trial, where civil society organizations are threatened and harassed, and where dissent is severely punished.

Is that what the Senators want, or are they just concerned about human rights in Cuba? Their argument is as illogical as it is inconsistent.

The purpose of an ambassador is to represent the interests of the U.S. Government and the American people. Appointing a U.S. Ambassador is not a reward to a foreign government, any more than their ambassadors are a reward to our government. Do the Senators think that our ambassador in Russia is a reward to President Putin, or that having an ambassador in Moscow somehow conveys that we agree with President Putin's corrupt, repressive policies? Does anyone think that Russia's ambassador is somehow a reward to the Obama administration? Or that our ambassador in Vietnam legitimizes the repressive policies of that government? Does anyone think that the Cuban Government regards its ambassador here as a reward to us?

Let's be sensible. The United States has interests in every country, even if it is just to stand up for the rights of Americans who travel, study, or work overseas. But there are many other reasons like promoting trade and investment, protecting national security and public health, and supporting educational and cultural exchange.

We could do as these Senators urge and downgrade our diplomatic presence and withdraw our ambassadors from every country where there is a repressive government. That, of course, would mean that our lower-ranking diplomats would be relegated to meeting with foreign officials of lesser rank than ambassador.

And, of course, those governments, like Cuba, they would still have their ambassadors in Washington, with access to officials of comparable rank in our government. Would that help us advocate for U.S. interests, for U.S. values, for the American people?

We either believe in diplomacy or we don't. We either empower our diplomats or we don't. The Cubans, after a year of difficult negotiations, agreed to reopen embassies. Now, with their ambassador here conducting business, we are somehow better off without an ambassador there? Of course not.

I understand that this is an emotional issue for some Cuban-American families. But after 55 years, Cuban-Americans overwhelmingly support the new policy of engagement. They want the U.S. to have an ambassador in Havana.

There is a time for family politics, and there is time for what is in the interest of the nation as a whole. Ambassadors serve the national interest, and that is what Jeff DeLaurentis would do, and he would do so as a career diplomat with years of experience.

Finally, I want to quote from Alan Gross, who as we all know, spent 5 long years in a Cuban prison. This is what Mr. Gross said about Mr. DeLaurentis's nomination: "I advocate for the appointment of a U.S. Ambassador to Cuba and I have a very high regard for Ambassador Jeff DeLaurentis. Had there been diplomatic relations between the U.S. and Cuba in December 2008, a U.S. Ambassador could have prevented the loss of five years of my life. Any one in Congress who opposes this nomination goes against the best interests of the United States."

We should listen to Alan Gross. He suffered in Cuba, as do thousands of Americans imprisoned overseas. They depend on our ambassadors to assist and advocate for them, just as we would if it were a member of our families.

I urge these Senators to put what is in the interests of the American people over their personal interests and to not obstruct the confirmation of Jeff DeLaurentis, a superbly qualified nominee, from becoming ambassador to Cuba.

#### TRIBUTE TO GENERAL GORDON SULLIVAN

Mr. LEAHY. Mr. President, earlier this summer, GEN Gordon Sullivan, a man who has dedicated his life to caring for and developing world-class leaders, retired from his role as chairman of the Norwich University Board of Trustees, a position he held for 13 years. At the same time, he retired from his role as president of the Association of the United States Army, a post he held for 18 years.

General Sullivan's lifetime of service began in 1959, when he earned his degree in political science from Norwich University and assumed a commission in the Army as a second lieutenant of armor. Like so many from this prestigious Vermont institution, he went on to excel among his peers. He completed two distinguished tours in Vietnam, earning the Purple Heart. General Sullivan could have justifiably concluded his military service then, and his contributions to that point would have been impressive, but he continued to serve, and in clear recognition of his tireless devotion to soldiers, he was eventually appointed as the Army's top officer.

As the 32nd Army Chief of Staff, General Sullivan directed a post-Cold War

downsizing that spanned the administrations of two U.S. Presidents. These transitional years saw unprecedented reorganization within the Department, occurring amid ongoing, complex global peacekeeping operations. By continuing to prioritize the men and women he was tasked with leading, General Sullivan navigated this critical era with a skill and tact that few can match. In 1995, he retired from the Army to begin a new chapter.

In 1998, General Sullivan began his tenure as president of the Association of the United States Army, AUSA, the Nation's largest Army-oriented, non-profit organization. As president of the association, he was known for focusing efforts on improving conditions for soldiers and their families. General Sullivan served as head of AUSA while maintaining close ties to Norwich University, and that connection was further solidified in 2003 when he became chairman of the Norwich University Board of Trustees.

As chairman of the board, he directed and supervised countless improvements to the university, while always adhering to Norwich's core values. During his 13 years leading the board, General Sullivan assisted with the meticulous design of the school's 2019 plan. His influence helped bring about some of the most significant improvements in Norwich's history, including the expansion of student housing, academic resources, and athletic facilities. Perhaps most notably, he played an integral role in building the school's reputation as an internationally known center for education in cyber security. Like Norwich's founder, Captain Alden Partridge, General Sullivan has contributed to Vermont and our Nation's academic prosperity in so many ways.

I would like to recognize GEN Gordon Sullivan for his contributions to Norwich University, the Army, and the Nation as a whole. It gives me great pride to know that General Sullivan benefited so strongly from a Vermont-based education, and I know that our State has benefited from a longtime relationship with him. I am confident that General Sullivan's contributions will continue, and I wish him well as he further expands his already proud and accomplished legacy.

#### CONTINUING RESOLUTION

Mr. KIRK. Mr. President, today we have made great progress in protecting whistleblowers and veterans at Veterans Affairs hospitals across the country by passing the fiscal year 2017 Military Construction—Veterans Affairs Appropriations Conference Agreement, which includes S. 2291, VA Patient Protection Act. This bill provides protection for the protectors of our veterans, the whistleblowers, who are shedding light on the egregious acts of some employees at VA hospitals across the country. Unfortunately, one of those hospitals is the Edwards Hines Jr. Veterans Affairs Medical Center in my State of Illinois.

Today I sent a letter to Veterans Affairs Secretary Robert McDonald regarding the most recent injustice uncovered by whistleblowers at the Hines VA.

Whistleblowers brought to my attention that the remains of indigent veterans and those without next of kin are often left in the Hines VA morgue for over a month, sometimes longer, without proper postmortem care. The whistleblowers, who wish to remain anonymous for fear of retaliation and losing their jobs, brought forward information identifying Mr. Christopher Wirtjes, chief, patient administrative services at Hines VA, as the person responsible for this blatant disregard of a veteran's right for a timely and dignified burial. I have asked the Secretary to fire Mr. Wirtjes for failure to perform his duties. In addition to this latest trespass against veterans at Hines VA, Mr. Wirtjes was the only manager identified in the VA's own inspector general investigation as the mastermind behind directing staff to manipulate wait times for appointments at Hines VA.

Whistleblowers provide an important service of reporting waste, fraud, and abuse of veterans care. In fact, whistleblower disclosures play a pivotal role in promoting accountability and better health care for veterans at the VA. However, whistleblowers at Hines VA tell me retaliation continues despite the whistleblower protections in place. This is why I am pleased the continuing resolution that passed the Senate today overwhelmingly includes my bipartisan VA Patient Protection Act, which increases penalties for those who retaliate against whistleblowers, creates a formal process for whistleblowers to file claims at the VA, and establishes a central whistleblower office to investigate all whistleblower claims.

Just as no servicemember is left behind on the battlefield, no veteran should ever be left in a morgue or placed on a secret wait list for health care appointments. I thank the brave whistleblowers who come forward to protect our veterans. I also reiterate to Secretary McDonald, do the right thing and fire Mr. Wirtjes now.

Mr. President, I ask unanimous consent to have my letters dated September 1, 2016, and September 28, 2016, printed in the RECORD.

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

U.S. SENATE,

Washington, DC, September 1, 2016.

Hon. ROBERT A. McDONALD,  
Department of Veterans Affairs,  
Washington, DC.

DEAR SECRETARY McDONALD: It has been brought to my attention by a whistleblower that the Edward Hines, Jr. Veterans Affairs Hospital has failed to treat the remains of unclaimed and indigent veterans with dignity and ensured burial within a reasonable amount of time. Specifically, whistleblowers report there are currently two veterans who have been left in the Hines morgue for over

a month. The graphic details of what happens to these remains without timely post mortem care is sickening and shameful. Your support to uncover the truth and protection for the employees who came forward on behalf of veterans is imperative.

The Veterans Health Administration Handbook 1601B.04 states that "if a Veteran dies . . . at a VA facility under authorized admission . . . and the Veteran's remains are unclaimed, the facility Director will request funeral and burial services to be procured through a contract."

I am asking, on behalf of all veterans at Hines VA, if a service contract with an established funeral home or two would allow for the timely transport of unclaimed or indigent veterans' remains to be prepared for burial and laid to rest. Whistleblowers also suggest the service relationships between Hines VA and some local funeral homes no longer exist because of the health risk posed by the extreme decomposition of remains after being stored for so long without post mortem care.

Finally, I would like information on the federal funds made available by the annual Military Construction and Veterans Affairs appropriations bill for the seamless transfer of unclaimed or indigent veterans' remains to local funeral homes. Ignoring the law or misusing funds is a clear disregard to the VA's standard operation procedure and possibly illegal.

Every hero who serves in our U.S. Armed Forces deserves a dignified final farewell from a grateful nation. To learn these veterans remains have been sitting in the morgue for over a month, sometimes longer, without proper post mortem care, is unacceptable and unjustifiable.

Just as no servicemember is ever left behind on the battlefield, no veteran should ever be left behind in morgue.

Therefore I ask for your immediate attention to correct this disgrace, demand that the two veterans who are currently in the morgue promptly receive a proper and respectful burial, and take appropriate disciplinary action against the person or persons responsible for letting this happen. I also ask that you launch a review of VA hospitals across the country to ensure that this mistreatment of our heroes' remains is not happening elsewhere.

Thank you for your immediate attention to this matter. I look forward to hearing from you.

Sincerely,

MARK KIRK,  
U.S. Senator.

U.S. SENATE,

Washington, DC, September 28, 2016.

Hon. ROBERT A. McDONALD,  
Department of Veterans Affairs,  
Washington, DC.

DEAR SECRETARY McDONALD: As follow up to our phone conversation last week, I write to reiterate that you should use your ability as the Secretary of Veterans Affairs to terminate Mr. Christopher Wirtjes from his post at Edward Hines Jr. VA Hospital in Hines, Illinois.

As I wrote to you on September 1, 2016, whistleblowers came to me last month reporting that the remains of indigent veterans, or those without next of kin, were left in the Hines VA morgue for inappropriate amounts of time following their death. At times, the remains of these veterans were left to badly decompose in the Hines morgue for upwards of 30 plus days before being properly released to a local funeral home for a dignified burial or cremation. At the time of my letter, the remains of two veterans had sat in the Hines VA morgue without any post mortem care for over 45 days. This is unacceptable.

These whistleblowers, who wish to remain anonymous for fear of retaliation and losing their jobs, brought forward information identifying Mr. Wirtjes, Chief, Patient Administrative Services (PAS), as the person responsible for this unacceptable situation. Mr. Wirtjes, according to whistleblowers, fails to do his duty of ensuring timely and respectful burials for our indigent veterans, and veterans without next of kin. Emails provided to my office show efforts by VA staff to get proper and timely approval of paperwork failed, despite available funds and an internal operating procedure to procure payment that is known and should be in place. The whistleblowers also state Mr. Wirtjes does not have a contract with an established funeral home to transport the unclaimed remains to be prepared for burial, per normal operating procedure.

I find this behavior unacceptable and another exhausting example of a culture of malfeasance and corruption at Hines.

This is not the first time Mr. Wirtjes has failed to perform his duties. The Office of Special Counsel's letter to the President from February 25, 2016 specifically named him as the manager who directed staff to manipulate patient appointments, directed staff to zero out patient wait times and directed the use of a separate Excel spreadsheet to track appointments. This resulted in a false appearance of acceptable wait times and masked significant delays in veterans' access to care.

Specifically, the Office of Special Counsel Analysis titled OSC File No. DI-14-2762 (Hines VA Hospital, Chicago, Illinois) regarding the VA's Office of Inspector General (OIG) investigations on manipulated wait times raised by whistleblowers states that the VA "OIG found only one manager, patient administrative services (PAS) chief Christopher Wirtjes, responsible for implementing these improper practices."

As a result, Mr. Wirtjes was merely given a 14-day administrative leave for his role in the scheduling manipulations. To add insult to injury, whistleblowers have informed my office that Mr. Wirtjes responded to this punishment by taking an additional 2-week vacation and upon his return continuously bragged about his VA commissioned "vacation."

The OSC analysis also stated that the OIG investigation confirmed that a senior manager instructed schedulers to manipulate scheduling data to hide the actual wait times experienced by veterans, however it provided no information on how the manipulations impacted veterans, and failed to provide corrective action. Is Mr. Wirtjes continuing to direct schedulers to manipulate wait times for care at Hines VA?

While manipulating the wait time for several departments according to the VA's own OIG investigation is unspeakable, continuing to leave in place a corrupt and inept chain of command to continue to harm our veterans, like leaving our unclaimed and indigent veterans in the morgue, is unforgivable. I find it irresponsible that the VA has left the one manager finger pointed as the mastermind of the manipulated scheduling practices in a position to continue overseeing scheduling, patient administration, health information management and decedent affairs.

Mr. Wirtjes must be held accountable now. Otherwise the corrupt culture of the VA will be justified and encouraged.

You have the ability to fire VA employees for misconduct. Congress gave you that power in Public Law 113-146. If manipulating scheduling wait times putting veterans' health at risk and failing to allow the burial of unclaimed veterans' remains is not misconduct, then I ask you what is. If you cannot make this happen within the next 30

days then I would like an explanation to Congress and 700,000 Illinois veterans.

America was built on the sacrifices of our service members. And as a grateful nation, we are indebted to our veterans who unselfishly served to fight for the freedoms we enjoy. No veteran who has served should be left for weeks without a proper and dignified burial.

Sincerely,

MARK KIRK,  
U.S. Senate.

### THE ADVANCING HOPE ACT

Mr. CASEY. Mr. President, today I wish to speak about S. 1878, the Advancing Hope Act. This is a bill I introduced with the support of my Republican cosponsor, Senator JOHNNY ISAKSON. This is a bipartisan bill that brings hope to some of our most vulnerable citizens: children living with rare diseases.

Despite significant unmet medical need, private companies seldom pursue new therapies for rare diseases because it requires making an investment in products that will likely not recoup the high costs associated with their research, development, marketing, and distribution. Developing products for children is particularly challenging because of the difficulties associated with conducting clinical trials in this population.

So, several years ago, former Senator Brownback authored the Creating Hope Act with Senator SHERROD BROWN. In 2011, I became the Senate leader on this bill, which provided an incentive for drug developers to pursue therapies for rare pediatric diseases. The goal was to bring hope to the millions of American children living with a rare disease.

Provisions based on the Creating Hope Act were included in the Food and Drug Administration Safety and Innovation Act, which became law in 2012. The new FDA program established three "priority review vouchers" that would be awarded to companies who develop a new drug for a rare pediatric disease. A company that earns a voucher can then sell it to another company, which can use the voucher to speed up the FDA's review time for one of its own new drugs. Companies that earn and then sell their vouchers can use that money to fund additional drug development to treat rare pediatric diseases. So far, seven vouchers have been awarded, including on the 19th of this month.

However, the pediatric priority review program is due to expire on September 30, just days away. In fact, it would have expired in March of this year, but Congress passed an extension through the end of fiscal year 2016 as the House and Senate worked on legislation to extend and improve the program. In July of 2015, I introduced S. 1878, the Advancing Hope Act, with Senator ISAKSON, to extend the pediatric priority review program. We had extensive consideration of the bill in the Committee on Health, Education, Labor, and Pensions, which voted fa-

vorably on the Advancing Hope Act in April 2016. Thanks to an agreement we reached here in the Senate on September 21, we were able to pass S. 1878 with an extension of the program through the end of this year, which included important policy changes to the program. I would like to thank my colleagues for working with me on this agreement. I hope that we will be able to come to further agreement later this year for a longer extension to the program.

The pediatric priority review program is important for families, and a longer extension is warranted. If this program is allowed to lapse, Congress will have broken faith with these children with rare diseases.

Last year, I went to the Children's Hospital of Pittsburgh and met with the Rinaldi family. I met Jennie Rinaldi and her daughter Adelyn, who was receiving treatment at the hospital. Adelyn was born with congenital hypophosphatasia, an extremely rare bone disorder. There are only a handful of children in the world with this disease.

At the time, Adelyn was receiving an experimental therapy for her condition. That drug, Strensiq, was later approved by the FDA in October 2015, and the drug sponsor received a priority review voucher. Strensiq is the first drug to treat hypophosphatasia. There are no other options. It is now available commercially, and Adelyn continues to receive treatment.

Just imagine for a moment the uncertainty that families like the Rinaldis live with every day. We owe it to these families to give them the peace of mind in knowing that this important incentive for drug development will continue. We cannot let this program expire. I am pleased that the House passed S. 1878 yesterday, and I hope that we can continue to work in good faith on a longer-term extension before the end of the year.

We need to provide certainty for drug developers so that they can count on this incentive when deciding to invest the time and money into drugs for rare pediatric diseases. We need to provide hope for the other children like Adelyn. On behalf of these children, we must incentivize companies to take on the challenges of developing new treatments for rare pediatric diseases.

### LYME AND TICK-BORNE DISEASE PREVENTION, EDUCATION, AND RESEARCH ACT OF 2015

Ms. AYOTTE. Mr. President, today I wish to speak on the importance of passing legislation to address a serious issue that impacts New Hampshire, New England, and the rest of the country each year, the issue of Lyme and other tick-borne diseases.

This fall, as the leaves begin to turn and temperatures start to drop, millions of Americans will head outdoors to hike and otherwise experience the beauty of nature. In my home State of

New Hampshire, hiking is one of the State's most popular recreational activities. New Hampshire is also among the 14 States through which the Appalachian Trail runs. Stretching from Georgia to Maine, the Appalachian Trail spans nearly 2,190 miles, and is hiked annually by 2 to 3 million people.

While our attention in the Northeast usually turns to the dangers of ticks in the spring and summer months, adult blacklegged ticks, also known as deer ticks, are still active in the fall. Approximately half of these deer ticks carry Lyme disease, and they have played a leading role in our Nation's dramatic rise in tick-borne diseases. While approximately 30,000 cases of Lyme disease are reported annually by State health departments, according to the Centers for Disease Control and Prevention CDC, the actual number of cases each year is about 300,000, making Lyme disease the most commonly reported vector-borne illness in the country. Underscoring that Lyme is no longer simply a regional problem, the CDC reports that the species of ticks that spread Lyme disease now live in 46 percent of the Nation's counties.

That is why I am continuing to urge my colleagues to join me in supporting the bipartisan Lyme and Tick-Borne Disease Prevention, Education, and Research Act, S. 1503. Working with Senator Blumenthal, I coauthored and introduced this legislation which is designed to better coordinate the Federal Government's response to Lyme and other tick-borne diseases by creating an advisory committee within the Department of Health and Human Services HHS. The committee established under our bill would be tasked with identifying best practices to combat tick-borne diseases and would be comprised of patients, advocates, researchers, medical professionals, and government officials. Our legislation would also require the HHS Secretary to coordinate efforts to strengthen disease surveillance and reporting, develop better diagnostic tools and tests, create a physician education program, establish epidemiological research objectives for Lyme and other tick-borne illnesses, and report to Congress on the progress of efforts to combat these devastating diseases.

The significant increase in cases of Lyme and other tick-borne diseases over the past decade is extremely troubling, and it demands a strong and coordinated effort at the Federal level. This critical legislation has been endorsed by nearly 100 Lyme and tick-borne disease patient groups, along with the Appalachian Trail Conservancy.

Despite the staggering statistics, the voices of those who are living and struggling with Lyme and other tick-borne diseases have not adequately been heard. Senator Blumenthal and I have put forth a commonsense, bipartisan legislative proposal that will bring greater attention to Lyme disease and give patients and their families a greater say in their care.



I ask my colleagues to cosponsor the Lyme and Tick-Borne Disease Prevention, Education, and Research Act, and I urge the Senate to follow the lead of the House by passing legislation that will help more effectively prevent, diagnosis, and treat Lyme disease.

Mr. BLUMENTHAL. Mr. President, as leaves begin to turn and temperatures begin to drop, millions of Americans will head outdoors this fall to hike. In Connecticut, hikers will flock to trails in the State's 107 parks and 32 State forests, which together account for more than 200,000 acres.

While ticks are often thought of as spring and summer pests, ticks that carry the disease are still active in the fall. According to the Centers for Disease Control and Prevention, CDC, Lyme disease is the most commonly reported vector-borne illness in the country, with more than 300,000 people becoming infected each year. The CDC also reports that the species of ticks that spread Lyme disease now live in 46 percent of the Nation's counties. The spread of Lyme disease, paired with a lack of action at the Federal level, has led tens of thousands of Americans to become infected, disrupting patients' lives and placing major emotional and financial burden on families.

With this in mind, I urge my colleagues to join me in supporting the bipartisan Lyme and Tick Borne Disease Prevention, Education, and Research Act, S. 1503. The legislation is designed to better coordinate the Federal Government's response to tick-borne diseases by creating an advisory committee within the Department of Health and Human Services, HHS, that would be tasked with identifying best practices to combat tick-borne diseases. The group would be comprised of patients, advocates, researchers, medical professionals, and government officials. The bill would also require the HHS Secretary to coordinate efforts to strengthen disease surveillance and reporting, develop better diagnostic tools and tests, create a physician-education program, establish epidemiological research objectives for Lyme and other tick-borne illnesses, and prepare regular reports to Congress on the progress of efforts to combat these devastating diseases.

The rapid rise in active Lyme and other tick-borne disease cases over the past decade demands a strong and coordinated effort at the Federal level to address the public health threat to our Nation. This critical legislation has been endorsed by hundreds of Lyme and tick-borne disease patient groups, along with the Appalachian Trail Conservancy, ATC. According to a 2014 Appalachian Trail hiker survey, 9 percent of respondents reported that they had been diagnosed with Lyme disease.

Our colleagues in the U.S. House of Representatives have already passed this critical legislation, and now it is our turn. I urge our Senate colleagues to join as cosponsors, and help pass this critical measure expeditiously. Thank you.

Mrs. GILLIBRAND. Mr. President, I rise today to speak in support of legislation to address a serious public health concern: the spread of Lyme disease and other tick-borne diseases in the United States.

In my home State of New York, there were 37,977 reported cases of Lyme disease between 2005 and 2014, one of the most heavily affected populations in the country. This disease affects hundreds of thousands of people around the Nation and is the most commonly reported vector-borne illness in the United States, with an estimated 300,000 people becoming infected each year. The species of ticks that spread Lyme disease now live in 46 percent of the Nation's counties.

If caught early, Lyme disease can be treated with antibiotics. Unfortunately, the disease can be difficult to diagnose because its symptoms mimic the symptoms of other serious diseases and because existing diagnostic tests still have many limitations. As a result, Lyme disease often goes undetected or misdiagnosed, making effective treatment of patients more difficult. Untreated Lyme disease can be debilitating and result in severe pain and suffering.

To help address this epidemic, I urge my Senate colleagues to help pass the Lyme and Tick-Borne Disease Prevention, Education, and Research Act, S. 1503. The House of Representatives approved this legislation over a year ago, and we must now come together to pass this bill in the Senate as soon as possible.

The Lyme and Tick-Borne Disease Prevention, Education, and Research Act, would coordinate Federal efforts to address Lyme and other tick-borne diseases. It would create an advisory committee within the U.S. Department of Health and Human Services, HHS, made up of patients, advocates, researchers, health care providers, and government officials tasked with identifying best practices for combatting tick-borne diseases. It would also direct the U.S. Secretary of Health and Human Services to carry out activities coordinated across agencies to improve data collection, develop better diagnostic tests, enhance prevention and public awareness activities, and support clinical research into treatments.

The prevalence of Lyme and other tick-borne disease cases in this country demands a strong and coordinated effort at the Federal level. The Lyme and Tick-Borne Disease Prevention, Education, and Research Act is a critical step toward ending this epidemic.

I strongly encourage my colleagues in the Senate to cosponsor and help pass this legislation to improve our Federal response to tackling Lyme and other tick-borne diseases. Thank you.

Ms. COLLINS. Mr. President, today I wish to speak about the issue of Lyme and tick-borne diseases. Fall is a beautiful time of year, especially in Maine, as it is the season for hiking, hunting, and leaf-peeping. Unfortunately, fall is

also tick season and a time of increased risk of Lyme disease.

Each year, 30,000 cases of Lyme disease are reported to the Centers of Disease Control and Prevention. The most recent CDC data noted that 96 percent of those cases were concentrated in just 14 States in the Upper Midwest and Northeast. Maine has one of the highest and fastest growing incident rates of the disease, with cases increasing from 225 in 2004 to 1,169 cases in 2014.

Fall is a time of heightened risk because the immature ticks, or nymphs, that fed heavily during the late spring and early summer have now molted into adults and must feed again. Although larger and easier to spot than the tiny nymphs, they are numerous and active.

Lyme disease was long thought to be a form of juvenile arthritis and was not identified as being spread by ticks until 1976. It is still considered an emerging disease and knowledge gaps remain. For example, diagnostic methods for tick-borne illnesses have not advanced as much as they should have. Consequently, the validity and accuracy of information regarding the incidence and geographic spread of the disease may be lacking. Now, another tick-borne disease called anaplasmosis is emerging, carried by the same blacklegged tick as Lyme disease and with symptoms that are similar in nature but often more severe.

The rapid spread of these diseases is alarming and makes it essential that Federal, State, and local health agencies, public health organizations, and the scientific community work together to improve prevention and detection efforts, as well as to accelerate research to address this crucial public-health challenge. This is the reason why I have cosponsored the Lyme and Tick-Borne Disease Prevention, Education, and Research Act introduced by Senators BLUMENTHAL and AYOTTE, which would help ensure that necessary resources are dedicated to fighting tick-borne diseases.

Prevention and treatment are crucial because there are currently no vaccines for Lyme disease, Rocky Mountain Spotted Fever, anaplasmosis, or other tick-borne diseases. In order to mount a strong national prevention and treatment effort, the legislation would create a tick-borne diseases committee that would consist of physicians, scientists, public health leaders, health agency officials, patients, and patient advocates. This national advisory body would help bring needed focus to improve reporting methods, better diagnostic tools, and more coordinated efforts from local to Federal levels.

With individual precautions, we all can reduce our risk of Lyme disease and other tick-borne illnesses and continue to enjoy the outdoors. With a national effort, we can stop the spread of these devastating diseases and protect the health of all. I encourage my colleagues to support this legislation.

## REMEMBERING SHIMON PERES

Ms. MIKULSKI. Mr. President, today I wish to honor the life and legacy of a dear friend, a great leader, a pioneer in his own right, someone I admire, and someone many of us have cheered on, President Shimon Peres. President Peres helped build Israel through hard work and tough diplomacy aimed at restarting peace talks, and championed Israel's security and prosperity until his last breath. A giant among statesmen and inspiration to so many, his passing marks an end of an era and is a great loss to Israel, the region, and the world; but his legacy lives on in his unwavering commitment to regional peace and in the future of the Jewish people where generations upon generations will build a better, safer, and more peaceful future.

Last night, we got the very sad news that President Peres passed away after suffering a stroke 2 weeks ago, and I want to come to the floor to speak about him.

We all know the biography. Born in Poland, he grew up in Tel Aviv and spent some time studying in the United States, including at Harvard University and New School for Social Research in New York. Since the mid-20th century, President Peres committed his life to advancing peace and reconciliation in the Middle East and addressing security issues that faced the region. He became the Director General of Israel's Ministry of Defense at the age of 29 and had an impressive political career that spanned seven decades, which included two terms as Prime Minister and one as President. He won the Nobel Peace Prize in 1994 for his role in negotiating the Oslo accords, along with Israeli Prime Minister Yitzhak Rabin and Palestinian leader Yasser Arafat. President Obama awarded him the Presidential Medal of Freedom in 2012. A further testament to his hard work, commitment to his country, and legacy, he continued to engage on matters of importance to Israel after leaving public office in 2014.

I have known and observed President Peres for a long time, in particular, during my almost 40 years in Congress, and I can say that we have much to celebrate in him, starting with one of the greatest achievements of the 20th century—the founding of the modern State of Israel, which followed the most incomprehensible and evil event of the 20th century, when the Nazis, with the complicity of so many others, sought to exterminate a people. Peres, along with survivors of the Holocaust, helped to build modern Israel, and as a result, never again will the Jewish people be dependent on anyone else for their security.

I met with then-President Peres on my last trip to Israel in 2012, and, as with every engagement we have had, I was reminded of his strong commitment to regional peace that I believe changed the course of Israel's history in so many areas—defense, the occupation of the West Bank, the economy,

and the peace process itself. Now, I have been a longtime friend and supporter of Israel, and I also have had the great honor in my years in the Senate to be on the committee that provided billions in foreign assistance and missile defense to Israel and ensured Israel had the resources it needed while enforcing current and potential future sanctions against Iran. So I have been a close observer of Israel and seen Peres up close and personal.

What I can say about him is that, in our conversations, I told him my support for Israel is unabashed and unwavering and that I will continue to be a voice for Israel and a vote for Israel in the U.S. Senate. I said the United States will always stand by Israel since we are bound together by our common values, by history, and by our shared national interests. I said that support for Israel must be unflinching and unflagging and that the United States will continue to make sure that Israel maintains its qualitative edge—the ability to counter and defeat any military threat. We have had good conversations over the years, so I could not be more emphatic when I say that his legacy, along with his status as the last surviving member of Israel's founding generation which we cannot ignore, puts him in his own category among Israel's most iconic political figures.

Israel has had to endure many wars and live in constant readiness for battle under the constant threat of terrorism; yet the people of Israel have remained strong and resolute, a testament to the legacy of Shimon Peres.

Today we honor the life and legacy of our friend Shimon Peres, and all friends of Peres and Israel should recommit ourselves to ensuring the survivability and viability of the State of Israel, now and forever. I will miss my dear friend, but look forward to a future of peace, prosperity, and friendship that will live on.

## MONTREAL PROTOCOL 28TH MEETING OF PARTIES

Mr. CARDIN. Mr. President, today I wish to express my support for a successful 28th meeting of parties to the 1989 Montreal Protocol on substances that deplete the ozone layer, scheduled to take place next month in Kigali, Rwanda. The 28th meeting of parties, commonly referred to as MOP28, is undertaking the incredibly important task of reaching an agreement on an amendment to the Montreal Protocol to phase down the worldwide production and application of hydrofluorocarbons, HFCs, which are incredibly potent, short-lived, greenhouse gases most commonly used as refrigerants in air conditioners and for cold storage. Phasing down HFCs is a critically important step towards realizing the enhanced ambition goals of the Paris Agreement to limit the rise in global average temperature to 1.5 degrees Celsius.

I fully support MOP28's aims of reaching an agreement that is high on ambition and expeditious in its timeline. There is no time to lose if we, as a global community, are to act successfully to stem the causes of the Earth's rapidly changing climate system.

Prior to the Montreal Protocol's implementation, the Earth's ozone, O<sub>3</sub>, the thin layer of concentrated O<sub>3</sub> in our atmosphere responsible for regulating the intensity of the Sun's penetrating ultraviolet, UV, light, had developed massive holes near the Earth's poles and had worn dangerously thin around most of the world. A diminished ozone layer poses serious threats to human health by proliferating skin diseases from overexposure to UV light, seriously harms global crop yields and agricultural production, and hastens the useful life of a variety of plastic materials utilized in a variety of outdoor applications.

The Montreal Protocol's incremental approach to phasing out harmful ozone depleting substances, ODSs, is a testament to how inclusive and transparent approaches to multilateral environmental agreements that incorporate constructive inputs from affected industries and the scientific community can achieve positive environmental results. Starting with the phase out of chlorofluorocarbons, CFCs, the worst-of-the-worst ozone depleting substances, followed by the phase out of hydrochlorofluorocarbons, HCFCs, these agreements have the Earth's ozone on track to be fully recovered by 2065.

Hydrofluorocarbons, HFCs, are the chemical refrigerant alternative that replaced HCFCs and CFCs. Unfortunately, HFCs are extreme greenhouse gases. Some HFCs are 4,000 times more potent greenhouse gases than carbon dioxide. The fairly recent expansion of mass production and worldwide use of HFCs, post-HCFC and CFC elimination, are believed to have significantly contributed to the recent worsening of the global climate crisis.

While the Montreal Protocol is designed to address ODSs, not climate change, the decision was made at the Montreal Protocol's 27th meeting of parties in Dubai that the Montreal Protocol provides an effective mechanism to address this family of chemicals effectively.

According to the U.S. Environmental Protection Agency, EPA, "HFC use and emissions are rapidly increasing as a result of the phase out of ozone-depleting substances (ODS) and growing global demand for air conditioning and refrigeration. The continued emissions of HFCs—primarily as alternatives to ODS and as byproduct emissions of HFC-23—are having an immediate and significant effect on the Earth's climate system. Without further controls, HFC emissions could largely negate the climate benefits achieved under the Montreal Protocol."

The United States has demonstrated exceptional leadership with respect to

phasing down HFCs on all fronts. U.S. chemical producers and the refrigeration manufacturing sector have led the world in developing safe, effective, and commercially viable refrigeration chemical alternatives, namely hydrofluoroolefin, HFO, and hydrocarbon, HC; refrigerants, that neither pose significant threats to the ozone nor the climate crisis. In addition to making these technological advances, the industry has helped bring countries to the table and fully supports adopting an ambitious HFC amendment to the Montreal Protocol in Kigali.

The U.S. is taking bold domestic political action to promote a significant reduction in the use of HFCs in the marketplace by promulgating some of the world's most ambitious domestic HFC abatement policies. This action provides the U.S.'s delegation to the Montreal Protocol with a strong footing to lead by example when it comes to advancing an ambitious agreement to phase down HFCs globally as quickly as possible.

The United States and our North American neighbors Mexico and Canada have put forward one of the most ambitious HFC amendment proposals for consideration at MOP28. Moreover, our amendment has broad support from developing and developed countries on every continent. According to the State Department, more than 120 parties to the Montreal Protocol have expressed support for the policy concepts in the North American amendment proposal.

I want to congratulate the hard-working diplomats, negotiators, and policy experts at the U.S. State Department, the Commerce Department, and the EPA who have masterfully developed and rallied support for an ambitious proposal. While I am confident a deal on a new and effective HFC amendment to the Montreal Protocol is within reach, there is certainly still some diplomacy necessary with some very important parties to the Montreal Protocol, and I encourage our delegation to continue working with these parties in Kigali.

Phasing down the global presence of HFCs is the low-hanging fruit in the global effort to combat climate change. If we are going to be successful in achieving the goals of the Paris Agreement, we need to do the easy things first. So let's act fast and effectively to get potent HFC greenhouse gas reductions as soon as possible. These are noncontroversial steps we can take to abate climate change that should absolutely have bipartisan support from Congress.

Thank you.

#### ENSURING JUSTICE FOR DISAPPEARED PEOPLES IN MEXICO

Mr. CARDIN. Mr. President, today I wish to observe the second anniversary of the forced disappearance of 43 students in the Mexican state of Guerrero, a tragedy that continues to haunt the

students' families and friends. I also rise to speak to the endemic challenges posed by cases of missing and disappeared persons across Mexico and to appeal to President Pena Nieto and Mexico's political leaders to be more responsive and transparent on this critical issue.

On the evening of September 26, 2014, in a series of events that the New York Times has characterized as a "night of terror," local police from the town of Iguala turned their weapons on the civilian population and colluded with the criminal organization known as the Guerreros Unidos to target and terrorize students from the Escuela Normal Rural Raul Isidro Burgos, which is a teachers' college. By the end of that night, 6 people were killed, 25 were injured, and 43 students were forcibly "disappeared" in a tragic story that has echoed around the globe.

As links between the U.S. and Mexico abound and given the more than 33 million Mexican-Americans and Mexicans residing in the United States, the disappearance of the 43 students has been felt deeply throughout our country.

Whether it is in California, Texas, Arizona, Illinois, New York or Maryland, almost all of our States are home to large, dynamic Mexican-American communities that remain in contact with friends and families throughout Mexico. Many of our constituents have direct and personal ties to the tragedy that took place in Iguala and the broader crisis of unresolved disappearances in Mexico.

In the 2 years since the disappearance of the 43 students, it is important to recognize that there have been critical advances in the investigations. Moreover, I want to recognize the Government of Mexico's decision to work with the Inter-American Commission on Human Rights, IACHR, to create an Interdisciplinary Group of Independent Experts, GIEI—by its initials in Spanish—which has provided invaluable technical assistance for the investigation, as well as key recommendations to strengthen ongoing investigative efforts.

It is imperative to note, however, that the GIEI faced repeated obstacles such as restricted access to key documents and individuals and found significant inconsistencies in the Mexican Government's investigation, including incidents of mishandled evidence.

It is also important to note that the experts found evidence which indicates that members of the federal and state police may have joined the local police in colluding with the criminal organizations involved in the disappearance of the students. In addition, members of the Mexican Army's 27th Battalion were discovered to have been at the scene of the crime and closely involved in the fatal events of that night. And we cannot overlook the fact that 2 full years after the students' disappearance, there has not been a single criminal conviction in the case.

For these reasons, I urge President Pena Nieto and his administration to

take all necessary steps to make operational a special follow-up mechanism for the investigation the IACHR established in July. This follow-up mechanism will include two IACHR-appointed advisors responsible for working with Mexican authorities and monitoring further action on the group of experts' recommendations.

Continued progress on this case is critical. My staff has met directly with the families of the 43 students, and we cannot let their call for justice end in impunity. So whether it includes pursuing new leads, discarding flawed theories, granting broader access to case files, or removing officials who have obstructed the investigation, I appeal to President Pena Nieto and his administration to ensure that the investigation has the full political backing and sufficient resources to achieve the needed results.

I also want to speak to how the case of the 43 students is representative of the endemic challenge of missing and disappeared peoples across Mexico. According to its own statistics, since 2007, the Mexican Government has documented more than 28,000 cases of missing and disappeared people. In fact, in the months after the students' disappearance, as investigators and families of disappeared persons fanned out across Guerrero state, they encountered numerous mass graves of victims of unknown crimes and carnage. So the resolution of this case is particularly symbolic as it would give hope to the thousands of Mexican families who have relatives who have disappeared.

I want to recognize President Pena Nieto's decision to submit draft legislation last December for a general law to prevent and punish the crime of disappearances, which would establish obligations for federal, state, and local authorities and improve coordination across jurisdictions. I appeal to members of the Mexican Senate and Chamber of Deputies to pass this important legislation. By prioritizing this issue and providing increased budgetary, forensic, and technological resources, Mexican authorities can ensure justice for the tens of thousands of Mexican families who have suffered the disappearance of a friend or loved one.

Finally, I want to call upon the State Department and our Embassy in Mexico City to use their diplomatic discussions with the Mexican Government to offer all relevant assistance and to underscore the importance of learning the truth about the disappearance of the 43 students and the broader issue of missing and disappeared people. We must stand ready to support our Mexican partners as they pursue justice in these critical cases, which have touched the lives of too many Mexicans and, in turn, our constituents here in the United States.

# 100TH ANNIVERSARY OF THE 38TH INFANTRY DIVISION

Mr. DONNELLY. Mr. President, today, I wish to recognize the 100th anniversary of the 38th Infantry Division, ID, and honor the soldiers of the 38th ID for their service to our Nation.

The division was first activated in August of 1917 as a National Guard division composed of units from Indiana, Kentucky, and West Virginia. The division was originally conducting initial training at Camp Shelby, MS, when a tornado touched down, prompting MG Robert L. Howze to give the 38th ID the nickname the "Cyclone Division." The Cyclone Division would later deploy to Europe during World War I and lost 301 soldiers.

The division returned to service in January 1941 in response to the attack on Pearl Harbor and the start of World War II. The 38th Infantry Division took part in the New Guinea, Southern Philippines, and Luzon campaigns where they would earn their second nickname, "the Avengers of Bataan," bestowed on them by GEN Douglas MacArthur.

The Cyclone Division also served in the Vietnam war where the Company D Rangers, 151st Infantry of the 38th ID were among a few National Guard units to serve and became one of the country's most highly decorated units.

Since September 11, 2001, the 38th ID has sent soldiers to serve in a wide range of missions, including Operation Joint Forge in Bosnia, Operation Joint Guardian in Kosovo, Operation Iraqi Freedom, and Operation Enduring Freedom in Afghanistan.

The 38th ID also answered a different kind of call when it assumed command of all National Guard elements deployed in Mississippi in response to Hurricane Katrina. The 38th Infantry Division continues to deploy soldiers worldwide in support of our national defense.

I am proud to honor 38th Infantry Division soldiers past and present on this special anniversary. Thank you to the men and women of the Cyclone Division for their steadfast defense of our Nation and their service to their home States, including Indiana. I wish the 38th Infantry Division another 100 years of setting an exemplary standard for our total force.

## 17TH HONOR FLIGHT OF HONOR FLIGHT NORTHERN COLORADO

Mr. GARDNER. Mr. President, today I wish to honor the veterans of the Honor Flight Northern Colorado and the organization's 17th trip to Washington, DC. More than 120 veterans have traveled to our Nation's Capital to visit the memorials that stand in their honor. This group includes veterans from various wars and generations, but all are linked by their service to our country.

Ten years ago, the Honor Flight was created to fly veterans that had served

in World War II to Washington, DC, so they could visit the World War II memorial. Now, the Honor Flight welcomes veterans from across the country to fly to Washington, DC, free of charge, to visit the memorials of the wars in which these heroic veterans fought. No words are sufficient to show the gratitude and respect we all have for the courageous men and women who have protected our Nation. These veterans have preserved our rights to life, liberty, and the pursuit of happiness.

Of the 123 veterans on the most recent honor flight, 20 served in World War II, 34 served in Korea, and 69 served in Vietnam.

Please join me in honoring Fredric Arnold, Gene Bennett, C.H. Clark, Lillian Crosley, Raymond Dickey, Darwin Dixon, James Edmisten, Jimmie Godsey, Louis Hamman, Delbert Haynes, John Hess, Robert Horton, Dolores Kochheiser, Harry Maroncelli, Elmer McGinty, Frank Occhiuto, Robert Schueneman, Raymond Valadez, William VanBeber, William Way, Richard Bernhardt, Harold Bohm, Lee Boylan, George Brandt, Casper Brixius, James Comer Jr., Russell Daniels, Ralph Darrough, Ross DeBey, Garold Fox, S. Gilbert Garcia, Ronald Gillam, William Harrison, Virgil Hecker, Allan Hedberg, Dennis Lance, Gordon Leben, Albert Lowe, Jimmy Martin, Francis McKenna Jr., Ernest Medialdea, James Montgomery, Delmer Moss, James Petrie, William Pool, Carroll Quick, Robert Ray, Kennedy Roode, Al Schott, William Sherman, James Shuey, Donald Trettenero, Herbert Wenger, Eugene Ziehme, Roy Armstrong, Wilbur Boegli, Cary Bott, Thurman Bradley, Claude Buehrle, Robert Bullard, John Carpenter, Terrence Carroll, Robert Cofone, Larry Coldren, Paul Conley, Byron Daniels, Robert Davis, Mark DeDecker, Michael Doherty, Gary Dorsey, Mark Drake, Dale Eggleston, Jerry Eldred, Gary Ellerman, Daniel Ferguson, William Fisher, Roy Friesen, Glenn Fulcher, Glenn Gaines, Jerry Graham, Paul Graves, Dwight Gutsche, Percy Hamilton II, Christopher Harris, Robert Hawkey, William Hellyer, Thomas James, Normann Kegerreis, Michael Krier, LeRoy Lawson, Harold Lif, Peter Lister, Jimmy Lofink, William Margheim, Dallas Maurer, Kevin McGrath, Richard Miller Jr., David Naylor, Wesley Nelson, Richard Norris, Larry Perkins, Robert Randall, Danny Robinett, Robert Rutz, Robert Schrader, Billy Schwindt, Jackie Scott, David Sellers, David Shigley, Tommy Silva, Kenneth Skoglund, Darrell Smith, John Smith, Farrell Spencer, Edward Stephens, Stanley Suichta, Martin Trembl, Kerry Tyler, Linda Tyler, Daryl Vande Hoef, Thomas White, Terry Willert, and John Young.

## TRIBUTE TO CAPTAIN R. ANDREW MURRAY

Mr. TILLIS. Mr. President, I rise today to recognize the military service

of CAPT R. Andrew Murray on the occasion of his retirement from the U.S. Coast Guard. I commend Captain Murray's Coast Guard career and offer my thanks for his 35 years of faithful service to our country. Although he has gone ashore for the last time as a coastguardsman, his commitment to public service continues in North Carolina. As a civilian, Captain Murray has acted as the elected district attorney of Mecklenburg County since 2011.

Captain Murray enlisted in the Coast Guard in 1980, serving 6 years of Active Duty as an aviation electronic technician and helicopter flight crewman. He then became a Reservist and received a commission as an officer through the Reserve Officer Candidate Indoctrination School, ROCI.

Meanwhile, Captain Murray graduated from the University of North Carolina at Charlotte in 1992 with a bachelor of arts in political science. He received a juris doctorate from the University of North Carolina School of Law, and he is a member of the North Carolina Bar.

Throughout his career as an attorney and eventually as district attorney of Mecklenburg County, Captain Murray also served in a number of roles as a Reserve officer. He acted as the senior Reserve officer of Group Charleston, SC; a senior analyst for the Coast Guard Counter Terrorism and Defense Operations Unit; and the senior Reserve officer of Sector Charleston, SC.

As a Reservist, Captain Murray has also been called to Active Duty. In 2013, he received the call to serve as the legal adviser for the Gulf Coast Incident Management Team in New Orleans, LA, where he contributed to Operation Deepwater Horizon, the Federal cleanup effort for the massive oil spill of 2010.

Captain Murray most recently served as the Western Rivers and Coastal Region senior Reserve officer for the Eighth Coast Guard District. He was responsible for monitoring the readiness of 870 Reservists assigned to the Coast Guard's Eighth District, which comprises of seven sectors, spans 26 States, and covers more than 12,000 miles of river and coastline. His outstanding leadership assured the availability of a robust reserve capacity to respond to all subsequent contingencies, including a 30,000-gallon fuel spill and extreme Midwest regional flooding. At his recent retirement ceremony, Captain Murray was honored with the Coast Guard Meritorious Service Medal for his leadership in this post.

Captain Murray's other decorations include three Coast Guard Commendation Medals, the Coast Guard Achievement Medal, and the Coast Guard 9/11 Service Medal.

I offer Captain Murray my warmest congratulations and appreciation for the many years he has spent protecting this Nation, saving lives, and performing his faithful duty as a U.S.

Coastguardsman. I ask my fellow Senators to join me in saluting Captain Murray for his service.

#### REMEMBERING HENRY SHELTON

Mr. REED. Mr. President, today I wish to recognize and honor the life and significant accomplishments of Henry Shelton, a tireless advocate for Rhode Island's poorest citizens, who passed away on September 21, 2016. Our world is a better place because Henry was in it, and he will be sorely missed.

Born and raised in Central Falls, RI, Henry served as a priest in Providence, where he began his lifelong fight for those in need. After leaving the priesthood, he led the Coalition for Consumer Justice and founded the Pawtucket-based George Wiley Center, where he served as director for over 30 years. Henry empowered low-income Rhode Islanders to push for social change and policies to alleviate poverty and provide access to basic needs. He truly put the word "active" into activism. From protesting in the street to arguing in the courtroom, Henry made a difference in the causes he championed, including securing bus passes for the elderly, working to provide free school breakfast and summer meals for low-income children, and promoting access to unemployment services, to name a few.

Henry Shelton's legacy is perhaps most felt in his work to lower utility costs and to help low-income families with their energy bills so that their heat or electricity was not turned off. New England winters can be particularly brutal. Henry understood that paying utility bills is a real struggle for those who are trying to make ends meet. His mission was to make sure that no one was left out in the cold. He was a vocal supporter of the Low Income Home Energy Assistance Program, LIHEAP, which I too have long championed, to provide vital assistance to help low-income households, seniors, and veterans pay their energy bills. Accessing this assistance is not automatic and each year individuals have to prove their eligibility. That takes a lot of work by dedicated individuals on the ground who help people enroll and get the assistance they need. Henry was unrelenting in working for each and every person who needed help.

Henry played this essential role by bringing LIHEAP funds and protections across the finish line. He worked to make sure families understood their rights, could navigate the utility assistance process, and were able to access payment forgiveness plans when needed. Indeed, Henry was such an effective advocate that when Rhode Island State lawmakers passed a bill allowing for a utility payment-forgiveness program for low-income, disabled, and elderly Rhode Islanders, they named it the Henry Shelton Act.

Henry received a number of awards for his work, including the Providence Newspaper Guild's John F. Kiffney

community service award, which is given to a Rhode Islander "whose caring, courage and humor light the way for those who follow," and he was inducted into the Rhode Island Heritage Hall of Fame in 2015. Despite his many accomplishments, Henry was exceptionally humble, never seeking praise or recognition for his work to help others.

I ask that my colleagues join me in remembering Henry Shelton, who was kind, caring, courageous, and passionate about helping and empowering those who were less fortunate. I offer my heartfelt condolences to Mr. Shelton's wife, Carol; his sisters Rosemarie and Catherine; his five children, Joseph, James, Patrick, Eamon, and Caitlin; and grandchildren, Benjamin, Mathew, Henry, Emmett, Frederic, and Felicity. I know that Henry's constant example of good will and selflessness will continue to sustain and inspire his family and all of us.

#### REMEMBERING ERIC VON BROADLEY

Ms. BALDWIN. Mr. President, today I wish to honor the life and legacy of Eric Von Broadley, known throughout the country as Eric Von, whose untimely passing at the age of 58 has left the Milwaukee community without one of its most thoughtful African-American leaders. Over the last three decades, Eric Von has been a bridge builder, a healer, and an important voice in Milwaukee's African-American community.

Eric was a 25-year veteran of the radio industry, starting his career as a disc jockey and then moving into news as a reporter and anchor. He served as the business manager for Radio One in Washington, DC. Then, when his career took him from Washington, DC, to Milwaukee, he became the director of operations for the former 1290 WMCS radio.

It did not take long before local news programs sought out his gravitas as a commentator. Eric became a regular panelist on Wisconsin Public Television's Interchange and the cohost of "Black Nouveau." Milwaukee ABC network affiliate, WISN Channel 12, turned to Eric's influence in the community to motivate people to vote in local and national elections. Eric became a special assignment reporter and cohost of "It's Your Vote," a weekly political affairs show which featured candidate forums, debates, and voter education information.

Beyond broadcast journalism, Eric was the managing partner of the public relations firm he founded, Von Communications. In addition, Eric Von and his wife, Faithe Colas, cofounded an online health magazine committed to improving the health of African-American men, known as Brain, Brawn & Body.

Eric was a fearless opinion leader. As a broadcast journalist, he spoke frankly and from the heart on the day's most controversial social and political

issues. He was brave enough to take on the stereotypes and misconceptions that divide Milwaukee and do it in a way that earned the respect of even his strongest detractors. And in a city where inflammatory talk radio is prevalent, his was a voice of reason in the debate over inequality and injustice.

He was known for speaking the truth about Milwaukee's racial divide and using his platform as a vehicle for positive change. Just last month, I had the honor of speaking with Eric about the recent unrest in Milwaukee's Sherman Park neighborhood that was tied to lack of job opportunities in the central city. We discussed how we could work together to bring healing to the city, and we promised to speak again soon to find solutions that will build a stronger Milwaukee community.

Eric Von was the loving husband of Faithe Colas; father of Erica Broadley, Bria Culp, and Paige Colas; and grandfather to Domonic Patten and Erielle Taylor. He leaves behind a host of family and friends that truly loved him and will miss him dearly.

As we honor the life of Eric Von Broadley, I join with mourners across the Milwaukee community in pledging to continue Eric's fight for equal opportunity and to honor his legacy of action.

#### TRIBUTE TO DAVID AND LIANE PHILLIPS

Mr. PORTMAN. Mr. President, today I wish to recognize cofounders David and Liane Phillips on the 20th anniversary of Cincinnati Works.

Cincinnati Works began with the dream of founders Dave and Liane Phillips to eliminate poverty in the community. As a result of significant research and review of best practices in workforce development programs across the Nation, a program model was developed which focused on job retention and advancement rather than simply job placement.

Since its opening in 1996, Cincinnati Works and the Phillipses have helped to provide hope and encouragement for thousands of people living in poverty, assisting in advancing self-sufficiency through employment.

Cincinnati Works offers a comprehensive approach to eliminating poverty in the Tri-State area through a network of job services and employer partnerships. The contributions and dedication the organization has shown is commendable and continues to be a vital asset in the community.

I applaud the outstanding commitment of David and Liane and all who were involved in reaching this milestone. I congratulate and thank them for making the first 20 years of Cincinnati Works a success.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO JOHN G. CENTANNI

• Mr. BOOKER. Mr. President, today I wish to recognize John Centanni, a

firefighter, lifelong Newarker, and friend who is retiring from the Newark Fire Department after 30 years of dedicated service. A true public servant, John has guided the Department since 2010, providing steady leadership during a critical time.

John G. Centanni was born to John and Pamela Centanni on July 25, 1965, in Newark, NJ, where he was raised with his younger sisters, Marlene, Angela, and Cassandra, in the city's North Ward. In 1986, at the age of 20, John fulfilled a childhood dream when he became a Newark firefighter. Over the three decades that followed, John advanced through the ranks, serving as captain, battalion chief, deputy chief, chief of staff to the battalion director, and finally, fire chief.

Assigned to Engine 6—one of our Nation's busiest—John quickly became known for his exceptional work ethic and commitment to safety. As a firefighter, he earned numerous commendations for courage, valor, and heroism, including two Individual Lifesaving Awards from the Newark Firefighters Union. In 1992, he was inducted into the Police and Firemen's Insurance Association Heroes Hall of Fame, in recognition of his lifesaving work.

In 2010, John's substantial experience, impressive record of leadership and service, and great reputation among his fellow firefighters made it easy for me to select him as Newark's fire chief. During his tenure at the helm of New Jersey's largest municipal fire department, John was instrumental in securing Federal funding for equipment upgrades and maintaining crucial relationships and mutual aid agreements with sister fire departments. These accomplishments made Newark and our State safer, saving countless lives.

John will retire from the city of Newark on October 21, 2016. His career of three decades, spent exclusively with the Newark Fire Department, has been marked by incredible heroism and service. It is a true honor to formally recognize Fire Chief John G. Centanni for the contributions that he has made to the citizens of Newark throughout his career, thank him for his tremendous service, and wish him happiness in a well-deserved retirement.●

#### TRIBUTE TO STANLEY S. FINE

● Mr. CARDIN. Mr. President, it gives me great joy to congratulate a dear friend, Stanley S. Fine, who is being rightfully honored next month by the Baltimore District Council of the Urban Land Institute, ULI, with its 2016 Lifetime Achievement Award. The Lifetime Achievement Award is given to an individual who has been a recognized leader in the development community; who has touched all aspects of development including acquisition, design, finance, and implementation; who has volunteered his or her time and/or resources to help advance the industry; and who commands the admiration and

respect of his or her peers for lifetime accomplishments. I doubt there is any other individual as deserving as Stanley, a native Baltimorean, to receive this recognition.

My wife, Myrna, and I have known Stanley since we were all in junior high school. One of the most important things to know about Stanley is that he is always ready to offer a helping hand. I doubt any of us know just how many people Stanley has helped over the years; because of his inherent modesty, he never seeks acknowledgment or recognition or accolades. In 1982, Stanley's wife, Bailey—a dedicated and accomplished public servant—ran my reelection campaign to the Maryland House of Delegates and then served as my campaign aide during my first congressional race in 1986; as my district director for 20 years; and, finally, as my State director during my first term in the Senate before she retired at the end of 2012. Stanley and Bailey will be celebrating their 45th wedding anniversary on November 28. They have two lovely adult children, Michael and Laura, and three grandchildren. Michael and his wife, Whitney, have two daughters, Riley and Blakely; Laura and her husband, Ben Liebman, have a son, Eli.

Stanley is a partner in the law firm of Rosenberg Martin Greenberg, LLP. He has been representing developers and businessowners in high-profile Baltimore city land use and zoning matters for 35 years. The city's skyline and neighborhoods, from office buildings to shopping centers and local businesses, from industrial buildings and office parks to neighborhood restaurants, reflect Stanley's tremendous impact on Baltimore. Over the years, Stanley has cultivated long-term relationships with developers, engineers, architects, attorneys, planners, city and State officials, preservationists, conservationists, and others engaged in real estate development. These relationships, coupled with Stanley's legal acumen and personal commitment to the city of Baltimore, have helped him to bring prominent and challenging commercial, industrial, and residential projects to realization. Stanley is a consensus-seeker and always finds creative solutions for each project—solutions that serve the interests of his clients, the government agencies involved, the community, and other stakeholders. As ULI Baltimore District Council coordinator Lisa Norris stated, "Throughout Stanley's career his priority has been to make the City of Baltimore a better place in which to live and work."

Stanley is a cofounder of the Baltimore Development Workgroup and previously served as the director of the Maryland State Lottery Agency and chairman of the Maryland State Lottery Commission. He is a former member of the Baltimore City Planning Commission and president of a community association. Best Lawyers in America magazine has recognized

Stanley as "Land Use & Zoning Lawyer of the Year" for 2011 through 2014 and as one of Maryland's top land use and zoning attorneys in the 2007 through 2017 editions. And he has made the list as one of "Maryland's Super Lawyers" in the 2007 through 2013 and 2015 through 2016 editions of Baltimore Magazine. Stanley received his B.A. from Johns Hopkins University in 1965 and his J.D. from the University Of Maryland School of Law in 1969.

In addition to being a superb lawyer, Stanley is an exceptional athlete. While he was a freshman at Johns Hopkins, he played in the first game of Baltimore's box lacrosse league, televised live in 1962, and scored a game-high four goals for his club team, which won the game. At the university, he was the backbone of a tenacious midfield for the Blue Jays varsity lacrosse team and joined the Phi Sigma Delta fraternity.

I think Stanley's colleague Benjamin Rosenberg, the founder and chairman of Rosenberg Martin Greenberg, summed it up best, saying:

... this award is long overdue recognition of the major role Stanley has played in the life of our City. Over the past several decades there have been very few significant real estate developments in Baltimore that Stanley has not had an important hand in. He has also been a behind the scenes confidante and sounding board for virtually every public official at the State and local level. They rely on Stanley for practical, discreet advice and counsel. Take a walk over to City Hall or a trip to the State House with Stanley and you'll see what I mean. While some people may think of Stanley as Bailey's sidekick or Michael and Laura's dad or one of the greatest left-handed shooters who ever played lacrosse, wherever you look at bright spots in Baltimore, chances are you'll see something that Stanley has helped bring about.

The epitaph in St. Paul's Cathedral for Sir Christopher Wren reads, in part, "si monumentum requiris, circumspice," which means "if you seek his monument, look around you." What is true for Christopher Wren in London is true for my friend Stanley Fine in Baltimore. I ask my fellow Senators to join my wife, Myrna, and me and Stanley's colleagues, peers, family members, and his legions of friends and admirers in congratulating him on receiving such a richly deserved Lifetime Achievement Award from ULI Baltimore.●

#### REMEMBERING CHARLES CAWLEY

● Mr. CARPER. Mr. President, on behalf of Senator CHRIS COONS and Congressman JOHN CARNEY of Delaware, I would like to set aside a few minutes today to reflect on the life and work of the late Charles "Charlie" Cawley. He was a Delawarean who created a division called Support Services to employ hundreds of people with intellectual or developmental disabilities and enhance their quality of life as employees of MBNA Corporation, the successful credit card business he founded which was later acquired by Bank of America in 2006.



Charlie made it his mission to give back to the communities in which he and his employees lived. Over the course of more than two decades, his company and its employees gave more than \$50 million to organizations and innumerable worthy causes. One major way that Charlie and the people of MBNA helped transform those communities was through a division of MBNA called Support Services. Now a division within Bank of America, it currently employs more than 300 associates with intellectual or developmental disabilities at Bank of America offices in Delaware, Maine, and Texas. These employees handle a variety of tasks, some of which include manual package assembly, performing quality control on automated teller machines, printing t-shirts, letter folding, and mailing and processing detailed, confidential documents. Employees receive a competitive salary, full benefits, and the opportunity to grow professionally and build relationships with mentors at the bank.

It all began when Charlie was out to dinner with friends who felt their disabled son had little opportunity for employment and independence, so Charlie hired their son—and three others—and not long after, Support Services was born. Charlie knew there was value to this division, and with an abiding commitment to supporting individuals with disabilities, he grew the division to more than 200 employees. When Bank of America acquired MNBA, the division could have been downsized or even eliminated; however, Bank of America's vice chairwoman Anne Finucane saw an opportunity to involve Support Services in more aspects of the bank's businesses, not less, so the program was expanded even further.

Contributing significantly to the success of Support Services is that its employees are treated the same as other employees of the bank. Managers look at the team as a whole, determine what skills each member possesses, and then provide the conditions needed to foster success. Doing so has helped to ensure that the efforts of Support Services employees, which require near perfect accuracy and high efficiency rates, are met with success. In the early years of the division, many clients of Support Services were skeptical that people with disabilities would be able to complete the very meticulous and time-sensitive tasks in which this division specializes; however, those high expectations are always met and very often exceeded.

Support Services is a quiet gem that has given hundreds of employees the opportunity to build confidence and independence. It is a blessing in their lives. From recognizing project accomplishments, milestones, and promotions, to celebrating weddings and the birth of children, there is no shortage of success stories to come out of such a positive and impactful area.

Support Services is more than a division of the bank; it represents an op-

portunity to make a meaningful contribution every workday of their lives. Support Services has survived mergers and acquisitions because the potential value that Charlie once envisioned over dinner with his friends many years ago has been enthusiastically embraced by a new generation. Sadly, Charlie passed away in 2015, but his legacy of giving lives on through this program and its employees who together comprise the Charles M. Cawley Support Services team. Long may they serve.●

#### TRIBUTE TO GEORGE TAKEI

● Ms. HIRONO. Mr. President, "Oh Myyy!" My friend George Takei is being honored with the National Asian Pacific American Bar Association's, NAPABA, Inspire Award. In addition to his many contributions to the arts, George has been on the forefront for decades, fighting for those who don't have a voice.

When he was just 4 years old, the trajectory of George's life changed forever. His family and nearly 120,000 other Japanese Americans were declared enemy aliens and were forcibly removed from their homes for the duration of World War II. George's family packed up their entire lives into one suitcase and endured harsh living conditions in ramshackle internment camps.

The internment of Japanese Americans remains one of our country's darkest moments, and George has made it his life's work to educate a new generation of Americans about the importance of protecting fundamental rights.

George's most ambitious endeavor, "Allegiance," a musical on the internment, exposed a new audience to the shock, humiliation, anger, and resolve of one family, the Kimuras, who were interned in Heart Mountain, WY. As for others, the Kimura's internment harm didn't end when the war did. There was irreparable damage to the family's unity, hopes, and dreams.

In a TED Talk, George recounted the heroism of Japanese Americans who volunteered to serve in the military despite being declared enemy aliens. Their segregated units—the 442nd Regimental Combat Team, the 100th Battalion, and the Military Intelligence Service—remain some of the most decorated units in the Army.

"They gave me a legacy, and with that legacy comes a responsibility, and I am dedicated to making my country an even better America, to making our government an even truer democracy, and because of the heroes that I have and the struggles that we've gone through, I can stand before you as a gay Japanese-American, but even more than that, I am a proud American."

George is also a tireless advocate for and leader in the LGBT community. In 2005, George bravely stood up to conservative attacks on marriage equality by publicly coming out as gay. In 2008, he and his husband, Brad, became the

first LGBT couple in West Hollywood to apply for a marriage license. More than a decade later, America has caught up to George, and marriage equality is the law of the land.

George has demonstrated a lifelong commitment to stand up for people who don't always have a voice. And this award is as much a recognition of the work he will continue to do as much as for what he has already done.

Congratulations, George, on a well-deserved honor.●

#### RECOGNIZING BARRY CONCRETE, INC.

● Mr. VITTER. Mr. President, family-owned small businesses have a strong tradition in Louisiana and are the backbone of the business community. This week I would like to recognize Barry Concrete, Inc., of Lafayette, LA, as Small Business of the Week, which has been family-owned for three generations.

Barry Concrete was founded in 1947 by Charles Weldon Barry, Sr., better known as "Tex." After working as an electrician in the New Orleans Higgins Boat factory during World War II, Tex returned to his native Lafayette and established Barry Concrete. He successfully ran the company until his retirement in the late 1970s, when his son Charles Weldon Barry, Jr., better known as "Buzzy," took the reins. Upon Buzzy's untimely death in 1991, his wife, Bonny, continued to run the business, persevering in the face of great difficulties in order to help her sons attend college. After all three Barry sons—Mitch, Patrick, and Brady—graduated, they each joined the family business and today oversee day-to-day operations as CEO, VP of operations, and quality control manager respectively.

With four locations in Breaux Bridge, Lafayette, New Iberia, and Opelousas, Barry Concrete is well-positioned to provide concrete for a range of jobs in the Acadiana region. Barry Concrete is a nimble operation that can pour concrete on any scale, from residential driveways and wheelchair ramps to bridges, and even helped build the University of Louisiana-Lafayette's Cajundome.

Congratulations, again, to the Barry family and the employees of Barry Concrete, Inc., for being selected as Small Business of the Week and for carrying on Louisiana's tradition of family-owned small businesses.●

#### RECOGNIZING BRAIN FREEZE SNOWBALLS

● Mr. VITTER. Mr. President, Louisianians are constantly looking for a way to cool off from the summer heat, and one of the most popular ways to do so is by enjoying an ice-cold snowball. This week, I would like to recognize Brain Freeze Snowballs of Broussard, LA, as the Small Business of the Week. A stay-at-home mom, Kristi Broussard found herself with a lot of

extra time once her daughter was old enough to go to school. With the neighborhood snowball stand recently vacated, Kristi and her husband, Colby, decided to buy the stand in 2014 and share their family's 50-year-old snowball recipes with the local community, including the popular Cheesecake Stuffed Snowball. Kristi and Colby bought a bright orange trailer and parked it on West Main Street and, since its opening, has attracted a loyal clientele that grows each year.

Today Brain Freeze Snowballs is in the process of expanding to a new portable building, which will allow customers to try their snowballs without waiting in line on the side of a major road. The new building will complement the original bright orange trailer that is still used for local fairs and festivals.

Congratulations again to Brain Freeze Snowballs for being selected as Small Business of the Week, and I look forward to your continued growth and success.●

#### RECOGNIZING CELTIC MEDIA CENTRE

● Mr. VITTER. Mr. President, the people and businesses of Louisiana have continued to display remarkable strength, perseverance, and selfless service throughout the ongoing flooding and fallout in the State. Celtic Media Centre is certainly no exception to this outpouring of help and determination in its efforts to aid the community, and for this reason, I would like to recognize this fine company as Small Business of the Week. Without its willingness to accommodate any and all victims at a moment's notice, over 2,000 people would have been left to weather the catastrophe alone and with no roof over their heads.

Celtic Media Centre, CMC, was founded by Brendan O'Connor in 2005 and has become the largest film and television production studio in the State of Louisiana. A Baton Rouge-based company, CMC originally catered exclusively to the smaller independent film industry. However, after continued success and expansion, the company now boasts an impressive resume, including major productions such as "True Blood" and "Twilight Saga: Breaking Dawn Parts 1 and 2." Brendan's son Michael took over as president and CEO after his father's unfortunate passing in 2009, and Patrick Mulhearn was brought on as the executive director of studio operations. Under their leadership, the studio has blossomed into what it is today.

The recent flooding in Louisiana is not the first time that Michael and Patrick teamed up to help the community. In 2012, after signing an agreement to aid the Red Cross during disasters, CMC provided shelter to over 500 Red Cross volunteers in the aftermath of Hurricane Isaac. This experience became vital for the much bigger task they had to face during the recent

floods. Although no State or Federal contract was in place in advance, Mr. O'Connor gave Patrick the green light when a phone call came through from the Office of Emergency Preparedness at 3:05 a.m. August 14 to do whatever was necessary to help the increasing number of victims seeking shelter. Despite no time to prepare, CMC opened all its facilities and the buses of evacuees began to arrive at 5 a.m. Not only did Celtic take in over 4,000 evacuees at high water mark the first day and sheltered over 2,500 at night, they also welcomed all pets due to their long-standing pet-friendly policy. Although at first a struggle to provide anything but a roof and water, the operation ultimately expanded to include countless generous individuals and other companies throughout the area. Guests were able to enjoy a wide range of free desserts, gourmet coffee, moon bounces for the kids, live music, and even a special visit from the LSU football team. In addition, CMC was not only willing to host these thousands of victims and families, but the last evacuees did not leave until 12 days later. During one of the most trying times in Louisiana history, Celtic Media Centre not only showed its resolute dedication to the Louisiana community but did so for nearly 2 weeks straight. CMC is a remarkable example of true community spirit and selfless service.

I would like to extend my humble gratitude to Celtic Media Centre for its tremendous efforts in service to the Louisiana families and communities affected by the horrific flooding. Actions like theirs truly embodies the American spirit of unity and service that is required in such times of need. I wish them the best in their ongoing recovery efforts and continued growth and success in the business world.●

#### RECOGNIZING CENTRAL CRUDE OF LAKE CHARLES, LOUISIANA

● Mr. VITTER. Mr. President, Louisiana plays a major role in keeping our Nation powered up and running, and our natural resources industry provides many crucial jobs to residents of the Bayou State. This week, I would like to recognize Central Crude of Lake Charles, LA, as Small Business of the Week.

Central Crude was founded in 1974 with the goal of safely transporting crude oil while minimizing the environmental impact. Over the next two decades, Central Crude added numerous oil pipelines and terminals in order to expand their transportation capabilities and customer base in southwest Louisiana. In 2000, Central Crude expanded again by adding a state-of-the-art gas gathering system, which allowed them to provide full service capabilities to the natural gas market for the first time.

Today, Central Crude operates 7 pipelines, a 260,000-barrel tank farm, a rail and barge terminal, and a trucking division. With the addition of these as-

sets, Central Crude has been able to grow their business considerably, creating even more Louisiana jobs. The company now participates in the marketing and transportation of natural gas along with crude. Under the leadership of CEO Steve Jordan, this small business's consistent growth and expansion has made the company the largest privately owned crude oil purchaser in Louisiana.

In addition to the excellent services they provide to the oil industry, I would also like to recognize Central Crude for their commitment to the highest level of customer service through their honesty, integrity, and reliability and for their consideration to all aspects of the community in which they serve. Congratulations again to Central Crude for being selected as Small Business of the Week, and I look forward to your continued growth and success.●

#### RECOGNIZING CLEGG'S NURSERY AND NAYLOR'S HARDWARE AND GARDEN CENTER

● Mr. VITTER. Mr. President, in the ongoing fight to rebuild much of south Louisiana after the devastating losses we experienced from widespread flooding, I am proud of the perseverance, resilience, and spirit of service clearly present amidst the efforts to restore and rejuvenate our great State. As such, I would like to recognize Clegg's Nursery and Naylor's Hardware and Garden Center of Baton Rouge, LA, as Small Business of the Week.

Following the deadly, unprecedented flooding in south Louisiana this August, Clegg's Nursery has permanently merged businesses with Naylor's Hardware and Garden Center, whose facility was severely damaged. Their joint determination and commitment to helping other local businesses has inspired the Baton Rouge community to maintain a positive and selfless attitude and continue to lend helping hands to friends and neighbors during this time of loss and recovery.

In 1955, Sam and Effie Clegg founded Clegg's Nursery in Baton Rouge, LA. They began by selling just a few plants from an empty lot on Florida Boulevard, but this quickly led to the opening of a small garden center on North Donmoor in Baton Rouge's Lobdell-Woodale neighborhood. In 1981, Sam Clegg sold the business to his son Marshall, who then expanded the family business to two other locations in Baton Rouge. In 1999, Clegg's was again sold to current managers, Scott Ricca and Tom Fennell, who dedicated themselves and the company to the same values, mission, and passion for gardening that both Sam and Effie Clegg envisioned over 40 years before. What started out as a plant stand in an empty lot has now developed into a wholesale growing operation with several locations throughout the Baton Rouge area.

Today Clegg's owns over 40,000 square feet of commercial greenhouse space,

with a dedicated staff committed to providing customers with the best locally grown plants in Baton Rouge. Amidst the devastating thousand-year flood disaster that has plagued our State in recent weeks, Clegg's has led by example and embodied the true spirit of service, specifically through its aid to Naylor's Hardware and Garden Center, another local hardware and garden store in the area. Following the storm, Naylor's was left completely and irreparably destroyed. Clegg's offered immediate help to its fellow company by giving jobs to several of Naylor's employees, including its owner, Johnny Naylor, and now is merging with the successful Naylor establishment to continue to supply the Baton Rouge community with the same great products and customer service all under one roof. Despite the tragic circumstances, Naylor's has found new life through Clegg's, which is a prime example of service, unity, and true community support.

I would like to extend my deepest condolences to the friends and families of Naylor's for the loss of their business, while expressing profound admiration toward Clegg's for its remarkable display of true Louisiana strength and helping others in the community during this time of need. I am honored to name Clegg's Nursery and Naylor's Hardware and Garden Center as Small Business of the Week. I wish them all the best during this time of recovery and look forward to seeing their new growth and success as they embark on a new business venture together.●

#### RECOGNIZING GREAT RAFT BREWING CO.

● Mr. VITTER. Mr. President, over the past several years, small locally owned breweries have exploded in popularity across the country, and Louisiana is no exception to this trend and is home to a number of small breweries that have gained regional and national success. As such, I would like to recognize Great Raft Brewing Co. of Shreveport, LA, as this week's Small Business of the Week.

In 2013, Andrew and Lindsay Nations opened Great Raft Brewing in Shreveport's historic Highland neighborhood with the mission of creating fresh craft beer that complemented the lifestyle and cultures of northwest Louisiana. Having fallen in love with craft beer while living in Washington, DC, the Nations set out to share their passion with their native northern Louisiana. In October 2013, Great Raft Brewing Co. made history by selling the first locally made beer in Shreveport since Prohibition and quickly cemented themselves as a new pillar of their community.

Named for the "Great Raft" logjam that once prevented travel along the Red River, Great Raft Brewing remains committed to their community, hosting numerous charity and festival events each year and representing

northwest Louisiana culture at events around the county. In late 2013, Great Raft Brewing Co. opened their tasting room, originally serving their three flagship brews before expanding to offer a number of limited release and seasonal beers. In a span of 3 years, Great Raft Brewing Co. has been able to expand to a level that allows them to distribute their beer all around the State of Louisiana, as well as garnering regional and national success, including being recognized as one of the South's Best Breweries by Southern Living Magazine, a Best American Lager by Food & Wine Magazine, a Best Coffee Beers in the World by Men's Journal, and numerous other recognitions in State, local, and national publications.

Congratulations to Great Raft Brewing for being named this week's Small Business of the Week. I have no doubt that this local brewery will continue to thrive and provide great beer for the people of Louisiana in the years to come.●

#### RECOGNIZING HAIR FACTORY

● Mr. VITTER. Mr. President, in Louisiana, football is a way of life, with the players often competing to be seen as role models to the young folks in our community. The Louisiana State University Fighting Tigers, arguably one of the best college football teams in the country, is a prime example of this and boasts many outstanding players that influence and inspire their community, State, and Nation. This week, I would like to recognize the ventures of one such student athlete as Small Business of the Week. For his commitment to serving the Baton Rouge community and inspiring entrepreneurship among young folks across Louisiana, I am very proud to honor Lewis Neal and Hair Factory of Baton Rouge, LA, as the Senate Small Business of the Week.

North Carolina native Lewis Neal isn't your typical entrepreneur. A senior at LSU this year, Neal began his entrepreneurial endeavors in high school when he participated in day trading on the Foreign Exchange market, something he continues to do. Neal's entrepreneurial talent led to him and a friend creating a smartphone app, and his love for the city of Baton Rouge inspired him to recently become co-owner of Hair Factory, joining Joan Campbell, whose family opened the local salon in 1986. After the police shooting in July rocked the Baton Rouge community, Neal and Campbell showed their commitment to their community by offering free Hair Factory haircuts to local members of the military, along with first responders and their families.

Congratulations to Lewis Neal, Joan Campbell, and the entire Hair Factory team for being selected as the Small Business of the Week, and I thank them for their commitment to the Baton Rouge community and providing for those who serve us daily.●

#### RECOGNIZING HAYES MANUFACTURING

● Mr. VITTER. Mr. President, for over 60 years, one small business based out of Pineville, LA, has played a major role in building central Louisiana and creating hundreds of jobs along the way. This week, I would like to recognize Hayes Manufacturing as Small Business of the Week.

In the early 1950s, James Hayes, Sr., worked in a local fabrication shop and quickly realized that he could produce a better product on his own. Working out of his garage with a welding machine mounted on a Model-T Ford, Hayes, Sr., established his namesake manufacturing small business in 1954. Over the next two decades, Hayes, Sr., acquired a small machine shop and successfully provided steel manufacturing products for central Louisiana. In 1972, his son James Hayes, Jr., joined the family business, and was shortly followed by his brother Cliff. Under their combined leadership and vision, Hayes Manufacturing has grown to become one of the highest regarded steel fabrication shops in the south.

Today Hayes Manufacturing is one of three divisions under the Hayes Companies, which is operated out of a 13-acre property in Pineville. Hayes Manufacturing regularly partners with the local community to give back. Following the deadly, historic flooding in south Louisiana this August, Hayes Manufacturing organized volunteers to help Baton Rouge families repair their flooded homes. Hayes Manufacturing has also worked with the State and local governments in public-private partnerships that build Louisiana's infrastructure and grow hundreds of direct and indirect jobs. In 2011, as the CEO of the Hayes Companies, James Hayes, Jr., was awarded Small Business Person of the Year by the Central Louisiana Chamber of Commerce.

Congratulations to the entire team at Hayes Manufacturing for being selected as Small Business of the Week, and I look forward to your continued growth and success.●

#### RECOGNIZING HOOK & BOIL

● Mr. VITTER. Mr. President, with the recovery of the south Louisiana community underway, I would like to recognize Hook & Boil of Broussard, LA, as Senate Small Business of the Week. The folks at Hook & Boil played a significant role in serving its neighbors during the recent devastating floods and its selfless action in the midst of such widespread devastation is a shining example of the commitment to community and service among all Louisianians.

Mark Alleman, a third-generation crawfish famer and chef, began his culinary career by starting his own catering company, Cravin' Cajun Seafood. His skillful combination of Cajun flair with a wide range of local ingredients caught on quickly, and its tremendous

success led Mark to expand his operations into Hook & Boil, the full-scale restaurant and catering business we know today. The new Hook & Boil strives to provide the ultimate Cajun experience. This experience, however, would be incomplete without a strong bond and commitment to the greater Broussard community.

This commitment was on full display during the recent fallout from the tragic flooding of southern Louisiana. Despite waters rising to over an inch in his own house, Alleman and his team at Hook & Boil served over 2,000 meals to those in need. With a crew of three Hook & Boil employees and a few locals with high vehicles, the team delivered food to affected neighborhoods throughout the community. Although the Hook & Boil team was small, its impact was wide-ranging and felt throughout the entire city.

This generosity and service is deserving of the deepest gratitude and respect, and I would again like to give my sincerest thanks to Hook & Boil for its remarkable service and action during such a tragedy. This showcase of service has not only bolstered community pride but shines as a light and tremendous example of unity, compassion, and human spirit. I look forward to your continued growth and success.●

#### RECOGNIZING KELLY PLUMBING

● Mr. VITTER. Mr. President, family-owned small businesses are essential to keeping our homes and businesses running and providing much needed jobs in our local communities. The skill set and level of service from these small businesses drive our communities to succeed and are the backbone for our economic success. This week, I would like to recognize Kelly Plumbing, Inc., of Monroe, LA, as Small Business of the Week for their commitment to customers and exceptional service in northeast Louisiana.

Kelly Plumbing was founded in 1928 by Ernest and Vivian Kelly in their hometown of Monroe. Since 1928, the company's focus on customer satisfaction not only makes them a premier plumbing service but has allowed them to survive the economic downturns and recessions that our Nation has faced since the Great Depression. After 88 years, the Kelly family continues to provide exceptional plumbing and home repair services to members of their community, building a successful business that offers its expertise to countless customers in the Monroe and West Monroe communities. This success has allowed the owners to pass down their business for three generations and is now currently operated by Bobby Kelly, Jr.

Kelly Plumbing's focus on customer and quality service has not gone unnoticed, as they were awarded DeltaStyle Magazine's "Best Plumbing Company" of 2016. This is further proof of the strength and success a small business can have in conjunction with hard

work and maintaining strong family values. I once again would like to congratulate Kelly Plumbing, Inc., for their perseverance and am proud to honor them as Small Business of the Week. I look forward to seeing their continued growth and success.●

#### RECOGNIZING LAMULLE CONSTRUCTION, LLC

● Mr. VITTER. Mr. President, the success and stability of the Bayou State's economy works largely in conjunction with the abundance of natural resources at our fingertips. Considering the variety of industries that work in and around Louisiana's vast coastline, it is important to have a solid water infrastructure system in place. A veteran-owned small business based in Slidell, LA, has been building that water infrastructure for the citizens of south Louisiana for nearly 70 years. I would like to recognize Lamulle Construction, LLC, as Small Business of the Week.

It was during World War II when E.J. Lamulle served in the U.S. Army and learned the skill of pile driving. Lamulle's regiment was responsible for building docks off islands in the Pacific Ocean so Allied ships could drop off supplies. After the war, Lamulle returned to Louisiana in 1947 to find his home devastated by a hurricane. When rebuilding his home, Lamulle used his pile driving skills to protect it from future storms, and when his neighbors took notice of his work, Lamulle inadvertently started his namesake construction company.

Over the next several decades, Lamulle Construction grew to specialize in constructing residential and commercial waterfront projects, including bulkheads, docks, piers, and bridges. Today, E.J. Lamulle's son David manages the family-owned small business, which has grown to employ 25 crewmembers and 8 administrators who maintain the high level of service and attention to detail that the company has become known for.

Congratulations to the great team at Lamulle Construction for being selected as this week's Small Business of the Week, and I look forward to your continued growth and success.●

#### RECOGNIZING LASYONE'S MEAT PIE RESTAURANT

● Mr. VITTER. Mr. President, down in the Bayou State, our generations-old recipes are well regarded and in high demand. This week I would like to recognize Lasyone's Meat Pie Restaurant of Natchitoches, LA, as Small Business of the Week, for their commitment to supporting the local economy and keeping the tradition of southern cooking alive and well.

In the 1950s, James Lasyone was the butcher for the Live Oak Grocery and began experimenting with a meat pie recipe. In the years that followed, Lasyone's recipe became a local favor-

ite, which led to the 1967 opening of Lasyone's Meat Pie Restaurant in historic downtown Natchitoches. A few years later, the editor of House Beautiful Magazine dropped in, and Lasyone's Meat Pie Restaurant soon began receiving national recognition.

Today Lasyone's original recipe is a well-kept secret, but Chefs Angela Lasyone and Tina Lasyone Smith continue to share meat pies with the community, along with several other staples of Southern cuisine, including crawfish pie, red beans and sausage, dirty rice, southern fried catfish, bread pudding with rum sauce, and chicken and dumplings. In their nearly 50 years of operation, Lasyone's Meat Pie Restaurant has been praised in national newspapers, including the Chicago Tribune and the New York Times, major television shows On the Road with Charles Kuralt and Good Morning America, and even in international publications from France, Italy, and Spain.

Congratulations again to the Lasyone's Meat Pie Restaurant for being selected as Small Business of the Week. I look forward to my next visit to Natchitoches to have another one of your delicious meat pies and wish the entire team at Lasyone's continued growth and success.●

#### RECOGNIZING MAGGIO GROCERY AND DELI

● Mr. VITTER. Mr. President, small businesses in Louisiana play a major role in their local communities and economy, and far more often than not, they support and showcase the values and livelihood of the people around them. In that spirit, I would like to recognize Maggio Grocery and Deli of Bossier City, LA, as Small Business of the Week.

In 1923, Sam and Mary Maggio opened Maggio Grocery along the Red River in Bossier City, LA. An Italian immigrant and World War I veteran, Sam built the grocery store with the goal of providing his Bossier City neighbors with the highest quality groceries, meats, seafood, and service-with-a-smile one could find in the community. Even with a friendly rival grocery store across the street, Sam found success with Maggio Grocery and eventually passed the business along to his two sons, Joe and Charlie. These days Maggio Grocery is run by Charlie's son, Vince, and his wife, Sharon, who work to make sure the family's namesake grocery store maintains the same traditions that have lasted three generations. Even with the prolific growth of supermarkets, 93 years later, Maggio Grocery continues to thrive in northwest Louisiana and remains in its original location on Thompson Street.

I would like to congratulate Maggio Grocery and Deli for being recognized as Small Business of the Week, and I look forward to their continued growth and success.●

### RECOGNIZING METALCRAFT MANUFACTURING

• Mr. VITTER. Mr. President, as this body continues to honor the importance and contributions of the small business community across America, I would like to specifically recognize MetalCraft Manufacturing of Shreveport, LA, as Small Business of the Week.

After years of experience as an engineer and businessman, Todd Leleux acquired MetalCraft Manufacturing in 2008. Building upon his extensive background in the oil and gas industry and MetalCraft's history of providing top of the line metal manufacturing and customer service, Leleux quickly grew the company's manufacturing in a few short years. With an increasing client base, Leleux sought to expand to Lafayette, LA, in 2011. During this process, he included Garland Champagne and Jeff Prejean as co-owners who brought over 70 combined years of experience in down hole oil tools.

Over the years, MetalCraft has helped provide high-quality products to industry leaders such as General Electric, GE, and the Halliburton Company, while also delivering their signature level of service to all clients, regardless of size. Today MetalCraft continues to serve Louisiana with the highest level of expertise and craftsmanship to industry, ranging from agriculture to petroleum. MetalCraft has and will continue to offer quality employment opportunities to Louisianians for many years to come.

Congratulations again to MetalCraft Manufacturing for being selected as this week's Small Business of the Week, and I look forward to your continued growth and success.●

### RECOGNIZING MOONBOT STUDIOS

• Mr. VITTER. Mr. President, small businesses have the unique ability to connect with and inspire members in their communities. It is especially noteworthy when these businesses are able to inspire their neighbors through a creative use of the arts. This week I am proud to honor Moonbot Studios of Shreveport, LA, as Small Business of the Week, for their commitment to captivating the imaginations of folks of all ages through beautiful animation and superb storytelling.

In 2009, three visionary artists—Bill Joyce, Brandon Oldenburg, and Lampton Enochs—hatched a revolutionary idea: open a full-service design and production studio in Louisiana's budding entertainment hub, Shreveport, LA. The trio aimed for creating and producing visually stunning and intricately told stories for folks of all ages. Helmed by Joyce, a former illustrator for Disney/Pixar, and Oldenburg and Enochs, two successful entertainment-industry professionals, the group began producing top-notch and award-winning animated short films and digitally animated books and cell

phone apps. The experience of these talented professionals helped shape the first major animation studio in Louisiana.

Today Moonbot has grown into an award-winning team of 50 employees ranging from animators, illustrators, and a large film and marketing team creating beautiful stories that capture the imaginations of folks both in Louisiana and around the world. Currently, the studio is working with Amazon Studios in creating and producing a new animated children's show to be streamed on the popular Amazon Prime Web site. Additionally, the group boasts a number of prestigious awards including a handful of Emmy Awards and an Oscar for best animated short film with their original production "The Fantastic Flying Books of Mr. Morris Lessmore."

Congratulations again to Moonbot Studios for being selected as Small Business of the Week. Thank you for your commitment to inspiring our next generation of Louisiana artists and storytellers. I look forward to seeing your continued growth and success.●

### RECOGNIZING MORRIS & DICKSON CO. LLC

• Mr. VITTER. Mr. President, oftentimes the truest test of a small business's strength is its longevity. In Louisiana, our small businesses have worked through countless challenges and survived for generations to improve the lives of their neighbors and make substantial contributions to the economy. In honor of their 175th anniversary, I would like to present Morris & Dickson Co. LLC of Shreveport, LA, with the Senate Small Business Legacy Award for the important achievements of this Louisiana-based small business success story.

In 1841, John Worthington Morris opened J. W. Morris & Co., an independent pharmacy in downtown Shreveport, LA. Working out of a single riverfront warehouse, J.W. first received goods by steamboat from New Orleans and with the help of his brother, Thomas Henry, ran his namesake small business until his death 12 years later. A second generation of the Morris family continued J.W.'s legacy until Claudius Dickson bought the business in 1899, renaming it to be Morris & Dickson Co. Claudius worked with members of the Morris family to grow their wholesale pharmaceutical business. As technology improved, with new railway lines and gasoline-powered trucks, Morris & Dickson Co. embraced the revolutionary improvements to distribute their pharmaceuticals in Louisiana and the surrounding States.

In order to survive the Civil War, the Great Depression, as well as the day-to-day struggles of running a successful business, the leaders of Morris & Dickson Co. took advantage of each technological improvement to ensure the company would stay afloat.

It wasn't until the 1980s that Morris & Dickson Co. grew exponentially and

became a nationally recognized competitor. At the time, Morris & Dickson Co. was working out of the same building it had first moved into in 1905. Nearly eight decades later, they were still transporting goods in a manual freight elevator and used a dumbwaiter or rope bucket to send orders upstairs. Claudius's son Markham Allen Dickson recognized that major changes had to be made and, much like his predecessors, had an immense respect for technology's growing influence. M. Allen's foresight and ingenuity allowed the family-owned business to grow to become the region's leading wholesale drug distributor. He moved the company out of downtown Shreveport, utilized the early use of computers, and under his leadership, Morris & Dickson Co. exploded on the national wholesale pharmaceutical scene. By 2013, Morris & Dickson Co. was the fourth largest pharmaceutical distributor in the Nation.

Still driven by the 175-year old ambition to elevate the standard of patient care for their neighbors and community, today Morris & Dickson Co. is run by M. Allen's son, Paul Dickson. Morris & Dickson Co. has a well-earned reputation for persevering through many hardships by embracing innovation in order to harness the power of an ever-changing economy and increasingly technology-driven world.

Today Morris & Dickson Co. provides operational and logistic innovation support for independent pharmacies. This includes everything from on-time delivery of pharmaceutical inventory to inventory management software. With Morris & Dickson Co.'s help, independent pharmacies in 14 States can focus on supporting and improving the health of their local communities, while also remaining financially solvent.

This Shreveport-based family-run business is a great example of the American dream in action, and companies like Morris & Dickson certainly serve as role models for the next generation of entrepreneurs. I congratulate the hard-working folks at Morris & Dickson Co. LLC on 175 years in business and for the well-deserved honor of the Senate Small Business Legacy Award.●

### RECOGNIZING PARADISE OUTFITTERS, LLC

• Mr. VITTER. Mr. President, as I continue to honor the success and contributions of the small business community in the United States, I would like to honor the work of Paradise Outfitters, LLC, located in Venice, LA, as this week's Small Business of the Week.

Paradise Outfitters, LLC, has become a premier deep sea charter fishing company, not only in Louisiana but throughout the entire gulf region. Captain Hunter Caballero opened his doors

almost a decade ago, following the devastation of Hurricane Katrina. An accomplished angler who holds the Louisiana State record for big eye tuna, Captain Caballero's work has been featured in *Saltwater Sportsman*, *Louisiana Sportsman*, the *Waterman's Journal*, among others. Captain Caballero started with only one boat and a small crew but now has a fleet of 4 boats, employs 4 captains, and a crew of roughly 10 to 20 individuals, depending on the fishing season. Paradise Outfitters delivers essential services in fishery management while contributing to the commercial and economic development essential to keeping Louisiana competitive.

I am proud to support Louisiana's reputation as the "Sportsman's Paradise," and companies like Paradise Outfitters, LLC, provide unparalleled services that help Louisiana uphold that moniker. In the wake of Hurricane Katrina in 2005 and even during the BP oil spill in 2010, Captain Caballero and his crew continued providing a significant boost to our State's irreplaceable tourism industry and have allowed us to showcase the unique and wonderful fishing opportunities that only Louisiana can provide.

I would like to congratulate Paradise Outfitters, LLC, once more and thank their team for the services they have provided throughout our State's most challenging times. I look forward to seeing their continued success and applaud them for giving people the unique experiences one can only find in Louisiana.●

#### RECOGNIZING RENAISSANCE PUBLISHING, LLC

● Mr. VITTER. Mr. President, in my role as chairman of the Senate Committee on Small Business and Entrepreneurship, I am fortunate to come across entrepreneurs across the United States who have dedicated so much time and effort to creating jobs and boosting our Nation's economy. This week, I would like to recognize Renaissance Publishing, LLC, located in my hometown of Metairie, LA, as Small Business of the Week.

Renaissance Publishing first opened its doors in Jefferson Parish in 2006. In the last 9 years, Todd Matherne has consistently provided folks across Louisiana with exceptional printing and publishing services and today employs over 50 people. With a guiding directive to "celebrate life" in each of Mr. Matherne's publishing ventures, Renaissance Publishing has grown from producing custom publishing titles for local organizations to also owning and managing a handful of local magazines and periodicals, including *MyNewOrleans.com*, *New Orleans Magazine*, and *Louisiana Life*. As such, Renaissance Publishing has the latest information on what to do and what is going on in New Orleans. For his many achievements, Mr. Matherne was designated as Small Business Person of

the Year by Louisiana Economic Development in 2015.

In recognition of their years of dedication to growing jobs and contributing to southern Louisiana's economic development, I congratulate Renaissance Publishing, LLC, for being selected as Small Business of the Week.●

#### RECOGNIZING THREE BROTHERS FARM

● Mr. VITTER. Mr. President, the opportunity to buy from local businesses affords consumers fresher and higher quality products, but it also gives them the chance to support the communities in which they operate. In that spirit, I am proud to recognize Three Brothers Farm of Youngsville, LA, as Small Business of the Week for their commitment to bringing high-quality locally grown products to restaurants and consumers all around the State of Louisiana.

Three Brothers Farm in Lafayette Parish got its start in 1944 when it began producing fresh, all natural fig preserves. They traveled to farmer's markets all across the State to bring their quality products to the masses. For years they enjoyed growth and success in the fig industry; however, in 2005, when Hurricane Rita came ashore bringing 22 consecutive hours of salty gulf rain with it, Three Brothers Farm faced an unprecedented challenge. The result of such extended rain was devastating to the fig tree population on the farm and dramatically decreased Three Brothers Farm's ability to produce enough figs to supply the demand.

Instead of giving up, the owners turned their efforts to a new endeavor and began to develop the sugar aspect of the business. Under this new direction, the farm added an FDA-approved kitchen to be used to scrub raw sugar and thus be able to provide it to area restaurants and co-ops. Their venture paid off tremendously as they now have 29 acres of naturally produced sugarcane and Celeste figs, which allows them to service some of the best restaurants in Louisiana including the Besh Restaurant Group, Herbsaint, Cochon, and Le Petite Grocery, amongst many more.

Congratulations again to Three Brothers Farm of Youngsville, LA, this week's Small Business of the Week, for their dedication to providing Louisiana with "Certified Cajun" products and I look forward to your continued growth and sweet success.●

#### RECOGNIZING TOCE ENERGY, LLC

● Mr. VITTER. Mr. President, with the right tools, small businesses have the unique opportunity to drive economic growth and opportunity across the country, providing good-paying jobs in their communities. In energy-rich Louisiana, small oil and gas companies are no exception to this. This week I would

like to recognize Toce Energy, LLC, of Lafayette, LA, as Small Business of the Week, for their commitment to spurring economic growth through the State's distressed oil and gas industry.

In 1997, after many successful years in the oil and gas industry, Victor and Paul Toce teamed up to found their namesake Toce Energy, LLC, in energy-rich southwest Louisiana. Initially offering services in acquisitions of oil and gas properties, Toce Energy quickly expanded their reach into neighboring parishes, spurring growth in the local communities in which they operate.

Today Toce Energy boasts operations in 18 parishes across the southern region of the State. Contracting over 500 vendors to support their operations in geology, geophysics, land, drilling, production, accounting, and legal services, the group provides scores of good-paying jobs both in Louisiana's struggling oil and natural gas industry and across various industries which serve the sector.

Congratulations again to Toce Energy for being selected as Small Business of the Week. Thank you for your commitment to Louisiana's energy sector and providing jobs for citizens of Louisiana. I look forward to seeing your continued growth and success.●

#### RECOGNIZING TRIPLE N OYSTER FARM

● Mr. VITTER. Mr. President, Louisiana is known for serving some of the best seafood in the world, and that includes our locally grown and raised oysters. We are especially lucky in that many Louisianians are putting pen to paper in order to hammer out real solutions that will preserve, protect, and rebuild our vulnerable coastal habitats that also give a boost to some of our richest industries. One such Louisiana-based business is this Small Business of the Week Triple N Oyster Farm.

Biology professors at Louisiana State University in Baton Rouge, Dr. Steve Pollock and Dr. Ginger Brininstool took the entrepreneurial leap in 2015 when the Grand Isle community sought new ways to farm oysters in the popular coastal community. The husband and wife team worked together to develop an innovative new way to farm and harvest oysters with minimal damage to Louisiana's vulnerable coastal habitats. By suspending their oyster habitats off the sea floor, Dr. Pollock and Dr. Brininstool experiment with alternative farming techniques that allow oysters to mature more quickly and cleanly than in traditional farming methods.

Recently, Triple N Oyster Farm was selected to join a competitive impact accelerator program at Propeller, a popular New Orleans, LA, nonprofit organization whose aim is to help start and grow entrepreneurial ventures in the greater New Orleans area. In this program, Dr. Pollock and Dr.



Brininstool will join a small team of local startups to develop additional innovative and entrepreneurial options to improve Louisiana's coastal water management.

Congratulations again to Triple N Oyster Farm for being selected as Small Business of the Week. Thank you for your commitment to innovating Louisiana's rich seafood industry while preserving our vulnerable coast, and I look forward to your continued growth and success.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE

At 12:21 p.m., a message from the House of Representative, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, with an amendment and an amendment to the title, in which it requests the concurrence of the Senate:

S. 253. An act to amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens.

The message further announced that the House has passed the following bills, without amendment:

S. 1004. An act to amend title 36, United States Code, to encourage the nationwide observance of two minutes of silence each Veterans Day.

S. 1698. An act to exclude payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits.

S. 1878. An act to extend the pediatric priority review voucher program.

S. 2683. An act to include disabled veteran leave in the personnel management system of the Federal Aviation Administration.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 954. An act to amend the Internal Revenue Code of 1986 to exempt from the individual mandate certain individuals who had coverage under a terminated qualified health plan funded through the Consumer Operated and Oriented Plan (CO-OP) program.

H.R. 5065. An act to direct the Administrator of the Transportation Security Administration to notify air carriers and secu-

rity screening personnel of the Transportation Security Administration of such Administration's guidelines regarding permitting baby formula, breast milk, purified deionized water, and juice on airplanes, and for other purposes.

H.R. 5391. An act to amend the Homeland Security Act of 2002 to enhance certain duties of the Domestic Nuclear Detection Office, and for other purposes.

The message further announced that pursuant to section 703 of the Social Security Act (42 U.S.C. 903), and the order of the House of January 6, 2015, the Speaker appoints the following individual on the part of the House of Representatives to the Social Security Advisory Board for a term of 6 years, effective October 9, 2016: Ms. Kim Hildred of Alexandria, Virginia.

The message also announced that pursuant to section 114(b) of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1103), and the order of the House of January 6, 2015, the Speaker appoints the following individual on the part of the House of Representatives to the Board of Trustees for John C. Stennis Center for Public Service Training and Development for a term of 6 years: Mr. Gregg Harper of Pearl, Mississippi.

#### ENROLLED BILL SIGNED

At 12:52 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 1475. An act to authorize a Wall of Remembrance as part of the Korean War Veterans Memorial and to allow certain private contributions to fund that Wall of Remembrance.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

At 5:18 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 bill, without amendment:

S. 3283. An act to designate the community-based outpatient clinic of the Department of Veterans Affairs in Pueblo, Colorado, as the "PFC James Dunn VA Clinic".

The message also announced that the House of Representatives having proceeded to reconsider the bill (S. 2040) to deter terrorism, provide justice for victims, and for other purposes, returned by the President of the United States with his objections, to the Senate, in which it originated, and passed by the Senate on reconsideration of the same, it was resolved, that the said bill do pass, two-thirds of the House of Representatives agreeing to pass the same.

#### ENROLLED BILLS SIGNED

At 6:37 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 1004. An act to amend title 36, United States Code, to encourage the nationwide observance of two minutes of silence each Veterans Day.

S. 1698. An act to exclude payments from State eugenics compensation programs from

consideration in determining eligibility for, or the amount of, Federal public benefits.

S. 1878. An act to extend the pediatric priority review voucher program.

S. 2683. An act to include disabled veteran leave in the personnel management system of the Federal Aviation Administration.

H.R. 2494. An act to support global anti-poaching efforts, strengthen the capacity of partner countries to counter wildlife trafficking, designate major wildlife trafficking countries, and for other purposes.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5065. An act to direct the Administrator of the Transportation Security Administration to notify air carriers and security screening personnel of the Transportation Security Administration of such Administration's guidelines regarding permitting baby formula, breast milk, purified deionized water, and juice on airplanes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 5391. An act to amend the Homeland Security Act of 2002 to enhance certain duties of the Domestic Nuclear Detection Office, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 954. An act to amend the Internal Revenue Code of 1986 to exempt from the individual mandate certain individuals who had coverage under a terminated qualified health plan funded through the Consumer Operated and Oriented Plan (CO-OP) program.

#### 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-7000. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled "System Safeguards Testing Requirements for Derivatives Clearing Organizations" (RIN3038-AE29) received in the Office of the President of the Senate on September 21, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7001. A communication from the Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Softwood Lumber Research, Promotion, Consumer Education and Industry Information Order; Revision of Time Frame for Continuance Referenda" (Docket No. AMS-SC-16-0054) received in the Office of the President of the Senate on September 21, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7002. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pyridaben; Pesticide Tolerances" (FRL No. 9951-92) received in the Office of the President of the Senate on September 20,

2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7003. A communication from the Administrator of the Specialty Crops Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Tart Cherries Grown in the States of Michigan, et al.; Revision of Optimum Supply Requirements and Establishment of Inventory Release Procedures” (Docket No. AMS-FV-15-0047) received in the Office of the President of the Senate on September 22, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7004. A communication from the 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” (Docket No. AMS-SC-16-0076) received in the Office of the President of the Senate on September 22, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7005. A communication from the Administrator of the Livestock, Poultry, and Seed Program, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Amendment to the Definition of ‘Condition’ and Prerequisite Requirement for Shell Eggs Eligible for Grading and Certification Stated in the Regulations Governing the Voluntary Grading of Shell Eggs” (Docket No. AMS-LPS-15-0044) received in the Office of the President of the Senate on September 22, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7006. A communication from the Program Specialist of the Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Margin and Capital Requirements for Covered Swap Entities” (RIN1557-AD00) received during adjournment of the Senate in the Office of the President of the Senate on September 16, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7007. A communication from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled “Releasing Information; Availability of Records of the Farm Credit Administration; FOIA Fees” (RIN3052-AD18) received in the Office of the President pro tempore of the Senate; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7008. A communication from the Secretary of the Commodity Futures Trading Commission, transmitting, pursuant to law, the report of a rule entitled “System Safeguards Testing Requirements” (RIN3038-AE30) received in the Office of the President of the Senate on September 21, 2016; to the Committee on Agriculture, Nutrition, and Forestry.

EC-7009. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled “Federal Agency Drug-Free Workplace Program” and certification relative to the provisions and requirements of section 503(c) of P.L. 100-71; to the Committees on Appropriations; and Finance.

EC-7010. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, the report of an alleged violation of the Antideficiency Act that occurred on September 29, 2014, and April 7, 2015, in the Environmental Programs and Management account; to the Committee on Appropriations.

EC-7011. 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 “TRICARE; Mental Health and Substance Use Disorder Treatment” (RIN0720-AB65) received in the Office of the President of the Senate on September 21, 2016; to the Committee on Armed Services.

EC-7012. 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 “Qualification Standards for Enlistment, Appointment, and Induction” (RIN0790-A178) received in the Office of the President of the Senate on September 15, 2016; to the Committee on Armed Services.

EC-7013. 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 “Sexual Assault Prevention and Response (SAPR) Program Procedures” (RIN0790-A136) received in the Office of the President of the Senate on September 19, 2016; to the Committee on Armed Services.

EC-7014. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Ted N. Branch, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-7015. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran as declared in Executive Order 12957 of March 15, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC-7016. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Ukraine that was originally declared in Executive Order 13660 of March 6, 2014; to the Committee on Banking, Housing, and Urban Affairs.

EC-7017. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to persons undermining democratic processes or institutions in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003; to the Committee on Banking, Housing, and Urban Affairs.

EC-7018. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Venezuela that was originally declared in Executive Order 13692 of March 8, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC-7019. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was established in Executive Order 13224 on September 23, 2001; to the Committee on Banking, Housing, and Urban Affairs.

EC-7020. A communication from the Associate General Counsel for Regulations and Legislation, Office of Fair Housing and Equal Opportunity, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled “Quid Pro Quo and Hostile Environment Harassment and Liability for Discriminatory Housing Practices Under the Fair Housing Act” (RIN2529-AA94) received in the Office of the President of the Senate on September 21, 2016; to the Committee on Banking, Housing, and Urban Affairs.

EC-7021. A communication from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, the semi-annual Implementation Report on Energy Conservation Standards Activities of the Department of Energy; to the Committee on Energy and Natural Resources.

EC-7022. A communication from the Secretary of Energy, transmitting, pursuant to law, a report entitled “Department of Energy Activities Relating to the Defense Nuclear Facilities Safety Board, Fiscal Year 2015”; to the Committee on Energy and Natural Resources.

EC-7023. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Treatment of Indian Tribes in a Similar Manner as States for Purposes of Section 303(d) of the Clean Water Act” (FRL No. 9952-61-OW) received in the Office of the President of the Senate on September 20, 2016; to the Committee on Environment and Public Works.

EC-7024. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Promulgation of Air Quality Implementation Plans; State of Arkansas; Regional Haze and Interstate Visibility Transport Federal Implementation Plan” (FRL No. 9952-03-Region 6) received in the Office of the President of the Senate on September 20, 2016; to the Committee on Environment and Public Works.

EC-7025. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Partial Approval and Partial Disapproval of Implementation Plans; State of Iowa; Infrastructure SIP Requirements for 2008 Ozone National Ambient Air Quality Standard (NAAQS)” (FRL No. 9952-55-Region 7) received in the Office of the President of the Senate on September 20, 2016; to the Committee on Environment and Public Works.

EC-7026. 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; Georgia; Prong 4-2008 Ozone, 2010 NO<sub>2</sub>, SO<sub>2</sub>, and 2012 PM<sub>2.5</sub>” (FRL No. 9952-72-Region 4) received in the Office of the President of the Senate on September 20, 2016; to the Committee on Environment and Public Works.

EC-7027. 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; Alabama and North Carolina; Interstate Transport—2010 NO<sub>2</sub> Standards” (FRL No. 9952-74-Region 4) received in the Office of the President of the Senate on September 20, 2016; to the Committee on Environment and Public Works.

EC-7028. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Endangered and Threatened Species; Identification of 14 Distinct Population Segments of the Humpback Whale (*Megaptera novaeangliae*) and Revision of Species-Wide Listing” (RIN0648-XC751) received in the Office of the President of the Senate on September 21, 2016; to the Committee on Environment and Public Works.

EC-7029. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the West Shore Lake Pontchartrain,

Louisiana Hurricane and Storm Damage Risk Reduction project; to the Committee on Environment and Public Works.

EC-7030. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, a report relative to the Board's budget request for fiscal year 2018; to the Committee on Health, Education, Labor, and Pensions.

EC-7031. A communication from the Regulations Coordinator, National Institutes of Health, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Clinical Trials Registration and Results Information Submission" (RIN0925-AA55) received during adjournment of the Senate in the Office of the President of the Senate on September 16, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-7032. A communication from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Removing Outmoded Regulations Regarding the Smallpox Vaccine Injury Compensation Program" (RIN0906-AA84) received during adjournment of the Senate in the Office of the President of the Senate on September 16, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-7033. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Safety and Effectiveness of Consumer Antiseptics; Topical Antimicrobial Drug Products for Over-the-Counter Human Use" ((RIN0910-AF69) (Docket No. FDA-1975-N-0012)) received in the Office of the President of the Senate on September 19, 2016; to the Committee on Health, Education, Labor, and Pensions.

EC-7034. A communication from the Senior Advisor to the Secretary Delegated the Duties of Assistant Secretary for Elementary and Secondary Education, Office of the General Counsel, Department of Education, transmitting, pursuant to law, the report of a rule entitled "Final Priorities—Enhanced Assessment Instruments" ((CFDA No. 84.368A.) (Docket No. ED-2016-OESE-0004)) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-7035. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Evidence from Excluded Medical Sources of Evidence" (RIN0960-AH92) received in the Office of the President of the Senate on September 21, 2016; to the Committee on Finance.

EC-7036. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Announcement of the Results of the Phase III Allocation Round of the Qualifying Gasification Project Program" (Announcement 2016-34) received in the Office of the President of the Senate on September 20, 2016; to the Committee on Finance.

EC-7037. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Announcement of Certification Resulting from the 2012-2013 Phase III Allocation Round of the Qualifying Advanced Coal Project Program" (Announcement 2016-33) received in the Office of the President of the Senate on September 20, 2016; to the Committee on Finance.

EC-7038. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Credit for Carbon Dioxide Sequestration; 2016 Section 45Q Inflation Adjustment Factor" (Notice 2016-53) received in the Office of the President of the Senate on September 20, 2016; to the Committee on Finance.

EC-7039. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Update of Address for Qualified Vehicle Submissions" (Notice 2016-51) received in the Office of the President of the Senate on September 20, 2016; to the Committee on Finance.

EC-7040. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Foreign Tax Credit Guidance Under Section 909 Related to Foreign-Initiated Adjustments" (Notice 2016-52) received in the Office of the President of the Senate on September 20, 2016; to the Committee on Finance.

EC-7041. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "applicable Federal Rates—October 2016" (Rev. Rul. 2016-25) received in the Office of the President of the Senate on September 20, 2016; to the Committee on Finance.

EC-7042. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Facilitating Compliance with Qualified Plan Document Requirements" (Announcement 2016-32) received in the Office of the President of the Senate on September 20, 2016; to the Committee on Finance.

EC-7043. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Modifications to Minimum Present Value Requirements for Partial Annuity Distribution Options under Defined Benefit Pension Plans" ((RIN1545-BJ55) (TD 9783)) received in the Office of the President of the Senate on September 22, 2016; to the Committee on Finance.

EC-7044. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Treatment of Amounts Paid to Section 170(c) Organizations Under Employer Leave-Based Donation Programs to Aid Victims of Severe Storms and Flooding in Louisiana that Began on August 11, 2016" (Notice 2016-55) received in the Office of the President of the Senate on September 22, 2016; to the Committee on Finance.

EC-7045. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Revised Medical Criteria for Evaluating Mental Disorders" (RIN0960-AF69) received in the Office of the President of the Senate on September 19, 2016; to the Committee on Finance.

EC-7046. A communication from the Acting Director, Office of Personnel Management, transmitting proposed legislation increasing the death gratuity for a Federal civilian employee killed in the line of duty; to the Committee on Finance.

EC-7047. A communication from the District of Columbia Auditor, transmitting, pur-

suant to law, a report entitled, "Administrative Justice in the District of Columbia: Recommendations to Improve DC's Office of Administrative Hearings"; to the Committee on Homeland Security and Governmental Affairs.

EC-7048. A communication from the Acting Director, Planning and Policy Analysis, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled "Special Rights for Transferred Employees under the Dodd-Frank Act Regarding Federal Employees' Group Life Insurance" (RIN3206-AM81) received in the Office of the President of the Senate on September 16, 2016; to the Committee on Homeland Security and Governmental Affairs.

EC-7049. A communication from the Archivist of the United States, National Archives and Records Administration, transmitting, pursuant to law, a report relative to the Administration's fiscal year 2016 Commercial Activities Inventory and Inherently Governmental Activities Inventory and the Uniform Resource Locator (URL) for the report; to the Committee on Homeland Security and Governmental Affairs.

EC-7050. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report relative to applications for delayed-notice search warrants and extensions during fiscal year 2015; to the Committee on the Judiciary.

EC-7051. A communication from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Changes to Patent Term Adjustment in view of the Federal Circuit Decision in *Novartis v. Lee*" (RIN0651-AC96) received during adjournment of the Senate in the Office of the President of the Senate on September 23, 2016; to the Committee on the Judiciary.

EC-7052. A communication from the Office Program Manager, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Authority to Solicit Gifts and Donations" (RIN2900-AP75) received in the Office of the President of the Senate on September 22, 2016; to the Committee on Veterans' Affairs.

EC-7053. A communication from the Office Program Manager, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Authority to Solicit Gifts and Donations" (RIN2900-AP74) received in the Office of the President of the Senate on September 22, 2016; to the Committee on Veterans' Affairs.

EC-7054. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.3555(e) of the Commission's Rules, National Television Multiple Ownership Rule" ((MB Docket No. 13-236) (FCC 16-116)) received in the Office of the President of the Senate on September 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7055. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Approach Regulations for Humpback Whales in Waters Surrounding the Islands of Hawaii Under the Marine Mammal Protection Act" (RIN0648-BF98) received in the Office of the President of the Senate on September 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7056. A communication from the Deputy Assistant Administrator for Regulatory

Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Technical Amendments and Recodification of Alaska Humpback Whale Approach Regulations" (RIN0648-BF31) received in the Office of the President of the Senate on September 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7057. A communication from the Senior Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Consumer Price Index Adjustments of Oil Pollution Act of 1990 Limits of Liability—Vessels, Deepwater Ports, and Onshore Facilities" (RIN1625-AC14) (Docket No. USCG-2013-1006) received in the Office of the President of the Senate on September 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7058. A communication from the Chief of the Mobility Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of the Commission's Rules Regarding Maritime Radio Equipment and Related Matters" ((WT Docket No. 14-36) (FCC 16-119)) received during adjournment of the Senate in the Office of the President of the Senate on September 23, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7059. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), FM Table of Allotments, FM Broadcast Stations (Eagle Butte, South Dakota)" ((MB Docket No. 16-182) (DA 16-1007)) received during adjournment of the Senate in the Office of the President of the Senate on September 23, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7060. A communication from the Chief of the International Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Amendment of the Commission's Space Station Licensing Rules and Policies" ((IB Docket No. 02-34) (FCC 16-108)) received during adjournment of the Senate in the Office of the President of the Senate on September 23, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7061. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Magnuson-Stevens Act Provisions; General Provisions for Domestic Fisheries; Paralytic Shellfish Poisoning Closed Areas Expiring" (RIN0648-XD604) received in the Office of the President of the Senate on January 7, 2015; to the Committee on Commerce, Science, and Transportation.

EC-7062. 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; Ironman 70.3 Miami; Miami, FL" ((RIN1625-AA00) (Docket No. USCG-2015-0483)) received in the Office of the President of the Senate on September 21, 2016; to the Committee on Commerce, Science, and Transportation.

EC-7063. 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; Shore (Belt) Parkway Bridge Construction, Mill Basin; Brooklyn, NY" ((RIN1625-AA00) (Docket No. USCG-2014-1044)) received in the Office of the President of the Senate on September 21, 2016; to the

Committee on Commerce, Science, and Transportation.

EC-7064. 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 2016-0117—2016-0122); to the Committee on Foreign Relations.

EC-7065. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-065); to the Committee on Foreign Relations.

EC-7066. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-077); to the Committee on Foreign Relations.

EC-7067. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 16-059); to the Committee on Foreign Relations.

### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-206. A petition from a citizen of the State of Texas relative to currency; to the Committee on Banking, Housing, and Urban Affairs.

POM-207. A petition from a citizen of the State of Texas relative to constitutional conventions; to the Committee on the Judiciary.

### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. ROBERTS for the Committee on Agriculture, Nutrition, and Forestry.

\*Christopher James Brummer, of the District of Columbia, to be a Commissioner of the Commodity Futures Trading Commission for the remainder of the term expiring June 19, 2016.

\*Christopher James Brummer, of the District of Columbia, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring June 19, 2021.

\*Brian D. Quintenz, of the District of Columbia, to be a Commissioner of the Commodity Futures Trading Commission for a term expiring April 13, 2020.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of 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. ISAKSON:

S. 3406. A bill to amend the Child Care and Development Block Grant Act of 1990 to require child care providers to provide to parents information regarding whether such

providers carry liability insurance; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KIRK (for himself, Mr. ISAKSON, and Mr. CORNYN):

S. 3407. A bill to amend the Public Health Service Act to facilitate assignment of military trauma care providers to civilian trauma centers in order to maintain military trauma readiness and to support such centers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND (for herself and Mrs. CAPITO):

S. 3408. A bill to amend the Rural Electrification Act of 1936 to provide grants for access to broadband telecommunications services in rural areas, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. CASEY (for himself and Mr. CARDIN):

S. 3409. A bill to amend the Internal Revenue Code of 1986 to include foster care transition youth as members of a targeted group for purposes of the work opportunity credit; to the Committee on Finance.

By Mr. MCCAIN:

S. 3410. A bill to direct the Secretary of Veterans Affairs to conduct an independent review of the deaths of certain veterans by suicide, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. NELSON:

S. 3411. A bill to prohibit the Administrator of the Federal Emergency Management Agency from taking administrative action to recover certain payments for disaster or emergency assistance, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MARKEY:

S. 3412. A bill to ban the use of bisphenol A in food containers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH:

S. 3413. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Kazakhstan; to the Committee on Finance.

By Mr. GRAHAM (for himself, Mr.

COATS, Mr. BLUNT, Mr. RUBIO, Mr. KIRK, Mr. COTTON, Mr. BOOZMAN, Mr. CRUZ, and Mr. SCOTT):

S. 3414. A bill to condition assistance to the West Bank and Gaza on steps by the Palestinian Authority to end violence and terrorism against Israeli citizens; to the Committee on Foreign Relations.

By Mr. PERDUE:

S. 3415. A bill to require Federal agencies to issue appropriate identification for the carrying of concealed firearms by qualified law enforcement officers and qualified retired law enforcement officers; to the Committee on the Judiciary.

By Mr. BROWN (for himself and Mr. PERDUE):

S. 3416. A bill to amend the Internal Revenue Code of 1986 to modify certain rules applicable to qualified small issue manufacturing bonds; to the Committee on Finance.

By Mr. BROWN (for himself and Mr. ENZI):

S. 3417. A bill to amend the Employee Retirement and Income Security Act of 1974 and the Internal Revenue Code of 1986 to provide for the electronic delivery of pension plan information; to the Committee on Health, Education, Labor, and Pensions.

By Mr. NELSON (for himself and Mr. RUBIO):

S. 3418. A bill to provide for the restoration of legal rights for claimants under holocaust-era insurance policies; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself and Mr. MORAN):

S. 3419. A bill to amend the Veterans' Oral History Project Act to allow the collection of video and audio recordings of biographical histories by immediate family members of members of the Armed Forces who died as a result of their service during a period of war, and for other purposes; to the Committee on Rules and Administration.

By Ms. STABENOW:

S. 3420. A bill to promote urban agricultural production, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BLUMENTHAL (for himself, Mr. MARKEY, Mrs. SHAHEEN, Mr. BROWN, and Ms. CANTWELL):

S. 3421. A bill to require air carriers to provide all flight attendants with scheduled rest periods of at least 10 consecutive hours between duty periods and to comply with fatigue management plans for flight attendants that have been approved by the Federal Aviation Administration; to the Committee on Commerce, Science, and Transportation.

By Mr. CARDIN:

S. 3422. A bill to require non-Federal prison, correctional, and detention facilities holding Federal prisoners or detainees under a contract with the Federal Government to make the same information available to the public that Federal prisons and correctional facilities are required to make available; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself and Mrs. ERNST):

S. 3423. A bill to provide for the issuance of a "Gold Star Families Forever Stamp" to honor the sacrifices of families who have lost a loved one who was a member of the Armed Forces in combat; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WARNER:

S. 3424. A bill to amend the Internal Revenue Code of 1986 to prevent the avoidance of tax by insurance companies through reinsurance with non-taxed affiliates; to the Committee on Finance.

By Mr. INHOFE:

S. 3425. A bill to amend the Internal Revenue Code of 1986 to permanently extend the depreciation rules for property used predominantly within an Indian reservation, and for other purposes; to the Committee on Finance.

By Mr. BOOKER (for himself and Mr. MENENDEZ):

S. 3426. A bill to provide nonprofit organizations and local governments with the opportunity to match a bid with respect to the sale of certain non-performing loans by the Government-sponsored enterprises and the Federal Housing Administration, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. BOXER (for herself and Mr. TESTER):

S. 3427. A bill to amend the Toxic Substances Control Act to require the Administrator of the Environmental Protection Agency to take action to eliminate human exposure to asbestos, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CORNYN:

S. 3428. A bill to amend the Internal Revenue Code of 1986 to ensure that new wind turbines located near certain military installations are ineligible for the renewable electricity production credit and the energy credit; to the Committee on Finance.

By Mr. VITTER:

S. 3429. A bill to delay the implementation of the overtime rule submitted by the Department of Labor entitled "Defining and Delimiting the Exemptions for Executive,

Administrative, Professional, Outside Sales and Computer Employees" for a period of 2 years in States in which the President has declared that a major disaster exists; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HEINRICH (for himself, Mr. WYDEN, and Mr. UDALL):

S. 3430. A bill to establish the Bureau of Land Management Foundation to encourage, obtain, and use gifts, devises, and bequests for projects for the benefit of, or in connection with, activities and services of the Bureau of Land Management, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S. 3431. A bill to coordinate and advance fibrosis research activities at the National Institutes of Health, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. COONS, Mr. LEAHY, Mr. BOOKER, and Mr. FRANKEN):

S. 3432. A bill to reform the use of solitary confinement and other forms of restrictive housing in the Bureau of Prisons, and for other purposes; to the Committee on the Judiciary.

By Mrs. MURRAY:

S. 3433. A bill to coordinate, manage, and implement the Department of Labor's evaluation and research programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN:

S. 3434. A bill to require the Secretary of Veterans Affairs to improve the provision of services and benefits from the Department of Veterans Affairs for veterans who experience domestic violence or sexual assault, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ROBERTS (for himself, Mr. FRANKEN, Mr. BARRASSO, and Ms. HEITKAMP):

S. 3435. A bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, and for other purposes; to the Committee on Finance.

By Mr. RUBIO (for himself, Mr. FLAKE, and Mr. MORAN):

S. 3436. A bill to prevent proposed regulations relating to restrictions on liquidation of an interest with respect to estate, gift, and generation-skipping transfer taxes from taking effect; to the Committee on Finance.

By Mr. HOEVEN (for himself and Ms. HEITKAMP):

S. 3437. A bill to establish a procedure for the conveyance of certain Federal property around the Dickinson Reservoir in the State of North Dakota; to the Committee on Energy and Natural Resources.

By Mr. HELLER:

S. 3438. A bill to authorize the Secretary of Veterans Affairs to carry out a major medical facility project in Reno, Nevada; to the Committee on Veterans' Affairs.

By Mr. PAUL:

S. 3439. A bill to streamline the application process for H-2A employers and for other purposes; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself and Mr. BENNET):

S. 3440. A bill to amend the Internal Revenue Code of 1986 to provide uniform standards for the use of electronic signatures for third-party disclosure authorizations; to the Committee on Finance.

By Mrs. GILLIBRAND (for herself and Mr. PORTMAN):

S. 3441. A bill to provide for the vacating of certain convictions and expungement of cer-

tain arrests of victims of human trafficking; to the Committee on the Judiciary.

By Mr. BLUMENTHAL:

S. 3442. A bill to amend the Terrorism Risk Insurance Act of 2002 to provide for the release of certain blocked assets, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PERDUE:

S. 3443. A bill to prohibit the United States Government from making cash payments to state sponsors of terrorism, and for other purposes; to the Committee on Foreign Relations.

By Mr. KIRK:

S. 3444. A bill to clarify the hours of service requirements for education support professionals; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUMENTHAL (for himself, Mrs. MURRAY, Mr. DURBIN, and Ms. BALDWIN):

S. 3445. A bill to amend title 38, United States Code, to improve the enforcement of employment and reemployment rights of members of the uniformed services with respect to States and private employers, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. FLAKE (for himself and Mr. WICKER):

S. 3446. A bill to amend the Americans with Disabilities Act of 1990 regarding remedies and procedures, and for other purposes; to the Committee on the Judiciary.

By Mr. SULLIVAN (for himself and Ms. BALDWIN):

S. 3447. A bill to direct the Secretary of the Army to place in Arlington National Cemetery a memorial honoring the helicopter pilots and crew members of the Vietnam era, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. AYOTTE:

S. 3448. A bill to provide for the creation of the Missing Armed Forces Personnel Records Collection at the National Archives, to require the expeditious public transmission to the Archivist and the public disclosure of Missing Armed Forces Personnel records, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KIRK (for himself, Mr. TILLIS, Mr. CASSIDY, Mr. SESSIONS, Ms. AYOTTE, and Mr. GRASSLEY):

S. 3449. A bill to require the Secretary of Homeland Security to develop a program for labeling cultural property of Iraq or Syria legally entering the United States; to the Committee on Finance.

By Mr. BROWN:

S. 3450. A bill to amend the Internal Revenue Code of 1986 to include electric charging of certain vehicle as a qualified transportation fringe benefit excluded from gross income; to the Committee on Finance.

By Mr. BROWN:

S. 3451. A bill to provide a refundable and advanceable tax credit for individuals with young children; to the Committee on Finance.

By Mrs. MCCASKILL (for herself and Mr. MORAN):

S. 3452. A bill to authorize the United States Postal Service to carry out emergency suspensions of post offices in accordance with certain procedures, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DAINES:

S. 3453. A bill to amend provisions in the securities laws relating to regulation crowdfunding to raise the dollar amount limit and to clarify certain requirements and exclusions for funding portals established by such Act; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CARPER (for himself and Mr. ROBERTS):

S. 3454. A bill to improve medication adherence; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself and Mr. LEE):

S. 3455. A bill to allow for the expedited approval of generic prescription drugs and temporary importation of prescription drugs in the case of noncompetitive drug markets and drug shortages; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOKER (for himself, Mr. MURPHY, and Mr. SCHATZ):

S. 3456. A bill to establish the Office for Partnerships Against Violent Extremism of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. GARDNER (for himself and Mr. COONS):

S. 3457. A bill to establish Centers for Medicare & Medicaid Services SBIR or STTR program grants which shall be known as Medicare commercialization grants; to the Committee on Finance.

By Mr. HEINRICH (for himself and Ms. COLLINS):

S. 3458. A bill to establish programs to improve family economic security by breaking the cycle of multigenerational poverty, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HOEVEN (for himself, Mr. DAINES, Mr. WICKER, and Mr. MCCONNELL):

S. 3459. A bill to amend the Internal Revenue Code of 1986 to enhance the requirements for secure geological storage of carbon dioxide for purposes of the carbon dioxide sequestration credit; to the Committee on Finance.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. UDALL:

S. Res. 583. A resolution amending the Standing Rules of the Senate to ensure that the Senate votes on whether to confirm judicial nominees; to the Committee on Rules and Administration.

By Mr. CRUZ (for himself, Mr. RUBIO, and Mr. MENENDEZ):

S. Res. 584. A resolution acknowledging the peaceful hunger strike of Guillermo "El Coco" Farinas, a political dissident in Cuba, applauding his bravery and commitment to human rights, and expressing solidarity with him and his cause; to the Committee on Foreign Relations.

By Mr. HOEVEN (for himself, Mr. ROBERTS, Ms. HEITKAMP, Mr. PETERS, and Mr. TESTER):

S. Res. 585. A resolution designating October 26, 2016, as "Day of the Deployed"; considered and agreed to.

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):

S. Res. 586. A resolution honoring the life of Jacob Wetterling and recognizing the efforts of Jacob Wetterling's family to find abducted children and support the families of those children; considered and agreed to.

By Mr. ISAKSON (for himself and Mr. BLUMENTHAL):

S. Res. 587. A resolution permitting the collection of clothing, toys, food, and housewares during the holiday season for charitable purposes in Senate buildings; considered and agreed to.

By Mr. FRANKEN (for himself, Mr. CARPER, Mr. WYDEN, Mr. HEINRICH,

Mr. DURBIN, Mrs. FEINSTEIN, Mr. COCHRAN, and Mr. BOOZMAN):

S. Res. 588. A resolution recognizing the month of October 2016 as "National Principals Month"; considered and agreed to.

By Mr. WICKER (for himself, Mr. COCHRAN, and Mr. GRAHAM):

S. Res. 589. A resolution honoring the 50th anniversary of Reformed Theological Seminary; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself and Mrs. BOXER):

S. Con. Res. 52. A concurrent resolution honoring Vincent Edward "Vin" Scully, the United States baseball broadcaster who has magnificently served as the play-by-play announcer for the Brooklyn and Los Angeles Dodgers for 67 Major League Baseball seasons since 1950; to the Committee on the Judiciary.

By Mr. COCHRAN:

S. Con. Res. 53. A concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 5325; considered and agreed to.

By Mr. KIRK (for himself and Mr. BLUMENTHAL):

S. Con. Res. 54. A concurrent resolution expressing the sense of Congress and reaffirming longstanding United States policy in support of a direct bilaterally negotiated settlement of the Israeli-Palestinian conflict and opposition to United Nations Security Council resolutions imposing a solution to the conflict; to the Committee on Foreign Relations.

## ADDITIONAL COSPONSORS

S. 50

At the request of Mr. VITTER, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 50, a bill to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities.

S. 71

At the request of Mr. VITTER, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 71, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 241

At the request of Mr. TESTER, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 241, a bill to amend title 38, United States Code, to provide for the payment of temporary compensation to a surviving spouse of a veteran upon the death of the veteran, and for other purposes.

S. 370

At the request of Mrs. FEINSTEIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 370, a bill to require breast density reporting to physicians and patients by facilities that perform mammograms, and for other purposes.

S. 386

At the request of Mr. THUNE, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Nevada (Mr. HELLER) were added

as cosponsors of S. 386, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 488

At the request of Mr. SCHUMER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 488, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 609

At the request of Mr. SCHUMER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 609, a bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 746

At the request of Mr. GRASSLEY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 1214

At the request of Mr. MENENDEZ, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1214, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 1400

At the request of Mr. DURBIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1400, a bill to amend the Small Business Act to direct the task force of the Office of Veterans Business Development to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses.

S. 1677

At the request of Mr. WHITEHOUSE, his name was added as a cosponsor of S. 1677, a bill to amend the Internal Revenue Code of 1986 to reinstate estate and generation-skipping taxes, and for other purposes.

S. 1714

At the request of Mr. MANCHIN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.



S. 2031

At the request of Mr. BARRASSO, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2031, a bill to reduce temporarily the royalty required to be paid for sodium produced on Federal lands, and for other purposes.

S. 2040

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2040, a bill to deter terrorism, provide justice for victims, and for other purposes.

S. 2176

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 2176, a bill to expand the use of open textbooks in order to achieve savings for students.

S. 2253

At the request of Mr. BLUMENTHAL, the names of the Senator from Nevada (Mr. HELLER) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 2253, a bill to amend title 38, United States Code, to provide veterans affected by closures of educational institutions certain relief and restoration of educational benefits, and for other purposes.

S. 2484

At the request of Mr. SCHATZ, the names of the Senator from Illinois (Mr. KIRK), the Senator from New York (Mrs. GILLIBRAND), the Senator from Montana (Mr. DAINES) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 2484, a bill to amend titles XVIII and XI of the Social Security Act to promote cost savings and quality care under the Medicare program through the use of telehealth and remote patient monitoring services, and for other purposes.

S. 2506

At the request of Mr. LEAHY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2506, a bill to restore statutory rights to the people of the United States from forced arbitration.

S. 2595

At the request of Mr. CRAPO, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2595, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 2645

At the request of Mrs. SHAHEEN, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 2645, a bill to impose sanctions with respect to foreign persons responsible for gross violations of internationally recognized human rights against lesbian, gay, bisexual, and transgender individuals, and for other purposes.

S. 2680

At the request of Mr. ALEXANDER, the names of the Senator from Iowa (Mr.

GRASSLEY), the Senator from Mississippi (Mr. WICKER), the Senator from Colorado (Mr. BENNET) and the Senator from North Dakota (Ms. HEITKAMP) were added as cosponsors of S. 2680, a bill to amend the Public Health Service Act to provide comprehensive mental health reform, and for other purposes.

At the request of Mrs. MURRAY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2680, *supra*.

S. 2750

At the request of Mr. THUNE, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2750, a bill to amend the Internal Revenue Code to extend and modify certain charitable tax provisions.

S. 2851

At the request of Mr. THUNE, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2851, a bill to amend title 38, United States Code, to provide for annual cost-of-living adjustments to be made automatically by law each year in the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes.

S. 2957

At the request of Mr. NELSON, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 2957, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 50th anniversary of the first manned landing on the Moon.

S. 2962

At the request of Ms. CANTWELL, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 2962, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 2989

At the request of Ms. MURKOWSKI, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2989, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

S. 3034

At the request of Mr. CRUZ, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 3034, a bill to prohibit the National Telecommunications and Information Administration from allowing the Internet Assigned Numbers Authority functions contract to lapse unless specifically authorized to do so by an Act of Congress.

S. 3039

At the request of Mr. KING, the name of the Senator from Hawaii (Mr.

SCHATZ) was added as a cosponsor of S. 3039, a bill to support programs for mosquito-borne and other vector-borne disease surveillance and control.

S. 3043

At the request of Ms. KLOBUCHAR, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 3043, a bill to direct the Secretary of Veterans Affairs to carry out a pilot program establishing a patient self-scheduling appointment system, and for other purposes.

S. 3095

At the request of Mr. BOOKER, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 3095, a bill to prohibit sale of shark fins and for other purposes.

S. 3106

At the request of Mr. REID, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 3106, a bill to provide a coordinated regional response to effectively manage the endemic violence and humanitarian crisis in El Salvador, Guatemala, and Honduras.

S. 3127

At the request of Mr. HEINRICH, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 3127, a bill to amend title 18, United States Code, to enhance protections of Native American cultural objects, and for other purposes.

S. 3142

At the request of Ms. BALDWIN, the names of the Senator from Utah (Mr. HATCH), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Massachusetts (Ms. WARREN), the Senator from Arizona (Mr. MCCAIN), the Senator from New York (Mr. SCHUMER) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 3142, a bill to require reporting on acts of certain foreign countries on Holocaust era assets and related issues.

S. 3164

At the request of Mrs. SHAHEEN, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 3164, a bill to provide protection for survivors of domestic violence or sexual assault under the Fair Housing Act.

S. 3177

At the request of Mr. HELLER, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 3177, a bill to amend the Internal Revenue Code of 1986 to provide for the tax-exempt financing of certain government-owned buildings.

S. 3179

At the request of Ms. HEITKAMP, the names of the Senator from Minnesota (Mr. FRANKEN) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 3179, a bill to amend the Internal Revenue Code of 1986 to improve and extend the credit for carbon dioxide sequestration.

S. 3183

At the request of Mr. MORAN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 3183, a bill to prohibit the circumvention of control measures used by Internet ticket sellers to ensure equitable consumer access to tickets for any given event, and for other purposes.

S. 3198

At the request of Mr. HATCH, the names of the Senator from Nevada (Mr. HELLER), the Senator from Vermont (Mr. SANDERS) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 3198, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 3227

At the request of Mr. ISAKSON, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 3227, a bill to direct the President to establish an interagency mechanism to coordinate United States development programs and private sector investment activities, and for other purposes.

S. 3256

At the request of Mr. DURBIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 3256, a bill to amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the goal of all children in school and learning as an objective of the United States foreign assistance policy, and for other purposes.

S. 3269

At the request of Mrs. FEINSTEIN, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 3269, a bill to require the Attorney General to make a determination as to whether cannabidiol should be a controlled substance and listed in a schedule under the Controlled Substances Act and to expand research on the potential medical benefits of cannabidiol and other marijuana components.

S. 3281

At the request of Mr. REID, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 3281, a bill to extend the Iran Sanctions Act of 1996.

S. 3284

At the request of Mr. CRUZ, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 3284, a bill to oppose loans at international financial institutions for the Government of Nicaragua unless the Government of Nicaragua is taking effective steps to hold free, fair, and transparent elections, and for other purposes.

S. 3288

At the request of Mrs. KLOBUCHAR, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Colorado (Mr. GARDNER) were added as

cosponsors of S. 3288, a bill to amend the Food Security Act of 1985 to exempt certain recipients of Department of Agriculture conservation assistance from certain reporting requirements, and for other purposes.

S. 3292

At the request of Mr. PORTMAN, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 3292, a bill to amend the Tariff Act of 1930 to make the Postmaster General the importer of record for the non-letter class mail and to require the provision of advance electronic information about shipments of non-letter class mail to U.S. Customs and Border Protection, and for other purposes.

S. 3304

At the request of Mr. THUNE, the names of the Senator from Utah (Mr. HATCH), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Texas (Mr. CORNYN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 3304, a bill to direct the Secretary of Veterans Affairs to improve the Veterans Crisis Line.

S. 3308

At the request of Mrs. CAPITO, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 3308, a bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MA-PD organizations under the Medicare program from retroactively reducing payment on clean claims submitted by pharmacies.

S. 3311

At the request of Mr. SASSE, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 3311, a bill to amend the Internal Revenue Code of 1986 to exempt individuals whose health plans under the Consumer Operated and Oriented Plan program have been terminated from the individual mandate penalty.

S. 3355

At the request of Mr. COTTON, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 3355, a bill to prohibit funding for the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization in the event the United Nations Security Council adopts a resolution that obligates the United States or affirms a purported obligation of the United States to refrain from actions that would run counter to the object and purpose of the Comprehensive Nuclear-Test-Ban Treaty.

S. 3391

At the request of Mr. REED, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 3391, a bill to reauthorize the Museum and Library Services Act.

S. 3392

At the request of Mr. ISAKSON, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S.

3392, 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. 3405

At the request of Mr. DAINES, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Nebraska (Mrs. FISCHER), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Utah (Mr. HATCH), the Senator from Kansas (Mr. MORAN), the Senator from Arkansas (Mr. COTTON) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 3405, a bill to transfer certain items from the United States Munitions List to the Commerce Control List.

S. CON. RES. 51

At the request of Mr. GRASSLEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. Con. Res. 51, a concurrent resolution expressing the sense of Congress that those who served in the bays, harbors, and territorial seas of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, should be presumed to have been exposed to the toxin Agent Orange and should be eligible for all related Federal benefits that come with such presumption under the Agent Orange Act of 1991.

S. RES. 536

At the request of Mr. CARPER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 536, a resolution proclaiming the week of October 30 through November 5, 2016, as "National Obesity Care Week".

S. RES. 570

At the request of Mr. MURPHY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. Res. 570, a resolution recognizing the importance of substance abuse disorder treatment and recovery in the United States.

S. RES. 581

At the request of Mr. BLUMENTHAL, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. Res. 581, a resolution prohibiting the Senate from adjourning, recessing, or convening in a pro forma session unless the Senate has provided a hearing and a vote on the pending nomination to the position of justice of the Supreme Court of the United States.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN:

S. 3428. A bill to amend the Internal Revenue Code of 1986 to ensure that new wind turbines located near certain military installations are ineligible for the renewable electricity production credit and the energy credit; to the Committee on Finance.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3428

*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 “Protection of Military Airfields from Wind Turbine Encroachment Act”.

## SEC. 2. NEW WIND TURBINES LOCATED NEAR CERTAIN MILITARY INSTALLATIONS.

(a) IN GENERAL.—Paragraph (1) of section 45(d) of the Internal Revenue Code of 1986 is amended by striking “Such term” and all that follows through the period and inserting the following: “Such term shall not include—

“(A) any facility with respect to which any qualified small wind energy property expenditure (as defined in subsection (d)(4) of section 25D) is taken into account in determining the credit under such section, or

“(B) any facility which is originally placed in service after the date of the enactment of the Protection of Military Airfields from Wind Turbine Encroachment Act and is located within a 30-mile radius of—

“(i) an airfield or airbase under the jurisdiction of a military department which is in active use, or

“(ii) an air traffic control radar site, weather radar site, or aircraft navigation aid which is—

“(I) owned or operated by the Department of Defense, and

“(II) a permanent land-based structure at a fixed location.”.

(b) QUALIFIED SMALL WIND ENERGY PROPERTY.—Paragraph (4) of section 48(c) of the Internal Revenue Code of 1986 is amended—

(1) by redesignating subparagraph (C) as subparagraph (D), and

(2) by inserting after subparagraph (B) the following:

“(C) EXCEPTION.—The term ‘qualified small wind energy property’ shall not include any property which is originally placed in service after the date of the enactment of the Protection of Military Airfields from Wind Turbine Encroachment Act and is located within a 30-mile radius of any property described in clause (i) or (ii) of section 45(d)(1)(B).”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

By Mr. DURBIN (for himself, Mr. COONS, Mr. LEAHY, Mr. BOOKER, and Mr. FRANKEN):

S. 3432. A bill to reform the use of solitary confinement and other forms of restrictive housing in the Bureau of Prisons, and for other purposes; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I come to the floor today to introduce the Solitary Confinement Reform Act, a bill that would make significant reforms to the use of solitary confinement in federal prisons and encourage states to implement similar reforms. Before I discuss what this legislation would do, let me explain why I am introducing it.

Several years ago, I read an article in the New Yorker magazine entitled “Hellhole.” This article was written by Dr. Atul Gawande, a medical doctor who examined the human impact of long-term solitary confinement in American prisons. In this article, Dr. Gawande asked:

If prolonged isolation is—as research and experience have confirmed for decades—so objectively horrifying, so intrinsically cruel, how did we end up with a prison system that may subject more of our own citizens to it than any other country in history has?

At the time, I was serving as Chairman of the Senate Judiciary Subcommittee on the Constitution, Civil Rights, and Human Rights, and I decided to hold a hearing on solitary confinement—the first-ever congressional hearing on the topic. It turned out to be a hearing that I will never forget.

One of our witnesses at the hearing was Anthony Graves. I will never forget Mr. Graves’ testimony. He spent 18 years in prison, including 16 years in solitary confinement. In 2010, he became the 12th death row inmate to be exonerated in Texas. Think about that—Mr. Graves spent 16 years in solitary for a crime he didn’t commit. At the hearing, Mr. Graves testified about his experience, and here is what he said:

I lived under some of the worst conditions imaginable with the filth, the food, the total disrespect of human dignity. I lived under the rules of a system that is literally driving men out of their minds.

He went on to say:

Solitary confinement does one thing, it breaks a man’s will to live and he ends up deteriorating. He’s never the same person again. . . . I have been free for almost two years and I still cry at night, because no one out here can relate to what I have gone through. I battle with feelings of loneliness. I’ve tried therapy but it didn’t work. The therapist was crying more than me. She couldn’t believe that our system was putting men through this sort of inhumane treatment.

I think that sentiment echoed through the minds of everyone in the hearing room as Mr. Graves gave his testimony. We couldn’t believe that our system was putting inmates through this sort of inhumane treatment.

Mr. Graves’ story shed light on the damaging impact of holding tens of thousands of men, women, and children in small windowless cells 23 hours a day—for weeks, months, years—with very little, if any, contact with the outside world. Clearly, such extreme isolation can have serious psychological effects on inmates.

At the hearing, we also examined the serious fiscal impact of solitary confinement. We learned that in a federal high security facility, the cost of housing an inmate in segregation is about 1.3 times the cost of housing an inmate in a general population unit. At the Federal supermax prison in Florence, CO, the cost of housing an inmate in segregation is more than 2.5 times the cost of housing an inmate in the general population. Is this a wise use of taxpayer dollars when the money we spend on our Federal prisons already consumes one quarter of the Department of Justice’s budget every year? So every dollar that we spend holding a prisoner in solitary confinement is a dollar that we don’t spend on commu-

nity policing, crime prevention, and drug treatment.

We also discussed the significant public safety consequences of widespread solitary confinement. Some people might ask, “What happens in our prisons doesn’t affect me, so why should I care?” But consider this—the vast majority of inmates held in segregation will be released into our communities someday. So if solitary confinement destabilizes prisoners and makes them more likely to engage in violence or other criminal conduct, then that affects all of us.

Two years after my first hearing, I held a follow-up hearing. At that hearing, we heard from Damon Thibodeaux, who spent 15 years in solitary confinement at the Louisiana State Penitentiary before he was exonerated in 2012. Mr. Thibodeaux testified:

I do not condone what those who have killed and committed other serious offenses have done. But I also don’t condone what we do to them, when we put them in solitary for years on end and treat them as sub-human. We are better than that. As a civilized society, we should be better than that.

Mr. Thibodeaux was right. We should be better than that. Thankfully, our society is beginning to recognize that the widespread use of solitary confinement in our prison system must change.

In 2014, Supreme Court Justice Anthony Kennedy testified to Congress that, quote, “solitary confinement literally drives men mad.” Last year, Justice Kennedy again brought up the issue in a powerful concurring opinion. He wrote, quote, “research still confirms what this Court suggested over a century ago: Years on end of near-total isolation exacts a terrible price.” He went on to note that, quote, “the judiciary may be required . . . to determine whether workable alternative systems for long-term confinement exist, and, if so, whether a correctional system should be required to adopt them.”

Pope Francis has also criticized solitary confinement. In a 2014 speech at the Vatican, he referred to the practice of extreme isolation as “torture” and “a genuine surplus of pain added to the actual suffering of imprisonment.” He went on to say:

The lack of sensory stimuli, the total impossibility of communication and the lack of contact with other human beings induce mental and physical suffering such as paranoia, anxiety, depression, weight loss, and significantly increase the suicidal tendency.

I still don’t fully understand how our society reached a point at which the overuse of solitary confinement became acceptable, or normal. But I know that we need to do something about it.

In light of the mounting evidence of the harmful, even dangerous, impacts of solitary confinement, states around the country have led the way in reassessing the practice. Take Colorado, for example, which has implemented a number of critical reforms. Colorado no longer releases offenders directly

from solitary to the community and no longer places inmates with serious mental illness in solitary. Have these reforms made Colorado's prisons less safe? No, in fact since Colorado changed its solitary confinement practices, inmate-on-staff assaults are at their lowest levels since 2006, incidents of self-harm have decreased, and most inmates released from solitary are not returning.

Progress has been made at the Federal level as well. After my 2014 hearing I called for an end to solitary confinement for juveniles, pregnant women, and inmates with serious mental illness in our federal prisons. I also asked the Federal Bureau of Prisons to submit for the first time to an outside independent assessment of its solitary confinement practices. The assessment, released last year, noted that some improvements have been made since the hearing, most importantly in the declining number of inmates in solitary confinement. The assessment also made a number of recommendations for additional reforms, such as improving mental health care for inmates in segregation and establishing alternatives to segregation for inmates in protective custody. BOP began taking steps to address these issues following the release of the assessment.

Last year, building upon this independent assessment, the Department of Justice undertook a review of the Bureau of Prisons' use of solitary confinement. This January, President Obama announced that he had accepted a number of DOJ's recommendations to reform and reduce the practice of solitary confinement in the Federal prison system—including implementing the ban on juvenile solitary confinement that I called for in 2014.

I welcome the reforms that the President announced, and I am glad to see that the Bureau of Prisons is making some progress in implementing these reforms. However, our Federal prison system is still housing more than 10,000 inmates in segregation as I speak. The number of inmates in solitary confinement since my first hearing has decreased from about 13,600 to about 10,400. But the number of total Federal prisoners has also dropped significantly since 2012. So the percentage of Federal prisoners in solitary has only gone down from 7.8 percent to 6.7 percent. Clearly, there is much more work to be done.

That is why Senator COONS and I are joining together to introduce the Solitary Confinement Reform Act. This legislation will build on the Justice Department's recommendations to further reform and reduce the use of solitary confinement in Federal prisons.

Our bill ensures that inmates are only placed in solitary confinement when absolutely necessary—such as to control a substantial and immediate threat to the safety of other inmates or corrections staff, or to punish an inmate for a significant and serious disciplinary violation.

Our bill also improves the conditions of confinement for prisoners in solitary and establishes firm time limits on segregation, in order to combat long-term isolation. However, we recognize that some extremely dangerous inmates require long-term separation from the general population. That's why our bill ensures that BOP can continue to separate those inmates who pose the greatest risk to other inmates, staff, and the general public.

Among the most important provisions in our bill are the strict limits on the use of solitary confinement for inmates nearing their release date, inmates in protective custody, LGBT inmates, and inmates who are minors, have a serious mental illness, have an intellectual or physical disability, or are pregnant or in the first eight weeks of postpartum recovery after birth.

For inmates who are placed in segregated housing, our bill improves access to mental health care and ensures that a robust review process is in place. Additionally, our bill increases transparency and accountability by requiring the Attorney General to establish a Civil Rights Ombudsman within the Bureau of Prisons to review inmate complaints, and directing BOP to submit an annual assessment to Congress detailing their solitary confinement policies, regulations, and data. Finally, our bill establishes a National Resource Center on Solitary Confinement Reform that would provide vital resources to state and local jurisdictions as corrections systems around the country pursue reductions in solitary confinement.

I want to thank Senator COONS for working with me on this legislation, and Senators BOOKER, LEAHY, and FRANKEN for joining as original cosponsors of the bill.

I also want to thank the ACLU, The Leadership Conference on Civil and Human Rights, Human Rights Watch, Just Detention International, Campaign for Youth Justice, Center for Children's Law and Policy, Human Rights Campaign, National Alliance on Mental Illness, National Religious Campaign Against Torture, Bend the Arc Jewish Action, Interfaith Action for Human Rights, T'ruah: The Rabbinic Call for Human Rights, and Washington Lawyers' Committee for Civil Rights and Urban Affairs for endorsing the Solitary Confinement Reform Act.

This legislation is one of many steps we should take to reform our criminal justice system and make our country safer, more just, and more fiscally responsible. I urge my colleagues to support the Solitary Confinement Reform Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3432

*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 "Solitary Confinement Reform Act".

## SEC. 2. SOLITARY CONFINEMENT REFORMS.

(a) AMENDMENT.—Chapter 303 of title 18, United States Code, is amended by adding at the end the following:

### "§ 4050. Solitary confinement

"(a) DEFINITIONS.—In this section:

"(1) ADMINISTRATIVE MAXIMUM FACILITY.—The term 'administrative maximum facility' means a maximum-security facility, including the Administrative Maximum facility in Florence, Colorado, designed to house inmates who present an ongoing significant and serious threat to other inmates, staff, and the public.

"(2) ADMINISTRATIVE SEGREGATION.—The term 'administrative segregation' means a non-punitive form of solitary confinement that removes an individual from the general population of a correctional facility for—

"(A) investigative, protective, or preventative reasons resulting in a substantial and immediate threat; or

"(B) transitional reasons, including a pending transfer, pending classification, or other temporary administrative matter.

"(3) APPROPRIATE LEVEL OF CARE.—The term 'appropriate level of care' means the appropriate treatment setting for mental health care that an inmate with mental illness requires, which may include outpatient care, emergency or crisis services, day treatment, supported residential housing, infirmary care, or inpatient psychiatric hospitalization services.

"(4) DIRECTOR.—The term 'Director' means the Director of the Bureau of Prisons.

"(5) DISCIPLINARY HEARING OFFICER.—The term 'disciplinary hearing officer' means an employee of the Bureau of Prisons who is responsible for conducting disciplinary hearings for which solitary confinement may be a sanction, as described in section 541.8 of title 28, Code of Federal Regulations, or any successor thereto.

"(6) DISCIPLINARY SEGREGATION.—The term 'disciplinary segregation' means a punitive form of solitary confinement imposed only by a Disciplinary Hearing Officer as a sanction for committing a significant and serious disciplinary infraction.

"(7) INTELLECTUAL DISABILITY.—The term 'intellectual disability' means a significant mental impairment characterized by significant limitations in both intellectual functioning and in adaptive behavior.

"(8) MULTIDISCIPLINARY STAFF COMMITTEE.—The term 'multidisciplinary staff committee' means a committee—

"(A) made up of staff at the facility where an inmate resides who are responsible for reviewing the initial placement of the inmate in solitary confinement and any extensions of time in solitary confinement; and

"(B) which shall include—

"(i) not less than 1 licensed mental health professional;

"(ii) not less than 1 medical professional; and

"(iii) not less than 1 member of the leadership of the facility.

"(9) ONGOING SIGNIFICANT AND SERIOUS THREAT.—The term 'ongoing significant and serious threat' means an ongoing set of circumstances that require the highest level of security and staff supervision for an inmate who, by the behavior of the inmate—

"(A) has been identified as assaultive, predacious, riotous, or a serious escape risk; and

"(B) poses a great risk to other inmates, staff, and the public.

"(10) PROTECTION CASE.—The term 'protection case' means an inmate who, by the request of the inmate or through a staff determination, requires protection, as described

by section 541.23(c)(3) of title 28, Code of Federal Regulations, or any successor thereto.

“(11) **SERIOUS MENTAL ILLNESS.**—The term ‘serious mental illness’ means a substantial disorder of thought or mood that significantly impairs judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life.

“(12) **SIGNIFICANT AND SERIOUS DISCIPLINARY INFRACTION.**—The term ‘significant and serious disciplinary infraction’ means—

“(A) an act of violence that either—

“(i) resulted in or was likely to result in serious injury or death to another; or

“(ii) occurred in connection with any act of non-consensual sex; or

“(B) an escape, attempted escape, or conspiracy to escape from within a security perimeter or custody, or both; or

“(C) possession of weapons, possession of illegal narcotics with intent to distribute, or other similar, severe threats to the safety of the inmate, other inmates, staff, or the public.

“(13) **SOLITARY CONFINEMENT.**—The term ‘solitary confinement’ means confinement characterized by substantial isolation in a cell, alone or with other inmates, including administrative segregation, disciplinary segregation, and confinement in any facility designated by the Bureau of Prisons as a special housing unit, special management unit, or administrative maximum facility.

“(14) **SPECIAL ADMINISTRATIVE MEASURES.**—The term ‘special administrative measures’ means reasonably necessary measures used to—

“(A) prevent disclosure of classified information upon written certification to the Attorney General by the head of an element of the intelligence community (as specified or designated under section 3(4) of the National Security act of 1947 (50 U.S.C. 3003(4))) that the unauthorized disclosure of such information would pose a threat to the national security and that there is a danger that the inmate will disclose such information, as described by section 501.2 of title 28, Code of Federal Regulations, or any successor thereto; or

“(B) protect persons against the risk of death or serious bodily injury, upon written notification to the Director by the Attorney General or, at the Attorney General’s direction, by the head of a Federal law enforcement agency, or the head of an element of the intelligence community (as specified or designated under section 3(4) of the National Security act of 1947 (50 U.S.C. 3003(4))), that there is a substantial risk that the communications of an inmate or contacts by the inmate with other persons could result in death or serious bodily injury to persons, or substantial damage to property that would entail the risk of death or serious bodily injury to persons, as described by section 501.3 of title 28, Code of Federal Regulations, or any successor thereto.

“(15) **SPECIAL HOUSING UNIT.**—The term ‘special housing unit’ means a housing unit in an institution of the Bureau of Prisons in which inmates are securely separated from the general inmate population for disciplinary or administrative reasons, as described in section 541.21 of title 28, Code of Federal Regulations, or any successor thereto.

“(16) **SPECIAL MANAGEMENT UNIT.**—The term ‘special management unit’ means a non-punitive housing program with multiple, step-down phases for inmates whose history, behavior, or situation requires enhanced management approaches in order to ensure the safety of other inmates, the staff, and the public.

“(17) **SUBSTANTIAL AND IMMEDIATE THREAT.**—The term ‘substantial and immediate threat’ means any set of temporary and unforeseen circumstances that require

immediate action in order to combat a threat to the safety of an inmate, other inmates, staff, or the public.

“(b) **USE OF SOLITARY CONFINEMENT.**—

“(1) **IN GENERAL.**—The placement of a Federal inmate in solitary confinement within the Bureau of Prisons or any facility that contracts with the Bureau of Prisons to provide housing for inmates in Federal custody shall be limited to situations in which such confinement—

“(A) is limited to the briefest term and the least restrictive conditions practicable, including not less than 4 hours of out-of-cell time every day, unless the inmate poses a substantial and immediate threat;

“(B) is consistent with the rationale for placement and with the progress achieved by the inmate;

“(C) allows the inmate to participate in meaningful programming opportunities and privileges as consistent with those available in the general population as practicable, either individually or in a classroom setting;

“(D) allows the inmate to have as much meaningful interaction with others, such as other inmates, visitors, clergy, or licensed mental health professionals, as practicable; and

“(E) complies with the provisions of this section.

“(2) **TRANSITIONAL PROCESS FOR INMATES IN SOLITARY CONFINEMENT.**—

“(A) **INMATES WITH UPCOMING RELEASE DATES.**—The Director shall establish—

“(i) policies to ensure that an inmate with an anticipated release date of 180 days or less is not housed in solitary confinement, unless—

“(I) such confinement is limited to not more than 5 days of administrative segregation relating to the upcoming release of the inmate; or

“(II) the inmate poses a substantial and immediate threat; and

“(ii) a transitional process for each inmate with an anticipated release date of 180 days or less who is held in solitary confinement under clause (i)(II), which shall include—

“(I) substantial re-socialization programming in a group setting;

“(II) regular mental health counseling to assist with the transition; and

“(III) re-entry planning services offered to inmates in a general population setting.

“(B) **INMATES IN LONG-TERM SOLITARY CONFINEMENT.**—The Director shall establish a transitional process for each inmate who has been held in solitary confinement for more than 30 days and who will transition into a general population unit, which shall include—

“(i) substantial re-socialization programming in a group setting; and

“(ii) regular mental health counseling to assist with the transition.

“(3) **PROTECTIVE CUSTODY UNITS.**—The Director—

“(A) shall establish within the Federal prison system additional general population protective custody units that provide sheltered general population housing to protect inmates from harm that they may otherwise be exposed to in a typical general population housing unit;

“(B) shall establish policies to ensure that an inmate who is considered a protection case shall, upon request of the inmate, be placed in a general population protective custody unit;

“(C) shall create an adequate number of general population protective custody units to—

“(i) accommodate the requests of inmates who are considered to be protection cases; and

“(ii) ensure that inmates who are considered to be protection cases are placed in fa-

cilities as close to their homes as practicable; and

“(D) may not place an inmate who is considered to be a protection case in solitary confinement due to the status of the inmate as a protection case unless—

“(i) the inmate requests to be placed in solitary confinement, in which case, at the request of the inmate the inmate shall be transferred to a general population protective custody unit or, if appropriate, a different general population unit; or

“(ii) such confinement is limited to—

“(I) not more than 5 days of administrative segregation; and

“(II) is necessary to protect the inmate during preparation for transfer to a general population protective custody unit or a different general population unit.

“(4) **VULNERABLE POPULATIONS.**—The Bureau of Prisons or any facility that contracts with the Bureau of Prisons shall not place an inmate in solitary confinement if—

“(A) the inmate is younger than 18 years of age, unless—

“(i) such confinement is a temporary response to the behavior of the inmate, which poses a substantial and immediate threat;

“(ii) all other options to de-escalate the situation have been exhausted, including less restrictive techniques such as—

“(I) penalizing the inmate through loss of privileges;

“(II) speaking with the inmate in an attempt to de-escalate the situation; and

“(III) a licensed mental health professional providing an appropriate level of care;

“(iii) such confinement is limited to—

“(I) 3 hours after the inmate is placed in solitary confinement, if the inmate poses a substantial and immediate threat to others; or

“(II) 30 minutes after the inmate is placed in solitary confinement, if the inmate poses a substantial and immediate threat only to himself or herself; and

“(iv) if, after the applicable maximum period of confinement under subclause (I) or (II) of clause (iii) has expired, the inmate continues to pose a substantial and immediate threat described in that subclause—

“(I) the inmate shall be transferred to another facility or internal location where services can be provided to the inmate without relying on solitary confinement; or

“(II) if a qualified mental health professional believes the level of crisis service needed is not currently available, a staff member of the facility shall initiate a referral to a location that can meet the needs of the inmate;

“(B) the inmate has a serious mental illness, has an intellectual disability, has a physical disability that a licensed medical professional finds is likely to be exacerbated by placement in solitary confinement, is pregnant or in the first 8 weeks of the postpartum recovery period after giving birth, or has been determined by a licensed mental health professional to likely be significantly adversely affected by placement in solitary confinement, unless—

“(i) the inmate poses a substantial and immediate threat;

“(ii) all other options to de-escalate the situation have been exhausted, including less restrictive techniques such as—

“(I) penalizing the inmate through loss of privileges;

“(II) speaking with the inmate in an attempt to de-escalate the situation; and

“(III) a licensed mental health professional providing an appropriate level of care;

“(iii) such confinement is limited to the briefest term and the least restrictive conditions practicable, including access to medical and mental health treatment;

“(iv) such confinement is reviewed by a multidisciplinary staff committee for appropriateness every 24 hours; and

“(v) as soon as practicable, but not later than 5 days after such confinement begins, the inmate is diverted, upon release from solitary confinement, to—

“(I) a general population unit;

“(II) a protective custody unit described in paragraph (3); or

“(III) a mental health treatment program as described in subsection (c)(2); or

“(C) the inmate is lesbian, gay, bisexual, transgender (as defined in section 115.5 of title 28, Code of Federal Regulations, or any successor thereto), intersex (as defined in section 115.5 of title 28, Code of Federal Regulations, or any successor thereto), or gender nonconforming (as defined in section 115.5 of title 28, Code of Federal Regulations, or any successor thereto), when such placement is solely on the basis of such identification or status.

“(5) SPECIAL HOUSING UNITS.—The Director shall—

“(A) limit administrative segregation—

“(i) to situations in which such segregation is necessary to—

“(I) control a substantial and immediate threat that cannot be addressed through alternative housing; or

“(II) temporarily house an inmate pending transfer, pending classification, or pending resolution of another temporary administrative matter; and

“(ii) to a duration of not more than 15 consecutive days, and not more than 20 days in a 60-day period, unless—

“(I) the inmate requests to remain in administrative segregation under paragraph (3)(D)(i); or

“(II) in order to address the continued existence of a substantial and immediate threat, a multidisciplinary staff committee approves a temporary extension, which—

“(aa) may not be longer than 15 days; and

“(bb) shall be reviewed by the multidisciplinary staff committee every 3 days during the period of the extension, in order to confirm the continued existence of the substantial and immediate threat;

“(B) limit disciplinary segregation—

“(i) to situations in which such segregation is necessary to punish an inmate who has been found to have committed a significant and serious disciplinary infraction by a Disciplinary Hearing Officer and alternative sanctions would not adequately regulate the behavior of the inmate; and

“(ii) to a duration of not more than 30 consecutive days, and not more than 40 days in a 60-day period, unless a multidisciplinary staff committee, in consultation with the Disciplinary Hearing Officer who presided over the inmate's disciplinary hearing, determines that the significant and serious disciplinary infraction of which the inmate was found guilty is of such an egregious and violent nature that a longer sanction is appropriate and approves a longer sanction, which—

“(I) may be not more than 60 days in a special housing unit if the inmate has never before been found guilty of a similar significant and serious disciplinary infraction; or

“(II) may be not more than 90 days in a special housing unit if the inmate has previously been found guilty of a similar significant and serious disciplinary infraction;

“(C) ensure that any time spent in administrative segregation during an investigation into an alleged offense is credited as time served for a disciplinary segregation sentence;

“(D) ensure that concurrent sentences are imposed for disciplinary violations arising from the same episode; and

“(E) ensure that an inmate may be released from disciplinary segregation for good behavior before completing the term of the inmate, unless the inmate poses a substantial and immediate threat to the safety of other inmates, staff, or the public.

“(6) SPECIAL MANAGEMENT UNITS.—The Director shall—

“(A) limit segregation in a special management unit to situations in which such segregation is necessary to temporarily house an inmate whose history, behavior, or circumstances require enhanced management approaches that cannot be addressed through alternative housing;

“(B) evaluate whether further reductions to the minimum and maximum number of months an inmate may spend in a special management unit are appropriate on an annual basis;

“(C) ensure that each inmate understands the status of the inmate in the special management unit program and how the inmate may progress through the program; and

“(D) further reduce the minimum and maximum number of months an inmate may spend in a special management unit if the Director determines such reductions are appropriate after evaluations are performed under subparagraph (B).

“(7) ADMINISTRATIVE MAXIMUM FACILITIES.—The Director shall—

“(A) limit segregation in an administrative maximum facility to situations in which such segregation is necessary to—

“(i) implement special administrative measures, as directed by the Attorney General; or

“(ii) house an inmate who poses an ongoing significant and serious threat to the safety of other inmates, staff, or the public that cannot be addressed through alternative housing; and

“(B) issue final approval of referral of any inmate who poses an ongoing significant and serious threat for placement in an Administrative Maximum facility, including the United States Penitentiary Administrative Maximum in Florence, Colorado.

“(8) RIGHT TO REVIEW PLACEMENT IN SOLITARY CONFINEMENT.—The Director shall ensure that each inmate placed in solitary confinement has access to—

“(A) written notice thoroughly detailing the basis for placement or continued placement in solitary confinement not later than 6 hours after the beginning of such placement, including—

“(i) thorough documentation explaining why such confinement is permissible and necessary under paragraph (1); and

“(ii) if an exception under paragraph (2)(A), (3)(D), (4)(A), (4)(B), (4)(C), (5)(A), or (5)(B) is used to justify placement in solitary confinement or under paragraph (1) to justify increased restrictive conditions in solitary confinement, thorough documentation explaining why such an exception applied;

“(B) a timely, thorough, and continuous review process that—

“(i) occurs within not less than 3 days of placement in solitary confinement, and thereafter at least—

“(I) on a weekly basis for inmates in special housing units;

“(II) on a monthly basis for inmates in special management units; and

“(III) on a monthly basis for inmates at an administrative maximum facility;

“(ii) includes private, face-to-face interviews with a multidisciplinary staff committee; and

“(iii) examines whether—

“(I) placement in solitary confinement was and remains necessary;

“(II) the conditions of confinement comply with this section; and

“(III) whether any exception under paragraph (2)(A), (3)(D), (4)(A), (4)(B), (4)(C), (5)(A), or (5)(B) used to justify placement in solitary confinement or under paragraph (1) used to justify increased restrictive conditions in solitary confinement was and remains warranted;

“(C) a process to appeal the initial placement or continued placement of the inmate in solitary confinement;

“(D) prompt and timely written notice of the appeal procedures; and

“(E) copies of all documents, files, and records relating to the inmate's placement in solitary confinement, unless such documents contain contraband, classified information, or sensitive security-related information.

“(c) MENTAL HEALTH CARE FOR INMATES IN SOLITARY CONFINEMENT.—

“(1) MENTAL HEALTH SCREENING.—Not later than 6 hours after an inmate in the custody of the Bureau of Prisons or any facility that contracts with the Bureau of Prisons to provide housing for inmates in Federal custody is placed in solitary confinement, the inmate shall receive a comprehensive, face-to-face mental health evaluation by a licensed mental health professional in a confidential setting.

“(2) MENTAL HEALTH TREATMENT PROGRAM.—An inmate diagnosed with a serious mental illness after an evaluation required under paragraph (1)—

“(A) shall not be placed in solitary confinement in accordance with subsection (b)(4); and

“(B) may be diverted to a mental health treatment program within the Bureau of Prisons that provides an appropriate level of care to address the inmate's mental health needs.

“(3) CONTINUING EVALUATIONS.—After each 14-calendar-day period an inmate is held in continuous placement in solitary confinement—

“(A) a licensed mental health professional shall conduct a comprehensive, face-to-face, out-of-cell mental health evaluation of the inmate in a confidential setting; and

“(B) the Director shall adjust the placement of the inmate in accordance with this subsection.

“(4) REQUIREMENT.—The Director shall operate mental health treatment programs in order to ensure that inmates of all security levels with serious mental illness have access to an appropriate level of care.

“(d) TRAINING FOR BUREAU OF PRISONS STAFF.—

“(1) TRAINING.—All employees of the Bureau of Prisons or any facility that contracts with the Bureau of Prisons to provide housing for inmates in Federal custody who interact with inmates on a regular basis shall be required to complete training in—

“(A) the recognition of symptoms of mental illness;

“(B) the potential risks and side effects of psychiatric medications;

“(C) de-escalation techniques for safely managing individuals with mental illness;

“(D) consequences of untreated mental illness;

“(E) the long- and short-term psychological effects of solitary confinement; and

“(F) de-escalation and communication techniques to divert inmates from situations that may lead to the inmate being placed in solitary confinement.

“(2) NOTIFICATION TO MEDICAL STAFF.—An employee of the Bureau of Prisons shall immediately notify a member of the medical or mental health staff if the employee—

“(A) observes an inmate with signs of mental illness, unless such employee has knowledge that the inmate's signs of mental illness have previously been reported; or



“(B) observes an inmate with signs of mental health crisis.

“(e) CIVIL RIGHTS OMBUDSMAN.—

“(1) IN GENERAL.—Within the Bureau of Prisons, there shall be a position of the Civil Rights Ombudsman (referred to in this subsection as the ‘Ombudsman’) and an Office of the Civil Rights Ombudsman.

“(2) APPOINTMENT.—The Ombudsman shall be appointed by the Attorney General and shall report directly to the Director. The Ombudsman shall have a background in corrections and civil rights and shall have expertise on the effects of prolonged solitary confinement.

“(3) REPORTING.—The Director shall ensure that each Bureau of Prisons facility or any facility that contracts with the Bureau of Prisons provides multiple internal ways for inmates and others to promptly report civil rights violations and violations of this section to the Ombudsman, including—

“(A) not less than 2 procedures for inmates and others to report civil rights violations and violations of this section to an entity or office that is not part of the facility, and that is able to receive and immediately forward inmate reports to the Ombudsman, allowing the inmate to remain anonymous upon request; and

“(B) not less than 2 procedures for inmates and others to report civil rights abuses and violations of this section to the Ombudsman in a confidential manner, allowing the inmate to remain anonymous upon request.

“(4) NOTICE.—The Director shall ensure that each Bureau of Prisons facility or any facility that contracts with the Bureau of Prisons provides inmates with—

“(A) notice of how to report civil rights violations and violations of this section in accordance with paragraph (3), including—

“(i) notice prominently posted in the living and common areas of each such facility;

“(ii) individual notice to inmates at initial intake into the Bureau of Prisons, when transferred to a new facility, and when placed in solitary confinement;

“(iii) notice to inmates with disabilities in accessible formats; and

“(iv) written or verbal notice in a language the inmate understands; and

“(B) notice of permissible practices related to solitary confinement in the Bureau of Prisons, including the requirements of this section.

“(5) FUNCTIONS.—The Ombudsman shall—

“(A) review all complaints the Ombudsman receives;

“(B) investigate all complaints that allege a civil rights violation or violation of this section;

“(C) refer all possible violations of law to the Department of Justice;

“(D) refer to the Director allegations of misconduct involving Bureau of Prisons staff;

“(E) identify areas in which the Bureau of Prisons can improve the Bureau’s policies and practices to ensure that the civil rights of inmates are protected;

“(F) identify areas in which the Bureau of Prisons can improve the solitary confinement policies and practices of the Bureau and reduce the use of solitary confinement; and

“(G) propose changes to the policies and practices of the Bureau of Prisons to mitigate problems and address issues the Ombudsman identifies.

“(6) ACCESS.—The Ombudsman shall have unrestricted access to Bureau of Prisons facilities and any facility that contracts with the Bureau of Prisons and shall be able to speak privately with inmates and staff.

“(7) ANNUAL REPORTS.—

“(A) OBJECTIVES.—Not later than December 31 of each year, the Ombudsman shall

submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on the activities of the Office of the Ombudsman for the fiscal year ending in such calendar year.

“(B) CONTENTS.—Each report submitted under subparagraph (A)—

“(i) contain full and substantive analysis, in addition to statistical information;

“(ii) identify the recommendations the Office of the Ombudsman has made on addressing reported civil rights violations and violations of this section and reducing the use and improving the practices of solitary confinement in the Bureau of Prisons;

“(iii) contain a summary of problems relating to reported civil rights violations and violations of this section, including a detailed description of the nature of such problems and a breakdown of where the problems occur among Bureau of Prisons facilities and facilities that contract with the Bureau of Prisons;

“(iv) contain an inventory of the items described in clauses (ii) and (iii) for which action has been taken and the result of such action;

“(v) contain an inventory of the items described in clauses (ii) and (iii) for which action remains to be completed and the period during which each item has remained on such inventory;

“(vi) contain an inventory of the items described in clauses (ii) and (iii) for which no action has been taken, the period during which each item has remained on such inventory, the reasons for the inaction, and shall identify any official of the Bureau of Prisons who is responsible for such inaction;

“(vii) contain recommendations for such legislative or administrative action as may be appropriate to resolve problems identified in clause (ii); and

“(viii) include such other information as the Ombudsman determines necessary.

“(C) SUBMISSION OF REPORTS.—Each report required under this paragraph shall be provided directly to the Committees described in subparagraph (A) without any prior review, comment, or amendment from the Director or any other officer or employee of the Department of Justice or Bureau of Prisons.

“(8) REGULAR MEETINGS WITH THE DIRECTOR OF THE BUREAU OF PRISONS.—The Ombudsman shall meet regularly with the Director to identify problems with reported civil rights violations and the solitary confinement policies and practices of the Bureau of Prisons, including overuse of solitary confinement, and to present recommendations for such administrative action as may be appropriate to resolve problems relating to reported civil rights violations and the solitary confinement policies and practices of the Bureau of Prisons.

“(9) RESPONSIBILITIES OF BUREAU OF PRISONS.—The Director shall establish procedures requiring that, not later than 3 months after the date on which a recommendation is submitted to the Director by the Ombudsman, the Director or other appropriate employee of the Bureau of Prisons issue a formal response to the recommendation.

“(10) NON-APPLICATION OF THE PRISON LITIGATION REFORM ACT.—Inmate reports sent to the Ombudsman shall not be considered an administrative remedy under section 7(a) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(a)).”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 303 of title 18, United States Code, is amended by inserting after the item relating to section 4049 the following:

“4050. Solitary confinement.”.

### SEC. 3. REASSESSMENT OF INMATE MENTAL HEALTH.

Not later than 180 days after the date of enactment of this Act, the Director of the Bureau of Prisons shall—

(1) assemble a team of licensed mental health professionals, which may include licensed mental health professionals who are not employed by the Bureau of Prisons, to conduct a comprehensive mental health reevaluation for each inmate held in solitary confinement for more than 30 days as of the date of enactment of this Act, including a confidential, face-to-face, out-of-cell interview by a licensed mental health professional; and

(2) adjust the placement of each inmate in accordance with section 4050(c) of title 18, United States Code, as added by section 2.

### SEC. 4. DIRECTOR OF BUREAU OF PRISONS.

Section 4041 of title 18, United States Code, is amended—

(1) by inserting “(a) IN GENERAL.—” before the “The Bureau of Prisons shall be”; and

(2) by adding at the end the following:

“(b) OMBUDSMAN.—The Director of the Bureau of Prisons shall—

“(1) meet regularly with the Ombudsman appointed under section 4050(e) to identify how the Bureau of Prisons can address reported civil rights violations and reduce the use of solitary confinement and correct problems in the solitary confinement policies and practices of the Bureau;

“(2) conduct a prompt and thorough investigation of each referral from the Ombudsman under section 4050(e)(5)(D), after each such investigation take appropriate disciplinary action against any Bureau of Prisons employee who is found to have engaged in misconduct or to have violated Bureau of Prisons policy, and notify the Ombudsman of the outcome of each such investigation; and

“(3) establish procedures requiring a formal response by the Bureau of Prisons to any recommendation of the Ombudsman in the annual report submitted under section 4050(e)(6) not later than 90 days after the date on which the report is submitted to Congress.”.

### SEC. 5. DATA TRACKING OF USE OF SOLITARY CONFINEMENT.

Section 4047 of title 18, United States Code, is amended by adding at the end the following:

“(d) PRISON SOLITARY CONFINEMENT ASSESSMENTS.—

“(1) IN GENERAL.—Not later than March 31 of each year, the Director of the Bureau of Prisons shall prepare and transmit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives an annual assessment of the use of solitary confinement by the Bureau of Prisons, as defined in section 4050(a).

“(2) CONTENTS.—Each assessment submitted under paragraph (1) shall include—

“(A) the policies and regulations of the Bureau of Prisons, including any changes in policies and regulations, for determining which inmates are placed in each form of solitary confinement, or housing in which an inmate is separated from the general population in use during the reporting period, and a detailed description of each form of solitary confinement in use, including all maximum and high security facilities, all special housing units, all special management units, all Administrative Maximum facilities, including the United States Penitentiary Administrative Maximum in Florence, Colorado, and all Communication Management Units;

“(B) the number of inmates in the custody of the Bureau of Prisons who are housed in each type of solitary confinement for any period and the percentage of all inmates who

have spent at least some time in each form of solitary confinement during the reporting period;

“(C) the demographics of all inmates housed in each type of solitary confinement described in subparagraph (A), including race, ethnicity, religion, age, and gender;

“(D) the policies and regulations of the Bureau of Prisons, including any updates in policies and regulations, for subsequent reviews or appeals of the placement of an inmate into or out of solitary confinement;

“(E) the number of reviews of and challenges to each type of solitary confinement placement described in subparagraph (A) conducted during the reporting period and the number of reviews or appeals that directly resulted in a change of placement;

“(F) the general conditions and restrictions for each type of solitary confinement described in subparagraph (A), including the number of hours spent in ‘isolation,’ or restraint, for each, and the percentage of time these conditions involve single-inmate housing;

“(G) the mean and median length of stay in each form of solitary confinement described in subparagraph (A), based on all individuals released from solitary confinement during the reporting period, including maximum and high security facilities, special housing units, special management units, the Administrative Maximum facilities, including the United States Penitentiary Administrative Maximum in Florence, Colorado, Communication Management Units, and any maximum length of stay during the reporting period;

“(H) the number of inmates who, after a stay of 5 or more days in solitary confinement, were released directly from solitary confinement to the public during the reporting period;

“(I) the cost for each form of solitary confinement described in subparagraph (A) in use during the reporting period, including as compared with the average daily cost of housing an inmate in the general population;

“(J) statistics for inmate assaults on correctional officers and staff of the Bureau of Prisons, inmate-on-inmate assaults, and staff-on-inmate use of force incidents in the various forms of solitary confinement described in subparagraph (A) and statistics for such assaults in the general population;

“(K) the policies for mental health screening, mental health treatment, and subsequent mental health reviews for all inmates, including any update to the policies, and any additional screening, treatment, and monitoring for inmates in solitary confinement;

“(L) a statement of the types of mental health staff that conducted mental health assessments for the Bureau of Prisons during the reporting period, a description of the different positions in the mental health staff of the Bureau of Prisons, and the number of part- and full-time psychologists and psychiatrists employed by the Bureau of Prisons during the reporting period;

“(M) data on mental health and medical indicators for all inmates in solitary confinement, including—

“(i) the number of inmates requiring medication for mental health conditions;

“(ii) the number diagnosed with an intellectual disability;

“(iii) the number diagnosed with serious mental illness;

“(iv) the number of suicides;

“(v) the number of attempted suicides and number of inmates placed on suicide watch;

“(vi) the number of instances of self-harm committed by inmates;

“(vii) the number of inmates with physical disabilities, including blind, deaf, and mobility-impaired inmates; and

“(viii) the number of instances of forced feeding of inmates; and

“(N) any other relevant data.”.

#### **SEC. 6. NATIONAL RESOURCE CENTER ON SOLITARY CONFINEMENT REDUCTION AND REFORM.**

(a) **DEFINITION OF ELIGIBLE ENTITY.**—In this section, the term “eligible entity” means an entity, or a partnership of entities, that has demonstrated expertise in the fields of—

(1) solitary confinement, including the reduction and reform of its use; and

(2) providing technical assistance to corrections agencies on how to reduce and reform solitary confinement.

(b) **REQUIREMENTS.**—Not later than 180 days after the date of enactment of this Act, the Bureau of Justice Assistance shall enter into a cooperative agreement, on a competitive basis, with an eligible entity for the purpose of establishing a coordinating center for State, local, and Federal corrections systems, which shall conduct activities such as—

(1) provide on-site technical assistance and consultation to Federal, State, and local corrections agencies to safely reduce the use of solitary confinement;

(2) act as a clearinghouse for research, data, and information on the safe reduction of solitary confinement in prisons and other custodial settings, including facilitating the exchange of information between Federal, State, and local practitioners, national experts, and researchers;

(3) create a minimum of 10 learning sites in Federal, State, and local jurisdictions that have already reduced their use of solitary confinement and work with other Federal, State, and local agencies to participate in training, consultation, and other forms of assistance and partnership with these learning sites;

(4) conduct evaluations of jurisdictions that have decreased their use of solitary confinement to determine best practices;

(5) conduct research on the effectiveness of alternatives to solitary confinement, such as step-down or transitional programs, strategies to reintegrate inmates into general population, the role of officers and staff culture in reform efforts, and other research relevant to the safe reduction of solitary confinement;

(6) develop and disseminate a toolkit for systems to reduce the excessive use of solitary confinement;

(7) develop and disseminate an online self-assessment tool for State and local jurisdictions to assess their own use of solitary confinement and identify strategies to reduce its use; and

(8) conduct public webinars to highlight new and promising practices.

(c) **ADMINISTRATION.**—The program under this section shall be administered by the Bureau of Justice Assistance.

(d) **REPORT.**—On an annual basis, the coordinating center shall report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on its activities and any changes in solitary confinement policy at the Federal, State, or local level that have resulted from its activities.

(e) **DURATION.**—The Bureau of Justice Assistance shall enter into a cooperative agreement under this section for 5 years.

#### **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated—

(1) to the Director of the Bureau of Prisons such sums as may be necessary to carry out sections 2, 3, 4, and 5, and the amendments made by such sections; and

(2) to the Bureau of Justice Assistance such sums as may be necessary to carry out section 6.

#### **SEC. 8. NOTICE AND COMMENT REQUIREMENT.**

The Director of the Bureau of Prisons shall prescribe rules, in accordance with section 553 of title 5, United States Code, to carry out this Act and the amendments made by this Act.

#### **SEC. 9. EFFECTIVE DATE.**

Except as otherwise provided, this Act and the amendments made by this Act shall take effect 18 months after the date of enactment of this Act.

S. 342

Mr. COONS. Mr. President, I rise to speak about an urgent and long overdue reform to address how the United States houses and treats prison inmates in our Federal criminal justice system.

We are losing millions of Americans—disproportionately African-American men—to a criminal justice system that robs them of any meaningful opportunity to find gainful employment or participate in our democracy after they served their time.

Fortunately, Americans across the country have come to recognize that our so-called criminal justice system is broken. Here in the Senate, I am encouraged that many of my colleagues, including Senator DURBIN, Senator BOOKER, and many others have joined together in support of a broad bipartisan bill entitled the Sentencing Reform and Corrections Act. Our criminal justice system should be about justice and rehabilitation, not just punishment. Passing this Sentencing Reform and Corrections Act would be a significant step in that direction. Today I have come to talk about a specific and targeted bill that Senators DURBIN, BOOKER, LEAHY, FRANKEN, and I are introducing.

Far too often Federal inmates find themselves placed in 6-by-8-foot cells for 23 hours a day in solitary confinement, colloquially called restrictive housing units. These units are intended to segregate dangerous prisoners from the rest of the prison population or to punish individuals for crimes or misdeeds committed behind bars, but when one looks at the actual evidence surrounding the use of solitary confinement, they find it doesn't actually stop or reduce crime or bad behavior and it doesn't keep us safer. What it does cause is lasting, often irreparable, harm to those inmates subjected to it, and oftentimes it makes it harder for them to later successfully reenter society after they served their time.

Senator DURBIN, who was to join me and Senator BOOKER on the floor this afternoon but for a change of schedule, first held hearings on this topic when he was Chair of the Senate Judiciary Subcommittee on the Constitution, Civil Rights and Human Rights.

He held a hearing on solitary confinement—the first-ever congressional hearing on the topic—back in 2012. In fact, he held two hearings. He left a note for me that says at one of his first hearings on solitary confinement, one of the witnesses was a man named Anthony Graves, whose testimony forever

affected the Senator from Illinois. Anthony spent 18 years in prison, including 16 years in solitary confinement. In 2010, he became the 12th death row inmate to be exonerated in the State of Texas. Think about that. Mr. Graves spent 16 years in solitary confinement for a crime he was later proved never to have committed.

At that hearing, Mr. Graves testified about his experience, and here is what he said:

I lived under some of the worst conditions imaginable, with the filth, the food, the total disrespect of dignity. I lived under the rules of a system that literally drives men out of their minds.

He later said:

Solitary confinement does one thing—it breaks a man's will and he ends up deteriorating. He is never the same person again.

In those hearings, Senator DURBIN asked: How big is the impact of solitary confinement in our prison system? It is difficult to determine exactly how many inmates are housed in these so-called restrictive settings. One recent study estimated as many as 80,000 State and Federal inmates in total. In my home State of Delaware, 453 inmates, about 8 percent of our State prison population, were held in restrictive housing units in 2015. Nearly one-third of them were receiving mental health treatment.

To fully understand the extent to which our prisons utilize solitary confinement, we need to look at not just the total number of inmates being placed in restrictive housing but the duration of time they spend there. One recent report by the nonpartisan Vera Institute of Justice found that inmates, even those not overly disruptive or violent, stay for long periods of time—months or years.

In Washington State, in 2011, the average length of stay in solitary confinement was 11 months. In the State of Texas, in 2013, the average stay was 4 years.

The overwhelming majority of individuals sentenced to prison will return to our communities. Rehabilitating those who have paid their debt to society is a key goal of our criminal justice system, and that is why we shouldn't subject inmates to practices like solitary confinement which lessens their ability to successfully reenter society. Mounting evidence shows that solitary confinement physically and mentally harms and destabilizes inmates in ways that then threatens the very communities—our communities—to which they will later return.

Over a year ago, President Obama asked Attorney General Loretta Lynch to review the overuse of solitary confinement in our Federal prisons. Earlier this year, the Department of Justice released a report recommending reforms, which the Bureau of Prisons is now implementing. Today Senator DURBIN, Senator BOOKER, Senator LEAHY, Senator FRANKEN, and I are introducing a bill, the Solitary Confinement and Reform Act, to codify into

law many of the recommendations the Bureau of Prisons is working to put in place and to lay the groundwork for broader reform.

This bill is grounded in two key observations: First, that our prison system has grown in population beyond any reasonable scope. Second, restrictive housing or solitary confinement is employed far too frequently for minor behavioral infractions, not as a sanction of last resort.

This act will establish limits on the use of solitary and require that it be limited to the briefest amount of time and under the least restrictive conditions that make sense in the setting.

The bill requires the Bureau of Prisons to limit the use of solitary confinement for inmates nearing their release date and to establish a transitional process for inmates who must remain housed in solitary confinement up to their release.

Most importantly, the bill mandates that the Federal Bureau of Prisons may not place an inmate in solitary confinement if the inmate is a minor, has a serious mental illness, has intellectual or physical disabilities, is pregnant or in the first eight weeks after delivery, except—in all of those cases, except—under limited and temporary circumstances.

Finally, the bill requires an annual report to Congress from the Bureau of Prisons about their assessment of their progress in improving solitary confinement practices and regulations.

The time to reform our criminal justice system is now, and this bill would mark an important step forward.

Some might ask why this is a passion of mine. When I was a young man, my father volunteered through our church and prison ministry, and I was a young man exposed to the impact that prison conditions can have on those who are serving time. But, more importantly, few individuals have captured the urgency of this issue as powerfully as a fellow Delawarean and friend, Bryan Stevenson. Bryan Stevenson is the author of a book entitled “Just Mercy” that chronicles his efforts founding and leading the Equal Justice Initiative in Montgomery, AL. Since long before sensible reforms to our criminal justice system seemed possible, Bryan has been fighting to improve this badly broken system. In his book he tells the powerful and painful story of a 13-year-old child, Ian, incarcerated as an adult in an adult prison and who spent 18 years in solitary. As Bryan Stevenson recounts, “Ian's mental health unraveled, and he attempted suicide several times. Each time he hurt himself, his time in solitary was extended.”

I remember being brought to tears by a number of passages in Bryan's book, and I profoundly agree with his concluding assessment that “the true measure of our character is how we treat the poor, the disfavored, the accused, the incarcerated, and the condemned.” When it comes to fairly distributing justice in America, Congress

has long failed this central test of character. With this bill, this Senate has a rare opportunity to right some of the wrongs that have too long plagued every step of our criminal justice system.

We also need to step up and take up and move forward the Sentencing Reform and Corrections Act as well, an important and broad bill which would reduce mandatory minimums and give judges more discretion in sentencing. In this effort, we have a broad coalition of Democrats and Republicans and a diverse group of faith and reform and advocacy groups, and in President Obama we have a leader who has acted to end solitary confinement for juveniles in Federal prison and who is ready and willing to sign a broader package of criminal justice reforms into law. Now it is up to Congress.

I would like to transition, if I might, to a man who, from his very first days here in the Senate of the United States, has been a powerful, passionate, and engaged advocate for criminal justice reform broadly and for a change to our solitary confinement practices in particular. Far too many Americans have grown up in a society where they are defined by the worst thing they have ever done. When an inmate leaves prison with his sentence complete and time served, with his mind and spirit broken because of solitary, we are all less safe and our world is less just.

I wish to thank Senator DURBIN for his efforts on this bill, but in particular I want to thank Senator BOOKER for his passion, for his engagement, for his effectiveness. He is my colleague who has been most engaged in the changes of solitary confinement from his first days here, and he is the deserving partner of Senator DURBIN's long record going back to the hearings he first held in 2012.

With that, I yield the floor to my colleague from the great State of New Jersey.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I wish to thank my Senate colleague from Delaware, Senator COONS, for his extraordinarily eloquent and, frankly, urgently passionate voice on issues of solitary confinement, as well as for all the work he is doing on criminal justice reform as a whole.

This bill that he and Senator DURBIN have worked so hard on and that I am so proud to cosponsor, along with Senators LEAHY and FRANKEN, is a critically important bill when it comes to the overall reforming of our criminal justice system. Please understand, as the Senator from Delaware has said, this is currently a practice in our Federal system as well as in State prisons. It is an archaic, damaging, ineffective, and inefficient practice that actually works against the public interests—not just their financial interests but even the safety and well-being of our communities.

Now, solitary confinement—many people don't know exactly what we are talking about. As Senator COONS said, it is people being kept in a prison cell for 22 to 24 hours a day with little to no outside human interactions. Senator COONS said it is a fact that on any given day, we now have 80,000 to 100,000 incarcerated people in State and Federal prisons who are being held in rooms often no bigger than a parking spot.

We know that inmates placed in solitary confinement can be put there for the most minor of infractions—for literally just filing papers with the court to try to assert their constitutional rights. We also know that solitary confinement is extraordinarily expensive—more expensive than nonsolitary confinement. In fact, on average, it costs about \$75,000 each year for an individual to be housed in solitary confinement. Yet it is increasingly clear that this overuse, especially for low-level offenders—not people who have done violent crime, not people who have assaulted a correctional officer, but people who are there for low-level, non-violent crimes—we know that this is providing little benefit to no benefit for the public good, but what is extraordinary is it is creating conditions which could harm the public.

Solitary confinement has irreversible effects on the human brain, which may lead inmates to harm themselves or others. It does psychological damage. It can do serious psychological damage, making a person more dangerous.

So here we have a correctional system that doesn't correct but actually is doing more harm and putting people in a position where they can be more dangerous to themselves, to their fellow inmates, and to society as a whole. It makes no sense.

International bodies understand this. Other nations have referred to it as torture. The United Nations considers long-term isolation to be cruel and degrading treatment. Here we are in the United States of America, which I firmly believe is a symbol to the Nation—to the globe—of justice, righteousness, and decency, yet we are engaging in tactics that many of our peer nations consider cruel and degrading.

We know the data. It is clear that isolation actually worsens mental illness and can actually create issues in those who were previously seen as psychologically healthy. Researchers estimate that at least 30 percent of inmates held in solitary confinement already have a mental disorder. So this is how we are treating mental illness. We incarcerate not just the poor, but we incarcerate the addicted and the mentally ill. In prison we should seek to make those populations better, healthier, to deal with their disease or their mental disorder, yet we are using practices that aggravate these conditions.

We know data has shown that holding inmates in isolation not only makes mental illness worse for the in-

dividual, but it has truly negative impacts on their lives, the lives of their families, and their communities when they are released.

We know that while confinement for short periods of time may be necessary for safety—and please understand that the security of our correctional officers is critical in prison environments, but to allow these practices to go on actually doesn't make our correctional officers safer; it makes their job more dangerous and puts them at greater risk. This is why correctional officers across the country are speaking out. The very people who have to conduct the work in our prisons are speaking out against solitary confinement. One Texas correctional officer said: "When you cut out social interaction, you are dealing with a person who has nothing to lose, and that is extremely dangerous."

Kevin Kempf, the director of the Idaho Department of Corrections, remarked that reforming the practice of solitary confinement "is not a soft-on-inmates approach; this is a public safety approach." He refers to a time in 2014 when 44 inmates were released directly from isolation in a maximum security prison and out to the public. That means that they were released, as in the case that Senator COONS explained, from solitary confinement—from these conditions of no social interaction, from an environment that researchers deem aggravating to mental illness—and they go right from that solitary confinement environment out into the public. He remarked about this case:

Those 44 inmates, we took belly chains and leg irons off of them and walked into your community. That is irresponsible of me as a director. Frankly our taxpayers should expect more of me, should expect more of our staff, to do things differently.

It should come as no surprise to any of us that the use of solitary confinement has received criticism both from law enforcement folks—folks who have sworn oaths to protect the public—as well as the civil rights community, civil libertarians, the medical community, and the legal community.

Just last year, in a Supreme Court case, *Davis v. Ayala*, Justice Kennedy denounced the widespread use of solitary confinement in prisons. Justice Kennedy cited a litany of the possible side effects from prolonged isolation, including anxiety, panic, withdrawal, hallucinations, and self-mutilation. After examining the evidence, Justice Kennedy concluded that ample "research still confirms what the Court suggested a century ago; years on end of near-total isolation exacts a terrible price . . . [t]he penal system has a solitary confinement regime that will bring you to the edge of madness, perhaps into madness itself."

This is not a criminal justice system that reflects our highest values. It doesn't stand for moral rights when we are exacting such cruel punishment that doesn't just do punitive damage but also puts an inmate in a situation

where they can cause more harm and damage to themselves and others.

So the bill that Senator COONS talks about—the bill that we are introducing with Senator DURBIN—would substantially limit the ability of the Bureau of Prisons to use solitary confinement in Federal facilities. The bill would mandate that solitary confinement be limited to the briefest terms under the least restrictive conditions practicable, and it would preclude the BOP from placing vulnerable populations in solitary confinement, like minors—like children—as well as people with serious mental illnesses, physical disabilities, and pregnant women.

Critically, this legislation wants to promote more data collection. The bill would require the BOP to collect data on the use of solitary confinement, and it would create a national resource center on solitary confinement reform under the Bureau of Justice Assistance.

This is an issue—the issue of solitary confinement—that has been a priority for me here in the Senate from my beginning months. In fact, over a year ago, in August of 2015, I worked with members of the Senate Committee on Homeland Security and Governmental Affairs on an oversight hearing to explore current practices at the Federal Bureau of Prisons. I requested this hearing because of the urgent need to shine a spotlight on our broken criminal justice system, including what occurs within the walls of Federal prisons that the general public does not see that is being done in the name of the public. The hearing was a good first start to improve transparency on solitary confinement. At the hearing, we heard testimony from a wide range of stakeholders, including the head of the Bureau of Prisons and advocates. Udi Offer, from the New Jersey ACLU, testified that "our nation has seen a dramatic increase in the use or reliance on solitary confinement over the last couple of decades."

I also introduced the MERCY Act, a bill that would prohibit the use of solitary confinement of youth adjudicated delinquent in the Federal system unless it is a temporary response to a serious risk of harm to the juvenile or others.

Our justice system must ensure justice in the deepest, richest meaning of that word. That is what we swear an oath to, that we will be a nation of liberty and justice for all—not just some but for all. It means that we need to begin to expose the practices that are happening in our prisons and understand the consequences to all of this—increased financial expenditures, increased risk to our security and our safety, increased risks of recidivism.

Our justice system should not be engaged in practices that people across the spectrum in America—political, medical leaders, and others—really do view as harmful, inefficient, and ineffective.

I am proud to cosponsor the Solitary Confinement Reform Act. I urge my

colleagues to support this bill and advance it in the Senate. I thank Senators DURBIN and COONS for their leadership.

This is a time where we need national urgency on this issue. It is unfortunate that what happens in our prisons is seen as something that we as a public wash our hands of—throw them away, throw away the key. That kind of logic doesn't solve problems, it perpetuates them. It doesn't make us safe, it makes us less safe. It doesn't save us money, it costs us more. These kinds of practices undermine the foundation of common sense as well as moral rectitude. We stand for more than this as a country. We should set an example that ultimately as a nation we are not about retribution, we are not about disproportionate punishment, we are about restorative justice. Solitary confinement as a practice being done now is an assault on justice. It is an offense to our moral values as a nation. It calls for reform.

I am proud to stand with my colleagues today to introduce legislation that will begin to take us down that important road to justice for all.

By Mr. DAINES:

S. 3453. A bill to amend provisions in the securities laws relating to regulation crowdfunding to raise the dollar amount limit and to clarify certain requirements and exclusions for funding portals established by such Act; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DAINES. Mr. President, entrepreneurship is a bedrock of Montana, a relationship well understood by the Small Business Administration, SBA. In fact, the SBA recognizes over 115,000 small businesses in the state, making up 97.4 percent of all businesses. These organizations employ nearly 236,000 Montanans, or 67.4 percent of the state workforce.

While there are many harmful regulations coming out of Washington these days, the Securities and Exchange Commission, SEC, issued a rule last October to give entrepreneurs an important tool in their belt to get their dreams up and running. This rule was the crowdfunding rule, which allows entrepreneurs to raise up to \$1 million annually without having to incur the costs of expensive SEC registration.

With this rule, entrepreneurs can now raise capital to grow their business and create jobs without incurring expenses ordinarily reserved for established companies able to become publicly traded. In fact, Treasure State Internet & Telegraph is one startup in my home town of Bozeman, Montana that has been able to use this important new rule.

I am pleased today to support Montana's entrepreneurs by introducing the Crowdfunding Enhancement Act. This bill will make it easier for startups using crowdfunding to grow by creating a "longer runway" for costly

filings. In this way, startups won't be penalized with costly paperwork by growing too fast growth. This bill also makes it easier to attract more capital once it reaches the current crowdfunding limits. With passage, this bill is a win for Montana and all our entrepreneurs.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3453

*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 "Crowdfunding Enhancement Act".

#### SEC. 2. CROWDFUNDING VEHICLES.

(a) AMENDMENTS TO THE SECURITIES ACT OF 1933.—The Securities Act of 1933 (15 U.S.C. 77a et seq.) is amended—

(1) in section 4(A)(f)(3), by inserting "by any of paragraphs (1) through (14) of" before "section 3(c)"; and

(2) in section 4(a)(6)(B), by inserting after "any investor" the following: "other than a crowdfunding vehicle (as defined in section 2(a) of the Investment Company Act of 1940).";

(b) AMENDMENTS TO THE INVESTMENT COMPANY ACT OF 1940.—The Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.) is amended—

(1) in section 2(a), by adding at the end the following:

"(55) The term 'crowdfunding vehicle' means a company—

"(A) whose purpose (as set forth in its organizational documents) is limited to acquiring, holding, and disposing securities issued by a single company in one or more transactions and made pursuant to section 4(a)(6) of the Securities Act of 1933;

"(B) which issues only one class of securities;

"(C) which receives no compensation in connection with such acquisition, holding, or disposition of securities;

"(D) no associated person of which receives any compensation in connection with such acquisition, holding or disposition of securities unless such person is acting as or on behalf of an investment adviser registered under the Investment Advisers Act of 1940 or registered as an investment adviser in the State in which the investment adviser maintains its principal office and place of business;

"(E) the securities of which have been issued in a transaction made pursuant to section 4(a)(6) of the Securities Act of 1933, where both the crowdfunding vehicle and the company whose securities it holds are co-issuers;

"(F) which is current in its ongoing disclosure obligations under Rule 202 of Regulation Crowdfunding (17 CFR 227.202);

"(G) the company whose securities it holds is current in its ongoing disclosure obligations under Rule 202 of Regulation Crowdfunding (17 CFR 227.202); and

"(H) is advised by an investment adviser registered under the Investment Advisers Act of 1940 or registered as an investment adviser in the State in which the investment adviser maintains its principal office and place of business."; and

(2) in section 3(c), by adding at the end the following:

"(15) Any crowdfunding vehicle.".

#### SEC. 3. CROWDFUNDING EXEMPTION FROM REGISTRATION.

Section 12(g)(6) of the Securities Exchange Act of 1934 (15 U.S.C. 78l(g)(6)) is amended—

(1) by striking "The Commission" and inserting the following:

"(A) IN GENERAL.—The Commission";

(2) by striking "section 4(6)" and inserting "section 4(a)(6)"; and

(3) by adding at the end the following:

"(B) TREATMENT OF SECURITIES ISSUED BY CERTAIN ISSUERS.—An exemption under subparagraph (A) shall be unconditional for securities offered by an issuer that had a public float of less than \$75,000,000 as of the last business day of the issuer's most recently completed semiannual period, computed by multiplying the aggregate worldwide number of shares of the issuer's common equity securities held by non-affiliates by the price at which such securities were last sold (or the average bid and asked prices of such securities) in the principal market for such securities or, in the event the result of such public float calculation is zero, had annual revenues of less than \$50,000,000 as of the issuer's most recently completed fiscal year.".

By Mr. HEINRICH (for himself and Ms. COLLINS):

S. 3458. A bill to establish programs to improve family economic security by breaking the cycle of multigenerational poverty, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. HEINRICH. Mr. President, I rise to introduce the Two-Generation Economic Empowerment Act, alongside my colleague and friend from Maine, Senator SUSAN COLLINS. We are going to hear from her in a few minutes. I want to say a few words about an issue that is all too familiar to many of our States from coast to coast—those represented by Democrats, those represented by Republicans.

Earlier this month, we saw positive economic data from the Census Bureau that showed that over the last year, American middle-class and low-income families saw the largest growth in their income in generations.

I thank my colleague from Maine for her incredible work on the legislation we are going to be introducing today. There are simply far too many families in my home State of New Mexico and across this Nation who are still struggling to make ends meet, even to put food on the table and certainly to escape multigenerational poverty.

Last year, nearly one in five New Mexicans lived below the federally defined poverty rate. Think about that, one in five. These are mothers, fathers, and grandparents trying to support themselves and their families. They are young adults trying to get ahead and lay the groundwork for the future they have envisioned for themselves, but often the dreams we have of going to school and getting a job are cut short by the reality that these once rites of passage on the way to the American dream are further and further out of reach.

I believe all of us have a responsibility not to accept this status quo. Without critical programs such as Medicaid or the National School Lunch

Program, even more families in New Mexico would be struggling to overcome poverty in the wake of the great recession. It is time to recognize that the Federal Government's current approach to poverty is far too disconnected. It is too fragmented and too disjointed to truly address the needs of these working families, and too often it simply ignores the very nature of the family itself.

I will tell you what I mean by that. I grew up on a small farm and ranch operation. In addition to attending our cattle, both of my parents worked full time, often more than full time. My dad was a utility lineman. My mother worked in a factory inspecting wheels on an assembly line. Like a lot of Americans, I learned the dignity of hard work long before I ever held my first job. I learned it at home.

As a father of two children, I understand the challenges of parenthood today, especially when both parents work. In many cases in New Mexico, that means both parents may work more than one job. Much of our time is centered on our jobs and our children. For many of us, this leaves very little time for ourselves or our own educational pursuits.

If parents are able to find time to attend school and better themselves, they have to fit their class schedule around those times. They have to fit their class schedule around their child's school and their childcare hours. All of this limits parents' access to a full and rigorous class schedule and it extends the number of semesters a parent is in school and it increases their student loan debt. The way the Federal Government tries to help increased opportunities for working families isn't working well enough to address these daily challenges these families face.

When multiple programs exist to help low-income parents and children, they have individual streaming causing silos and fragmentation. Low-income families trying to access these benefits often have trouble navigating the multiple eligibility requirements and the multiple service providers. Families get discouraged and lose out on benefits because each one has its own set of requirements.

Even the local service providers who are trying to help families get ahead are finding this disjointed Federal landscape difficult to navigate. Addressing the needs of children and parents separately and without a comprehensive strategy is leaving too many children and parents behind and diminishing the whole family's chances of reaching economic security.

That is why I have teamed up with my Republican colleague from Maine, Senator SUSAN COLLINS, to introduce the bipartisan Two-Generation Economic Empowerment Act. Our legislation will increase opportunities for working families through programs targeting parents and children together with support aimed at increas-

ing economic security, educational success, social, capital, and health and well-being.

By aligning and linking existing systems and funding streams, our legislation will lead to improved outcomes for parents and children while improving the effectiveness of service delivery. Our legislation will make Federal agencies coordinate more effectively through a new Interagency Council on Multigenerational Poverty. The council will align and link departments that are already working to address poverty in order to reduce the redundancy and the redtape we see and to make sure programs across different agencies are actually working in a complementary fashion.

We are also looking for new ways to incentivize investments in comprehensive two-generation programs. Our bill will encourage Federal, State, tribal, and local governments to test innovative ways to using Federal resources by allowing increased flexibility and blending discretionary grant funds across multiple Federal programs in exchange for a greater accountability. We will create a social impact bond pilot project to encourage private foundations and investors to fund new two-generation programs.

Over the last year, I visited programs in my home State of New Mexico that are already using a two-generation approach. In Albuquerque, I met with participants of the CNM Connect Services Program at Central New Mexico Community College. This program assists students—many of whom are parents or children of parents attending CNM—with academic support, financial coaching, and career services, and it connects families with behavioral health services and childcare. By streamlining and coordinating all of these support services for students and their children, families are able to learn and grow together.

At CNM, I met Maricela Cormona, who was a full-time mother who couldn't focus on her own education until her two children started an Even Start and Head Start early childhood education program. Thanks to a two-generation program that connects parents to childcare and education, she earned her GED, and she started taking courses at CNM to become a social worker. She was working with other parents to help them raise healthy families and receive an education.

In Sante Fe, I toured the United Way Early Learning Center. This hub of early learning and family support can serve as a model for creating a path of opportunity for all hard-working Americans, using a comprehensive two-generation approach. At a state-of-the-art facility, the center offers year-round, full-day services for children and families, including hot meals, a health center, teaching and learning technology, employment and social service assistance for parents, and a home visitation program.

One mother I met there, Brenda Olivas, was connected with United Way

when she was 4 months pregnant. The home visitation supported her as she and her husband raised their young son Angel. When I talked to her, Brenda had just started working at the early learning center, helping to care for the children. Brenda said that she hoped to enroll in classes at Santa Fe Community College and put herself on a path toward a successful career.

I also hosted an outreach session for families, education administrators, and representatives of nonprofit service providers at Dona Ana Head Start. I heard from working parents and service providers about the challenges and obstacles that stand in the way of their educational and career opportunities.

Just last month, I visited La Clinica de Familia's Early Head Start Child Care Partnership Center. The center cares for children while their parents work or further their education at New Mexico State University and Dona Ana Community College. I had a chance to read "Brown Bear, Brown Bear," which is not only one of the children's favorite books, but it is also one of my favorite books. My kids loved that book when they were little.

I think it is time to build on the progress we have seen demonstrated through the data at programs like these. It is time to bring in more stakeholders and start actively changing the trajectory of these families and communities. This is the type of challenge that will have to be fought on the frontlines through public-private partnerships on college campuses and in community centers, on ball fields and in health clinics, and in our towns both large and small. No matter what your ZIP Code is, you should have an opportunity to use already existing Federal resources or attract private investment to implement the two-generation approach in your community because, as the data suggests, it works. That is exactly what the Two-Generation Economic Empowerment Act aims to achieve.

I wish once again to thank my colleague Senator COLLINS for her hard work to help create this legislation, and I also thank the great minds at places like Ascend at the Aspen Institute and great advocacy organizations in my home State of New Mexico, such as New Mexico Voices for Children, for working with me and my staff on these real, innovative solutions to create more economic mobility.

As we work to advance this bipartisan bill in the Senate, I hope the rest of my colleagues will see why this is an issue that should not only be bipartisan but should command our urgent attention because the status quo is not something any of us should accept.

It is important to note that our proposal doesn't add any new Federal spending or add to the deficit. Our legislation simply takes existing funding programs that we already have in place and makes sure we are investing more



wisely, more efficiently, and more effectively to meet the needs of our children and their families. This is a fiscally responsible way to proceed, and it is a moral imperative.

We all know that all the potential we could ever ask for sits in homes, churches, and classrooms across this great Nation. By helping parents, grandparents, and children overcome poverty and pursue their dreams together, we can put whole families on a path toward economic security and create a greater economic future for all of our communities.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I am pleased to join my colleague from New Mexico, Senator HEINRICH, in introducing the Two-Generation Economic Empowerment Act of 2016. It has been a great pleasure to work together to craft this important legislation, and I commend him for his leadership.

Our bipartisan bill proposes a new approach to fighting poverty, one that focuses on addressing the needs of children and their parents together—two generations—in order to break the cycle of intergenerational poverty.

More than 50 years after President Lyndon Johnson declared a War on Poverty, poverty remains a troubling reality for millions of Americans who struggle to find the resources they need for the basic necessities of life. In the time since that worthy war was first declared, the Federal Government has spent trillions of dollars—taxpayer dollars—on programs to combat poverty. Yet the truth is that the poverty rate has barely budged. In 1966, the poverty rate was 14.7 percent. Just this month, the U.S. Census Bureau announced that the poverty rate for 2015 was 13.5 percent. I would note that is actually 1 percentage point higher than the year before the start of the 2008 recession. The point is that despite our good intentions and despite the expenditure of trillions of taxpayer dollars, we have made very little progress in lifting families out of poverty.

Every State in our Nation is impacted by poverty. In my State of Maine, the poverty rate stands at 13.4 percent, just slightly below the national rate. Poverty spans rural towns and urban centers, race and ethnicity, men and women, old and young. It diminishes the chances of a bright future for far too many of our children.

Just this weekend, the Maine Sunday Telegram reported a heartwrenching story of a 5-year-old girl named Arianna, who lived in a makeshift tent in the woods outside of Portland. This is a picture of Arianna, a darling little girl only 5 years of age, living outside in a very crude tent. Thanks to the involvement of a State social worker and the Maine Homeless Veterans Alliance, who were committed to keeping the family together, this story, fortunately, has a happy ending. Arianna and her mother now live in an apart-

ment in Auburn, ME, and she has finally just started kindergarten.

We know that the well-being of children like Arianna is tightly linked to the well-being of their parents. Just last week, I chaired a hearing of the Senate Subcommittee on Housing and Transportation. We examined whether there is a better way to provide housing assistance to vulnerable families and individuals. Both OMB Director Shaun Donovan and HUD Secretary Julian Castro have often pointed out to our subcommittee that the single biggest predictor of a child's opportunities—and even that child's life expectancy—is the ZIP Code of the community where the child grows up.

Federal programs have certainly helped many of those living in poverty to manage the day-to-day hardships they face, but the fact is that these programs have failed to achieve their promise of breaking the cycle of poverty that has trapped too many families. We should not accept such outcomes here in the land of opportunity.

Our bipartisan legislation proposes a fresh approach that is aimed at equipping both parents and their children with the tools they need to succeed and become self-sufficient. It marks an important first step toward reevaluating our approach to poverty-reducing programs, encouraging innovative, more effective uses of tax dollars, and encouraging programs that allow us to tailor them to the needs of specific families—programs that will work.

Too often today our Federal programs address certain issues in silos, overlooking the fact that the needs of families in poverty are almost always interconnected. They shouldn't have to try to navigate the various programs that are available to put together the funding streams they need to lift themselves out of poverty. Our bill would change that. It encourages an integrated, personalized approach.

Let me give an example. Helping a mother secure safe, high-quality child care can have a positive impact not only on her ability to succeed in the workforce but also by improving her child's readiness for school. While that child is receiving care and an education, her mother can be connecting with a skills training program to help her improve her family's income. Connecting these various Federal programs has the potential to lift entire families out of poverty and break that vicious cycle of intergenerational or multigenerational poverty.

The Two-Generation Economic Empowerment Act would create an Interagency Council on Multigenerational Poverty to coordinate efforts across Federal agencies and departments aimed at supporting vulnerable families. The Council would also make recommendations to Congress on ways to improve coordination of anti-poverty programs and to identify best practices. Similarly, our legislation would instruct the Government Accountability Office, GAO, to study and re-

port to Congress and the Council on the barriers that prevent grant recipients from collaborating and identify opportunities for improved coordination.

Our bill would also authorize a pilot program to provide additional flexibility for States and local governments to improve the administration of programs using two-generation models. It would authorize five States to participate in two-generation performance partnerships. This would allow, for example, States like Maine and New Mexico to blend together similarly purposed funds across multiple Federal programs in order to help poor families. It aims to reduce duplicative reporting and application requirements. This kind of redtape and bureaucracy often deters local agencies and organizations from making the most effective use of tax dollars to ensure accountability because that is what this is all about. This bill would also require that these pilot programs be targeted at specific programs designed to reduce poverty, and it would measure the outcomes and the effectiveness of these programs.

Finally, our bill would create a pilot program to incentivize public-private partnerships around poverty solutions through social impact bonds. These public-private partnerships harness philanthropic and private sector investments to implement proven social programs. This concept is based on legislation that has been introduced by two of our colleagues, Senator ORRIN HATCH and Senator MICHAEL BENNET. I would note that through these partnerships, government funds are only paid out when the desired outcomes are met.

With this bill, we have the chance to make a permanent difference in the lives of millions of families in this country who are struggling and living in poverty. We have the opportunity to finally break the multigenerational cycle of poverty. We have the chance—after 50 years of pouring trillions of dollars into well-intentioned programs that have had some good benefits but have not produced the kinds of lasting results we need, we have the opportunity to change that.

Just as a child's ZIP Code should not determine his or her future success, so should the bureaucratic, siloed approach to poverty not make it so difficult for families to get the help they need to escape lives of poverty. We don't want more cases where a 5-year-old girl is living in a makeshift tent outside of the largest city in my State.

The Federal Government can be an effective partner in providing funding, in providing opportunities for parents and their children, lifting up families, and, in turn, building stronger communities. State and local governments—the laboratories of experimentation in this country—can be at the forefront of these efforts. And the increased flexibility proposed by our bill would help reform practices across government.

Building public-private partnerships would also help to spur innovative approaches and would help generations to come to take part and be full participants in the American dream.

Again, let me thank my partner Senator HEINRICH for his leadership on this bill. I urge our colleagues to take a look at the fresh, innovative approach we have developed to moving families out of poverty by breaking down the silos in Federal programs, by encouraging local and State and private sector and nonprofit organizations collaboration, and by giving them the tools they need to succeed.

Mr. President, let's not be here 50 years from now noting that the poverty rate is the same as it was when Lyndon Johnson declared the War on Poverty 50 years ago, which would then be 100 years ago. Let's try a different approach.

Thank you, Mr. President.

#### SUBMITTED RESOLUTIONS

#### SENATE RESOLUTION 583—AMENDING THE STANDING RULES OF THE SENATE TO ENSURE THAT THE SENATE VOTES ON WHETHER TO CONFIRM JUDICIAL NOMINEES

Mr. UDALL submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 583

*Resolved,*

#### SECTION 1. VOTES ON JUDICIAL NOMINEES.

Rule XXXI of the Standing Rules of the Senate is amended by adding at the end the following:

"8. (a) Not later than 180 days after the date on which a judicial nomination made by the President is received, the Senate shall vote on—

"(1) whether the Senate will advise and consent to the judicial nomination; or

"(2) a motion to invoke cloture on the judicial nomination.

"(b) Except as provided in subparagraph (c), if the Senate does not vote on whether the Senate will advise and consent to a judicial nomination or a motion to invoke cloture on the judicial nomination during the period described in subparagraph (a), on the first day on which the Senate is in session after the end of the period described in subparagraph (a)—

"(1) if the judicial nomination was referred to a committee and has not been reported, the committee shall be discharged from further consideration of the judicial nomination and the judicial nomination shall be placed on the calendar without any intervening action or debate;

"(2) the Senate shall proceed to the judicial nomination without any intervening action or debate;

"(3) the Senate shall proceed to the question 'Is it the sense of the Senate that the debate shall be brought to a close?' with respect to the judicial nomination, in the same manner as if a motion to invoke cloture had been made under rule XXII, except that there shall be not more than 4 hours of debate on such question; and

"(4) it shall not be in order to move to proceed to the consideration of any other matter until such question is disposed of.

"(c) Subparagraph (b) shall not apply to a judicial nomination if, before the end of the period described in subparagraph (a), the committee to which the judicial nomination has been referred votes to report the judicial nomination unfavorably.

"(d) In this paragraph, the term 'judicial nomination' means the nomination of an individual to serve as a judge or justice appointed to hold office during good behavior."

#### SENATE RESOLUTION 584—ACKNOWLEDGING THE PEACEFUL HUNGER STRIKE OF GUILLERMO "EL COCO" FARINAS, A POLITICAL DISSIDENT IN CUBA, APPLAUDING HIS BRAVERY AND COMMITMENT TO HUMAN RIGHTS, AND EXPRESSING SOLIDARITY WITH HIM AND HIS CAUSE

Mr. CRUZ (for himself, Mr. RUBIO, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 584

Whereas Fidel Castro and Raul Castro have led an oppressive, totalitarian, 1-party Communist state in Cuba for 57 years;

Whereas the Castro regime has unyieldingly violated basic human rights and steadfastly suppressed peaceful dissent in Cuba, despite nonviolent calls for change in Cuba and internationally;

Whereas the unconditional reestablishment of diplomatic relations between the United States and Cuba has failed to meaningfully improve the predicament of the people of Cuba;

Whereas Guillermo "El Coco" Fariñas is an internationally renowned Cuban dissident dedicated to advocating for political freedoms and human rights in Cuba;

Whereas the Communist Party of Cuba has viewed political freedoms and human rights as antithetical to the totalitarian agenda, and a threat to the existence, of that party;

Whereas El Coco Fariñas has repeatedly stated his willingness to give up his own life for the cause of freedom and liberty in Cuba;

Whereas El Coco Fariñas held a 7-month hunger strike in 2006 to call attention to the Cuban Government's practice of Internet censorship in Cuba;

Whereas El Coco Fariñas held another hunger strike in 2010 to protest the Cuban Government's practices of making politically motivated arrests and maintaining prisoners of conscience;

Whereas the Government of Cuba denied El Coco Fariñas an exit visa in 2010 to travel to Strasbourg, France to receive the European Parliament's Sakharov Prize for Freedom of Thought, in recognition of the efforts of El Coco Fariñas to peacefully advocate for political freedoms in Cuba;

Whereas at the funeral of fellow activist Oswaldo Payá, who is widely believed to have been murdered by the Castro regime, El Coco Fariñas was among dozens of dissidents who were arbitrarily arrested;

Whereas El Coco Fariñas initiated another hunger strike in the summer of 2016 to call international attention to the continued brutality committed by the Cuban Government;

Whereas, on September 12, 2016, El Coco Fariñas ended that hunger strike following the release of a fabricated report that the European Union had conditioned relations with Cuba on improvements in the human rights situation in Cuba, which the European

Parliament later confirmed was false and the Cuban American National Foundation denounced as a "discrediting campaign to misinform the people of Cuba and the international community";

Whereas in recognition of his unwavering efforts to peacefully push for reforms for the people of Cuba, El Coco Fariñas has been awarded—

(1) the 2006 Cyber-Freedom Prize by Reporters Without Borders;

(2) the Weimar International Human Rights Award; and

(3) the 2010 Sakharov Prize for Freedom of Thought by the European Parliament; and

Whereas recognition of the recent hunger strike of El Coco Fariñas and an expression of solidarity with him and his cause sends a positive signal of the enduring commitment of the people of the United States to the people of Cuba: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors the courage of Guillermo "El Coco" Fariñas in standing up to the relentless repression of the Government of Cuba;

(2) recognizes El Coco Fariñas for his perseverance in seeking meaningful change for the people of Cuba through peaceful means;

(3) acknowledges that the efforts of the Government of Cuba to undermine the latest hunger strike of El Coco Fariñas, through the release of a fabricated report, failed to diminish the international attention that his hunger strike attracted to the human rights situation in Cuba; and

(4) expresses solidarity and support for El Coco Fariñas, his valiant efforts, and his commitment to basic human freedoms for the people of Cuba.

#### SENATE RESOLUTION 585—DESIGNATING OCTOBER 26, 2016, AS "DAY OF THE DEPLOYED"

Mr. HOEVEN (for himself, Mr. ROBERTS, Ms. HEITKAMP, Mr. PETERS, and Mr. TESTER) submitted the following resolution; which was considered and agreed to:

S. RES. 585

Whereas more than 2,000,000 individuals serve as members of the Armed Forces of the United States;

Whereas several hundred thousand members of the Armed Forces rotate each year through deployments to 150 countries in every region of the world;

Whereas more than 2,700,000 members of the Armed Forces have deployed to the area of operations of the United States Central Command since the September 11, 2001, terrorist attacks;

Whereas the United States is kept strong and free by the loyal military personnel from the total force (the regular components, the National Guard, and the Reserves), who protect the precious heritage of the United States through their declarations and actions;

Whereas members of the Armed Forces serving at home and abroad have courageously answered the call to duty to defend the ideals of the United States and to preserve peace and freedom around the world;

Whereas members of the Armed Forces personify the virtues of patriotism, service, duty, courage, and sacrifice;

Whereas the families of members of the Armed Forces make important and significant sacrifices for the United States; and

Whereas the Senate designated October 26 as "Day of the Deployed" in 2011, 2012, 2013, 2014, and 2015: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates October 26, 2016, as "Day of the Deployed";

(2) honors the deployed members of the Armed Forces of the United States and the families of the members;

(3) calls on the people of the United States to reflect on the service of those members of the Armed Forces, wherever the members serve, past, present, and future; and

(4) encourages the people of the United States to observe the Day of the Deployed with appropriate ceremonies and activities.

**SENATE RESOLUTION 586—HONORING THE LIFE OF JACOB WETTERLING AND RECOGNIZING THE EFFORTS OF JACOB WETTERLING'S FAMILY TO FIND ABDUCTED CHILDREN AND SUPPORT THE FAMILIES OF THOSE CHILDREN**

Ms. KLOBUCHAR (for herself and Mr. FRANKEN) submitted the following resolution; which was considered and agreed to:

S. RES. 586

Whereas Jacob Wetterling's parents faced the unimaginable tragedy of having their 11-year-old son, Jacob Wetterling, abducted near their home in Stearns County, Minnesota, on October 22, 1989;

Whereas Jacob Wetterling was taken at gunpoint and his disappearance remained unsolved for nearly 27 years;

Whereas Jacob Wetterling's body was not recovered until September of 2016;

Whereas Jacob Wetterling's mother bravely turned her grief into action and devoted her life to advocating for missing and exploited children;

Whereas Jacob Wetterling's mother has become a nationally recognized educator on child abduction and the sexual exploitation of children;

Whereas Jacob Wetterling's mother serves on the Board of Directors of the National Center for Missing and Exploited Children;

Whereas Jacob Wetterling's parents co-founded the Jacob Wetterling Resource Center to educate communities about child safety issues to prevent child exploitation and abductions;

Whereas Jacob Wetterling's mother authored the publication "When Your Child is Missing: A Family Survival Guide", along with 4 other families;

Whereas Jacob Wetterling's mother served for more than 7 years as Director of Sexual Violence Prevention for the Minnesota Department of Health;

Whereas the Star Tribune selected Jacob Wetterling's mother as one of the "100 Most Influential Minnesotans of the Century";

Whereas the efforts of Jacob Wetterling's mother led to the passage of the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (Public Law 103-322; 108 Stat. 2038), a Federal law that requires States to implement a sex offender and crimes against children registry; and

Whereas Jacob Wetterling's memory lives on through the efforts of the Wetterling family: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors the life of Jacob Wetterling; and  
(2) recognizes the efforts of Jacob Wetterling's family to prevent child exploitation and abductions across the United States.

**SENATE RESOLUTION 587—PERMITTING THE COLLECTION OF CLOTHING, TOYS, FOOD, AND HOUSEWARES DURING THE HOLIDAY SEASON FOR CHARITABLE PURPOSES IN SENATE BUILDINGS**

Mr. ISAKSON (for himself and Mr. BLUMENTHAL) submitted the following resolution; which was considered and agreed to:

S. RES. 587

*Resolved*,

**SECTION 1. COLLECTION OF CLOTHING, TOYS, FOOD, AND HOUSEWARES DURING THE HOLIDAY SEASON FOR CHARITABLE PURPOSES IN SENATE BUILDINGS.**

(a) IN GENERAL.—Notwithstanding any other provision of the rules or regulations of the Senate—

(1) a Senator, officer of the Senate, or employee of the Senate may collect from another Senator, officer of the Senate, or employee of the Senate within Senate buildings nonmonetary donations of clothing, toys, food, and housewares for charitable purposes related to serving persons in need or members of the Armed Forces and the families of those members during the holiday season, if the charitable purposes do not otherwise violate any rule or regulation of the Senate or of Federal law; and

(2) a Senator, officer of the Senate, or employee of the Senate may work with a nonprofit organization with respect to the delivery of donations described under paragraph (1).

(b) EXPIRATION.—The authority provided by this resolution shall expire at the end of the second session of the 114th Congress.

**SENATE RESOLUTION 588—RECOGNIZING THE MONTH OF OCTOBER 2016 AS "NATIONAL PRINCIPALS MONTH"**

Mr. FRANKEN (for himself, Mr. CARPER, Mr. WYDEN, Mr. HEINRICH, Mr. DURBIN, Mrs. FEINSTEIN, Mr. COCHRAN, and Mr. BOOZMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 588

Whereas the National Association of Secondary School Principals, the National Association of Elementary School Principals, and the American Federation of School Administrators have declared the month of October 2016 to be "National Principals Month";

Whereas principals are educational visionaries, instructional and assessment leaders, disciplinarians, community builders, budget analysts, facilities managers, and administrators of legal and contractual obligations;

Whereas principals work collaboratively with teachers and parents to develop and implement a clear mission, high curriculum standards, and performance goals;

Whereas principals create school environments that facilitate great teaching and learning and continuous school improvement;

Whereas the vision, actions, and dedication of principals provide the mobilizing force behind any school reform effort; and

Whereas the celebration of National Principals Month would honor elementary school, middle school, and high school principals, and recognize the importance of principals in ensuring that every child has access to a high-quality education: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the month of October 2016 as "National Principals Month"; and

(2) honors the contribution of principals in the elementary schools, middle schools, and high schools of the United States.

**SENATE RESOLUTION 589—HONORING THE 50TH ANNIVERSARY OF REFORMED THEOLOGICAL SEMINARY**

Mr. WICKER (for himself, Mr. COCHRAN, and Mr. GRAHAM) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 589

Whereas Reformed Theological Seminary was founded in Jackson, Mississippi, in 1966, with the mission of serving the Christian community by preparing Christian leaders through a program of graduate theological education;

Whereas the vision for Reformed Theological Seminary originated in a prayer meeting of the following 5 Mississippi pastors: Sam Patterson, Erskine Jackson, John Reed Miller, James Spencer, and William Stanway;

Whereas the founders of Reformed Theological Seminary were Sam Patterson, Robert Cannada, Erskine Wells, Frank Horton, Bob Kennington, and Frank Tindall, and early board members included Elliott Belcher, Robert Rugeley, Hugh Potts, Emory Polmar, Gettys Guille, H.S. Williford, Sr., Horace Hull, Charles Harmon, and Roy LeCraw, many of whom were prominent Mississippians;

Whereas Reformed Theological Seminary opened its doors to 14 students from 8 colleges and 3 denominations in 1966, and has educated well over 12,000 students through the years, with over 6,000 graduates serving the Lord and the Christian Church in more than 80 countries around the world;

Whereas Reformed Theological Seminary is the largest accredited seminary in the State of Mississippi;

Whereas Reformed Theological Seminary has campuses and extensions in—

- (1) Jackson, Mississippi;
- (2) Orlando, Florida;
- (3) Charlotte, North Carolina;
- (4) Atlanta, Georgia;
- (5) Houston, Texas;
- (6) Memphis, Tennessee;
- (7) McLean, Virginia; and
- (8) New York City, New York;

Whereas Reformed Theological Seminary has established a global distance education program with online students on every populated continent, and a doctoral program with Mackenzie University in São Paulo, Brazil;

Whereas Reformed Theological Seminary is one of the largest accredited theological seminaries in North America, having prepared students for service in over 73 denominations, and with graduates who have started no fewer than 23 theological educational institutions around the world;

Whereas Reformed Theological Seminary has over 40 full-time faculty members instructing over 1,500 current students in 9 different degree programs, readying them to serve the Christian Church and all Christians with a mind for truth, a life for ministry, and a heart for the Lord;

Whereas Reformed Theological Seminary graduates continue on to vocations not only as pastors, but also as counselors, chaplains, teachers, church planters, missionaries, campus ministers, relief workers, and community leaders, thus contributing greatly to

the well-being of their neighbors, communities, and culture, in the United States and around the world;

Whereas Reformed Theological Seminary has been a blessing to the United States and an ambassador for the Lord around the world; and

Whereas, on October 6 and 7, 2016, Reformed Theological Seminary will celebrate its 50th Anniversary: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates Reformed Theological Seminary for 50 years of faith-inspired service;

(2) expresses profound respect and deep appreciation for—

(A) the transformational impact Reformed Theological Seminary has had on the United States; and

(B) the beneficent service of Reformed Theological Seminary to humanity around the world; and

(3) expresses heartfelt wishes for continued blessings and achievement in the decades to come.

# SENATE CONCURRENT RESOLUTION 52—HONORING VINCENT EDWARD “VIN” SCULLY, THE UNITED STATES BASEBALL BROADCASTER WHO HAS MAGNIFICENTLY SERVED AS THE PLAY-BY-PLAY ANNOUNCER FOR THE BROOKLYN AND LOS ANGELES DODGERS FOR 67 MAJOR LEAGUE BASEBALL SEASONS SINCE 1950

Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

## S. CON. RES. 52

Whereas Vincent Edward “Vin” Scully was born in the Bronx, New York, on November 29, 1927;

Whereas Vin Scully was raised in the Washington Heights neighborhood of Manhattan, New York;

Whereas when Vin Scully was 8 years old he decided he wanted to become a sports announcer;

Whereas in 1950, at the age of 22, Vin Scully joined the radio and television broadcast team for the Brooklyn Dodgers;

Whereas in 1953, at the age of 25, Vin Scully became the youngest individual to announce the broadcast of a World Series game;

Whereas Vin Scully announced Brooklyn Dodgers’ games through 1957, after which he moved with the Dodgers to Los Angeles as the first team in Major League Baseball to play in Southern California;

Whereas Vin Scully is credited with teaching the game of baseball to Los Angeles;

Whereas since 1950, Vin Scully has announced more than 9,000 Major League Baseball games and almost ½ of all Los Angeles Dodgers games ever played;

Whereas Vin Scully has announced numerous iconic moments in baseball history, including—

(1) on September 9, 1965, Vin Scully announced Los Angeles Dodgers’ pitcher Sandy Koufax’s perfect game against the Chicago Cubs, concluding, “Sandy Koufax, whose name will always remind you of strikeouts, did it with a flourish. He struck out the last 6 consecutive batters. So when he wrote his name in capital letters in the record book, that ‘K’ stands out more than the ‘oufax’.”;

(2) on April 8, 1974, Vin Scully called the 715th homerun by Hank Aaron to break Babe

Ruth’s longstanding homerun record, stating, “What a marvelous moment for baseball, what a marvelous moment for Atlanta and the State of Georgia, what a marvelous moment for the country and the world. A black man is getting a standing ovation in the Deep South for breaking a record of an all-time baseball idol. And it is a great moment for all of us, and particularly for Henry Aaron.”; and

(3) on October 15, 1988, during Game 1 of the 1988 World Series at Dodger Stadium, Vin Scully announced a game-winning, pinch hit homerun by injured Los Angeles Dodger Kirk Gibson against Oakland Athletics’ reliever Dennis Eckersley, declaring, “High fly ball into right field. She is gone . . . In a year that has been so improbable, the impossible has happened.”;

Whereas Vin Scully has described the exploits of some of baseball’s all-time greats, including Jackie Robinson, Roy Campanella, Sandy Koufax, Don Drysdale, Duke Snider, Don Sutton, Fernando Valenzuela, Tommy Lasorda, Orel Hershisier, Mike Piazza, and Clayton Kershaw, among many others;

Whereas Vin Scully has been nicknamed “The Shakespeare of Baseball”, “The Voice of the Dodgers”, and “The Voice of Summer”;

Whereas Vin Scully has been awarded the honors of—

(1) National Sportscaster of the Year from the National Sports Media Association in 1965, 1978, and 1982;

(2) Ford Frick Award from the National Baseball Hall of Fame in 1982;

(3) induction into the National Sports Media Association Hall of Fame in 1991;

(4) induction into the American Sports-casters Association Hall of Fame in 1992;

(5) Life Achievement Emmy Award for Sportscasting in 1995;

(6) induction into the National Radio Hall of Fame in 1995;

(7) Sportscaster of the Century from the American Sportscasters Association in 2000;

(8) induction into the California Sports Hall of Fame in 2008;

(9) induction into the National Association of Broadcasters Broadcasting Hall of Fame in 2009;

(10) Ambassador Award of Excellence from the Los Angeles Sports & Entertainment Commission in 2009;

(11) Top Sportscaster of All-Time from the American Sportscasters Association in 2009;

(12) Baseball Commissioner’s Historic Achievement Award in 2014; and

(13) 32-time California Sportscaster of the Year;

Whereas, on September 23, 2016, during a pregame ceremony at Dodgers Stadium to honor Vin Scully for his iconic life and contributions, he was likened to Norman Rockwell and film character George Bailey; and

Whereas Vin Scully will announce his final game on October 2, 2016, when the Los Angeles Dodgers visit the San Francisco Giants: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That Congress—

(1) honors the life and legendary career of Vincent Edward “Vin” Scully, whose character, artistry, and storytelling as an announcer for the Brooklyn and Los Angeles Dodgers has set the standard for sports announcing; and

(2) wishes Vin Scully a fulfilling retirement as he bids farewell to the broadcast booth following the 2016 Major League Baseball season.

Mrs. FEINSTEIN. Mr. President, I rise to submit a concurrent resolution to honor the great Vin Scully—a magnificent baseball announcer for the Los Angeles Dodgers for the past 67 Major League Baseball seasons.

Days ago, Scully announced his final game at Dodger Stadium.

It was a game won by the Dodgers on a walk-off homerun, in dramatic fashion, to clinch the division.

It was a fitting end to Scully’s storied career calling baseball games in Los Angeles. When the homerun was hit, he exclaimed, “Would you believe a homerun? And the Dodgers have clinched the division, and will celebrate on schedule.”

Seconds later, in true Scully-form, he remained silent, letting the roar of Dodgers fans take over the microphone.

Scully’s storytelling over the microphone has captured the imagination of not just those who have grown up in Southern California, but all over America.

In fact, so many Americans recall watching Game 1 of the 1988 World Series when Kirk Gibson famously hit a walk-off homerun against Dennis Eckersley.

After Scully called the homerun shot, he paused to proclaim, “In a year that has been so improbable, the impossible has happened.”

The call was a harbinger of things to come, because the Dodgers went on to win the series against a heavily favored Oakland Athletics team.

Scully first fell in love with baseball and broadcasting as an 8 year old boy growing up in New York in 1936.

He recounted this beginning in a deeply personal letter he wrote to fans recently, stating, “God has been very generous to that little boy, allowing him to fulfill a dream of becoming a broadcaster and to live it for 67 years . . . You were simply always there for me. I have always felt that I needed you more than you needed me and that holds true this very day.”

We too are immensely fortunate to have witnessed Scully’s life-long devotion to the game of baseball.

Scully has announced more than 9,000 Major League Baseball games, and almost half of all of the Dodger games ever played.

He is credited with teaching the game of baseball to Los Angeles.

He vividly brought to life the feats of all-time Dodgers greats such as Jackie Robinson, Roy Campanella, Sandy Koufax, Don Drysdale, Duke Snider, Don Sutton, Fernando Valenzuela, Orel Hershisier, Tommy Lasorda, Mike Piazza, and Clayton Kershaw.

This is why his voice evokes so many memories for so many people.

But even beyond his artistic accomplishments, Vin Scully is about as fine a person as you will meet. Those who know him closely remark of his character and humility. They speak of his desire simply to be a decent man, a good husband, father, and grandfather.

This humility and grace was reflected in his broadcast style. He was never one to rush, and did all he could to enhance the game he loved. Often times, he let the roar of the crowd speak for itself.

I want to thank Senator BOXER for cosponsoring the resolution to honor Scully, as he takes his final curtain call from the broadcast booth next week.

I also want to express my thanks to House Democratic Caucus Chairman XAVIER BECERRA for leading the House effort on this resolution.

**SENATE CONCURRENT RESOLUTION 53—DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE A CORRECTION IN THE ENROLLMENT OF H.R. 5325**

Mr. COCHRAN submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 53

*Resolved by the Senate (the House of Representatives concurring).* That, in the enrollment of the bill H.R. 5325, the Clerk of the House of Representatives shall make the following correction to the title so as to read: "Making continuing appropriations for fiscal year 2017, and for other purposes."

**SENATE CONCURRENT RESOLUTION 54—EXPRESSING THE SENSE OF CONGRESS AND REAFFIRMING LONGSTANDING UNITED STATES POLICY IN SUPPORT OF A DIRECT BILATERALLY NEGOTIATED SETTLEMENT OF THE ISRAELI-PALESTINIAN CONFLICT AND OPPOSITION TO UNITED NATIONS SECURITY COUNCIL RESOLUTIONS IMPOSING A SOLUTION TO THE CONFLICT**

Mr. KIRK (for himself and Mr. BLUMENTHAL) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 54

Whereas the United States has long supported a negotiated settlement leading to a sustainable two-state solution with the democratic, Jewish state of Israel and a democratic Palestinian state living side-by-side in peace and security;

Whereas it is the long-standing policy of the United States Government that a peaceful resolution to the Israeli-Palestinian conflict will only come through direct, bilateral negotiations between the two parties;

Whereas President Barack Obama reiterated this policy at the United Nations General Assembly in 2011, stating, "Peace is hard work. Peace will not come through statements and resolutions at the United Nations—if it were that easy, it would have been accomplished by now. Ultimately, it is the Israelis and the Palestinians who must live side by side. Ultimately, it is the Israelis and the Palestinians—not us—who must reach agreement on the issues that divide them";

Whereas the Palestinian Authority has failed to end incitement to hatred and violence through Palestinian Authority-directed institutions against Israel and Israelis and to end payments to prisoners and the families of those who have engaged in terrorism or acts of violence against Israelis or the State of Israel;

Whereas the Palestinian Authority has continued to provide payments to prisoners

and the families of those who have engaged in terrorism or acts of violence against Israelis or the State of Israel, including reports of approximately \$300,000,000 in 2016;

Whereas efforts to impose a solution or parameters for a solution can make negotiations more difficult and can set back the cause of peace;

Whereas it is long-standing practice of the United States Government to oppose and, if necessary, veto United Nations Security Council resolutions dictating additional binding parameters on the peace process;

Whereas it is also the historic position of the United States Government to oppose and veto, if necessary, one-sided or anti-Israel resolutions at the United Nations Security Council;

Whereas, for this reason, the United States has vetoed 42 Israel-related resolutions in the United Nations Security Council since 1972;

Whereas the Palestinian Authority must engage in broad, meaningful, and systemic reforms in order to ultimately prepare its institutions and people for statehood and peaceful coexistence with Israel; and

Whereas unilateral recognition of a Palestinian state would bypass negotiations and undermine incentives for the Palestinian Authority to make the changes necessary that are pre-requisites for peace: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring),* that it is the sense of Congress that—

(1) a durable and sustainable peace agreement between Israel and the Palestinians will come only through direct bilateral negotiations between the parties;

(2) any widespread international recognition of a unilateral declaration of Palestinian statehood outside of the context of a peace agreement with Israel would cause severe harm to the peace process, and would likely trigger the implementation of penalties under sections 7036 and 7041(j) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2016 (division K of Public Law 114-113; 129 Stat. 2769, 2779);

(3) efforts by outside bodies, including the United Nations Security Council, to impose an agreement or parameters for an agreement are likely to set back the cause of peace;

(4) the United States Government should continue to oppose and veto United Nations Security Council resolutions that seek to impose solutions to final status issues, or are one-sided and anti-Israel; and

(5) the United States Government should continue to support and facilitate the resumption of negotiations without pre-conditions between Israelis and Palestinians toward a sustainable peace agreement.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 5105. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 5082 proposed by Mr. MCCONNELL (for Mr. COCHRAN) to the bill H.R. 5325, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes; which was ordered to lie on the table.

**TEXT OF AMENDMENTS**

**SA 5105.** Mr. HELLER submitted an amendment intended to be proposed to amendment SA 5082 proposed by Mr. MCCONNELL (for Mr. COCHRAN) to the bill H.R. 5325, making appropriations

for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . NO BUDGET NO PAY.**

(a) **SHORT TITLE.**—This section may be cited as the "No Budget, No Pay Act".

(b) **DEFINITION.**—In this section, the term "Member of Congress"—

(1) has the meaning given under section 2106 of title 5, United States Code; and

(2) does not include the Vice President.

(c) **TIMELY APPROVAL OF CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.**—If both Houses of Congress have not approved a concurrent resolution on the budget as described under section 301 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 632) for a fiscal year before October 1 of that fiscal year and have not passed all the regular appropriations bills for the next fiscal year before October 1 of that fiscal year, the pay of each Member of Congress may not be paid for each day following that October 1 until the date on which both Houses of Congress approve a concurrent resolution on the budget for that fiscal year and all the regular appropriations bills.

(d) **NO PAY WITHOUT CONCURRENT RESOLUTION ON THE BUDGET AND THE APPROPRIATIONS BILLS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, no funds may be appropriated or otherwise be made available from the United States Treasury for the pay of any Member of Congress during any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under subsection (e).

(2) **NO RETROACTIVE PAY.**—A Member of Congress may not receive pay for any period determined by the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate or the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives under subsection (e), at any time after the end of that period.

(e) **DETERMINATIONS.**—

(1) **SENATE.**—

(A) **REQUEST FOR CERTIFICATIONS.**—On October 1 of each year, the Secretary of the Senate shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate for certification of determinations made under clause (i) and (ii) of subparagraph (B).

(B) **DETERMINATIONS.**—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the Senate shall—

(i) on October 1 of each year, make a determination of whether Congress is in compliance with subsection (c) and whether Senators may not be paid under that subsection;

(ii) determine the period of days following each October 1 that Senators may not be paid under subsection (c); and

(iii) provide timely certification of the determinations under clauses (i) and (ii) upon the request of the Secretary of the Senate.

(2) **HOUSE OF REPRESENTATIVES.**—

(A) **REQUEST FOR CERTIFICATIONS.**—On October 1 of each year, the Chief Administrative Officer of the House of Representatives shall submit a request to the Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives for certification of determinations made under clause (i) and (ii) of subparagraph (B).

(B) DETERMINATIONS.—The Chairpersons of the Committee on the Budget and the Committee on Appropriations of the House of Representatives shall—

(i) on October 1 of each year, make a determination of whether Congress is in compliance with subsection (c) and whether Members of the House of Representatives may not be paid under that subsection;

(ii) determine the period of days following each October 1 that Members of the House of Representatives may not be paid under subsection (c); and

(iii) provide timely certification of the determinations under clauses (i) and (ii) upon the request of the Chief Administrative Officer of the House of Representatives.

(f) EFFECTIVE DATE.—This section shall apply on and after February 1, 2017.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. FLAKE. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on September 28, 2016, at 12 p.m., in room S-216 of the Capitol.

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

##### SUBCOMMITTEE ON EAST ASIA, THE PACIFIC, AND INTERNATIONAL CYBERSECURITY POLICY

Mr. FLAKE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy be authorized to meet during the session of the Senate on September 28, 2016, at 10 a.m., to conduct a hearing entitled “The Persistent Threat of North Korea and Developing an Effective U.S. Response.”

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

##### SUBCOMMITTEE ON IMMIGRATION AND NATIONAL INTEREST

Mr. FLAKE. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Immigration and the National Interest be authorized to meet during the session of the Senate on September 28, 2016, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled “Oversight of the Administration’s FY 2017 Refugee Resettlement Program.”

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

#### PRIVILEGES OF THE FLOOR

Mrs. FISCHER. Mr. President, I ask unanimous consent that Daniel Ball, an FCC detailee with the Commerce Committee, be granted floor privileges for the duration of the 114th Congress.

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

Mr. CARPER. Mr. President, I ask unanimous consent that Ian Foss, a detailee on the HELP Committee, the Health, Education, Labor, and Pensions Committee for Senator MURRAY

be granted floor privileges for the remainder of today’s session.

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

Mr. CARPER. Mr. President, I ask unanimous consent that Eric Hanson, a detailee to the Homeland Security and Governmental Affairs Committee, be granted privileges of the floor for the remainder of the second session of the 114th Congress.

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

#### MEASURE READ THE FIRST TIME—H.R. 954

Mr. RUBIO. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 954) to amend the Internal Revenue Code of 1986 to exempt from the individual mandate certain individuals who had coverage under a terminated qualified health plan funded through the Consumer Operated and Oriented Plan (CO-OP) program.

Mr. RUBIO. Mr. President, I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will be read for the second time on the next legislative day.

#### ORDERS FOR THURSDAY, SEPTEMBER 29, 2016

Mr. RUBIO. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, September 29; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### ORDER FOR ADJOURNMENT

Mr. RUBIO. 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 Senators CARPER and COONS.

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

The Senator from Delaware.

#### REMEMBERING BETTY DEWHIRST RUSSELL

Mr. COONS. Mr. President, I rise today to speak in honor of a friend, a

fellow congregant—Betty Dewhirst Russell—someone I have known for a long time and someone I knew as a member of my home church, First and Central Presbyterian in Wilmington, DE.

Earlier today, Betty passed away. I am so honored to have an opportunity on the floor of the Senate to briefly recognize her for her remarkable service to the United States and for her great and soaring spirit.

Betty was a young midwestern girl when she ventured to St. Louis, MO, in 1940, to begin her schooling as a nurse. Upon graduation, she volunteered for service in the U.S. Army. Betty was posted to Longview, TX, for basic training. While in Longview, she would meet her future husband, Lloyd Byron Russell, known as Russ, of Wilmington, DE.

Betty served her country as a first lieutenant in the Army Nurse Corps from April 1943 until January 1946 through the 70th General Hospital. Betty served alongside her uncle, Chief Surgeon Colonel L.D. Cassidy. In something that she recounted to me a number of times once I was elected to this body, Betty, during the Second World War and as part of the 70th General Hospital, cared for hundreds and hundreds of American soldiers, among them two who returned home to serve in this body as Senators—Bob Dole of Kansas and Daniel Inouye of Hawaii.

Betty received a battle star as the 70th General Hospital was awarded the European-African-Middle Eastern Campaign Ribbon. Betty was, understandably, proud of her service, saving so many American lives. One cherished memory that Betty shared with her family was that when she was caring for one particularly badly wounded GI, his last request was to hold close an American flag—a big one, he said. She went to the Red Cross, and they gave her a big American flag. She spread it over his body. He put his arms around it, smiled, and took his last breath.

Betty and Russ were married in Oran, Algeria. Being military and married in a foreign country required cutting through a lot of redtape. They were eventually married twice—once by the French Government and once by the U.S. Army. Betty and Russ returned to live in our hometown of Wilmington, DE, and eventually settled in Hockessin. They were married for 53 years before Russ passed in 1998.

Betty and Russ’s four children were born and raised in Delaware. She served her community faithfully, by helping to establish the Hockessin Well Baby Clinic, by serving as a Cub Scouts den mother, as a volunteer at the junior board of Memorial Hospital, at the Wilmington Flower Market for over 50 years, and as a charter member of the Hockessin Community Club. Betty was also a longtime board member of the Lamborn Library and of the Friends of the Hockessin Library in Hockessin and a faithful member of First and Central Presbyterian Church for 70 years.



Betty has lived a full and wonderful life—full of dedicated service to her faith, her family, and her country. She always saw the best in others, and she always had a hopeful attitude about the day that lay ahead. So I am grateful for having had the opportunity to know Betty for just a few years in our wonderful home State. I am so grateful for the career and the life of service that Betty Russell gave as a gift to all of us in Delaware and in this grateful Nation.

Thank you.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I ask unanimous consent to engage in a colloquy with Senator CARPER for up to 30 minutes.

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

#### HONORING CHRISTOPHER LEACH AND JERRY FICKES

Mr. COONS. Mr. President, it is with a heavy heart that Senator CARPER and I come to the floor this evening to honor Chris Leach and Jerry Fickes, two brave Wilmington firefighters who lost their lives this past Saturday night. In any State or in any community, the loss of a firefighter or police officer is devastating, but in our small State of neighbors, a close-knit State with an even closer knit first responder community, a community that includes families and multiple generations, it is especially hard.

To those who knew Chris and Jerry, it must be little comfort now that we are here on the floor of the U.S. Senate to pay tribute to their lives, but in the next few minutes, we hope to capture just a fraction of the light they brought to their families and our community with their love and service.

Lieutenant Christopher Leach wasn't supposed to be working on Saturday night, but he filled in for another firefighter, likely thinking it would be a shift like any other shift. He was always willing to step forward and serve.

After getting the call that there was a fire in a Canby Park row house, Chris did what he had been training to do since 1993. Chris did what he told his friends, all the way back to Salesianum High School, he always wanted to do as long as they could remember—fight fires.

Chris grew up in the volunteer fire service. He joined the Tallyville Fire Company in 1993 at the age of 18, rising steadily through the ranks of the volunteer fire service to captain. The more time he spent at the firehouse, the more he loved it. Four years later, at age 22, Chris joined the Claymont Fire Company and served as a full-time firefighter and EMT there.

Chris was a lifelong learner, doing whatever he could to develop new skills to support his crewmates and help save lives.

Chris took classes all over our country, from Virginia to Texas, to Cali-

fornia, and his training paid off. In July 2002, at a house fire in Claymont, a firefighter from the ladder company fell through the first floor and into the basement. Chris and two others saved that firefighter's life, earning Chris a series of recognitions, including Fireman of the Year from New Castle County Volunteer Fire Service and the Claymont Fire Company.

Several months later, Chris joined the Wilmington Fire Department, where he was assigned to Engine 4B Platoon. He was only there for a couple of years before being transferred to the Special Operations Command of Engine 1B, where he was quickly recognized for his work, and then Rescue 1B. At the time of his passing, he was serving with Engine 6.

All this time, Chris never stopped learning and improving. He never stopped acting on his passion for firefighting. He researched and applied for and earned a \$200,000 grant for extra training and equipment. He wrote the standard operating procedures for the Special Operations Command. He trained as an instructor in NIMS, the National Incident Management System, and made sure that every Talleyville volunteer member became certified in the NIMS system. He served on the Newcastle County Task Force Rescue Team and earned a bachelor of science degree in fire service administration from Waldorf University.

Throughout a long and distinguished firefighting career, Chris was constantly achieving and growing, saving lives and building new skills. Described by so many I have spoken to as a "firefighter's firefighter," his commitment to his brothers and sisters at the firehouse was relentless. If he thought the department needed something done, he would go do it himself. If the fire company couldn't afford something, he would find a way to make it happen. That commitment went beyond just his professional leadership. I have heard from so many who said Chris was a good, loyal, and faithful friend. He was a softball teammate and also a practical joker, a lover of Billy Joel and Lynyrd Skynyrd, a so-called Mr. Fix-It, and king of nicknames. He was a big guy with a big heart and a deep voice who couldn't hide when he entered a room. Chris was someone who volunteered at the firehouse on his days off and visited elementary schools to talk about his love of firefighting and to help persuade a young generation to join him.

As his friend Andy Millis described him, Chris "was a lieutenant you wanted to work for." He loved his job, he loved his colleagues, and he loved his responsibility, but there was nothing he loved more than his family. His mother Fran, his sister Katie and Katie's wife Carolee, his fiancée Kate and her boys Landon and Casey. Most of all, Chris loved his beautiful children. He said there was nothing greater than being a father to his kids, Brendon, age 16; Abby, 14; and Megan,

12. He took them camping and fishing, to the beach and Cub Scouts, and always found a way to be there for their every activity. Chris lived for his kids.

Chris lost his own father Michael to cancer in 2004 and always kept his dad's funeral card in his helmet. Chris honored his father by being a great dad himself, just as Michael was to him. We can only hope that in the brief time each of us has here, that we shine brightly and relentlessly for the people we love and the community we serve. Few shine as brightly as Chris Leach did.

With that, I yield the floor to my colleague from Delaware Senator CARPER, who will share some words about another hero we also lost on Saturday, senior firefighter Jerry Fickes.

Mr. CARPER. Mr. President, I thank my colleague CHRIS COONS for allowing me to join him and together offer this tribute to Chris Leach and Jerry Fickes.

Earlier today, the floor was busy with activity—and really joyful activity—as Democrats and Republicans tried to work together to come to an agreement on a spending plan to fund our government past the end of this fiscal year and into the beginning of the coming fiscal year. We worked out some difficult compromises. There was actually a lot of joy here as we said goodbye to one another and headed for our respective States until after the election.

So on the heels of what was really a rather joyous afternoon comes a far more serious one, and that is the opportunity to say goodbye and to say thank you to a couple of Delawareans who were really true public servants who tragically lost their lives this past weekend in trying to save the lives of others—Chris Leach and Jerry Fickes. I am going to talk about Jerry, since Senator COONS has shared with us some wonderful words about Lieutenant Chris Leach.

On Saturday, Jerry Fickes, a 13-year veteran of the Wilmington Fire Department, rushed into a burning home along with his colleague, Chris and others, when a member of the team believed to be Chris became trapped in the blaze.

They were told, I understand from those who were present at the fire, that when the Wilmington Fire Department showed up, they were led to believe that there were people inside the house; the house was on fire, and they needed to be saved. Once inside the building, I think they went into the basement, but the floor above them apparently gave way, and their lives were lost in that fire.

Two other firefighters were critically burned, and, hopefully, they are going to live, but one was burned on 70 percent of her body. Our hopes and prayers are with her and with her fellow colleague who also received very serious burn damage.

Jerry Fickes was a husband, a father, a U.S. Army veteran, and a beloved

member of Delaware's firefighter family. That is a strong family, as Senator COONS knows—a strong family and strong bond. We are very proud of them all.

He was born not in Delaware but in Evanston, IL, to his mom Jo Ann who sadly predeceased him, and to his father Jerry after whom Jerry Fickes, Jr., is named.

Jerry grew up in Illinois and later moved to Overland Park, KS, a suburb of Kansas City. Jerry's early life was full of innocent mischief and football games outside with his neighbors and his five brothers and sisters: Karen, Jeri, Kimberly, Steven, and David.

The neighborhood kids played together so much—constantly crossing through each other's yards, I am told, to get to different houses—that the neighbors were unsuccessful at keeping shrubs along their proper line. It reminds me of growing up in Danville, VA.

When Jerry started his freshman year at Washburn University in Topeka, KS, his grades were less than stellar, but in reality Jerry was just bored. Once he joined the Army ROTC, things turned around. The Army ROTC gave him structure, and he became very driven and goal oriented. By the time he reached his junior year in college, during which he would meet his future wife Laura while she was working the phone in their dorm's office, Jerry had it all together.

Jerry was a serious student, but he was also known to be a fun-loving guy. He graduated with a degree in computer science and mathematics but also had a lot of gym credits because he made being active a priority. His motto became "Mind, Body, Spirit: If you have all three, then you're sound."

College and the ROTC taught Jerry there is lot more to learning than just memorizing facts, and that is when everything started to click for Jerry. He took actuarial exams before graduating college and started his obligation to the Army with officer training in Fort Benning. He took a test and scored so well that the Army asked him what he would like to do. That doesn't happen every day. Jerry told them he wanted to join the infantry because he wanted to make a difference, and that is where we felt he could best do it.

I think that tells us a lot about the kind of man Jerry Fickes was.

His wife Laura recalls the first time she met Jerry—in a tiny office in his dorm building where she answered the phones. When people would call for him, everyone would say his name differently—Fix, Ficks—and Laura could never find his name in the directory until finally one day she met him in person. She asked him: How do you say your name? He just replied: You can say whatever you want to say, and walked away. Little did she or he know that someday she would take that name, just a few years later, as her own.

Once married, Jerry had the opportunity to become an actuary with

Alico in Wilmington, DE, a company with which Senator COONS and I are well familiar, and the newlyweds with their hard-to-pronounce last name came to the East Coast. Jerry worked at Alico for a while and then later became a consultant for Ernst and Young in Philadelphia.

But something always nagged at Jerry. Jerry had the heart of a servant, and when the first gulf war came around, he knew he could use his training in chemical warfare to be an asset to the Army. He called his reserve unit in Kansas to be put on the activation list, but at the time, and much to his wife's relief, he was not called up.

But Jerry wanted to do more, so it didn't surprise Laura one bit when Jerry decided to join the Aetna Hose Hook and Ladder Company in Newark, DE, as a volunteer firefighter. For over a decade, he selflessly juggled his firefighting duties with a full-time career in financial services and a new family that would eventually include two young sons, Ben and Josh. It also didn't surprise Laura when, after 12 years of volunteering, Jerry could no longer ignore his true calling. He gave up his job at financial services to work full-time with the Wilmington fire company.

From day one, Jerry jumped at the chance to take every call that came in on his shift. Because of this, his fellow firefighters called Jerry a dynamo. Sometimes his determination to get the job done right would leave Jerry covered in melted roof shingles or draped in insulation from an attic, while everyone else's gear was nearly clean. Those mischievous days running around the neighborhood in Kansas weren't far off. Around the firehouse, Jerry was known, very much like Chris Leach, as a prolific prankster. His friends recall that he would often pull a prank and then sit back, watching and waiting as everyone tried to figure out who was responsible for this latest joke.

Jerry lived a full life, but perhaps no job was more important to him than helping to raise two sons, Ben and Josh. He was also interested in hearing about his sons and even about their friends, their interests, their goals, and their projects. He was the first to help them research a science project, chaperone big gatherings, or teach Sunday school at Grace Lutheran Church in Hockessin.

Even though Jerry didn't care much for running, he knew how much his son Ben did. Jerry was so interested in his son's passion that Jerry did the first few triathlons with Ben, and this past May they both ran a marathon. Imagine that: son and father. And they were both getting excited to run the next race. In fact, just last week Jerry was thrilled to learn that his son had qualified for the Boston Marathon, a huge point of pride for him.

Ben, a Charter School of Wilmington graduate and now a freshman at Northeastern in Boston, and Josh, a junior at

Charter, both learned from their dad what is really important in life; that is, to serve others. To shake adults' hands and look them right in the eye, to give up your seat on the subway or the bus or the train for somebody else. That is the way Jerry lived his life, and that is what he passed down to his children.

Jerry was a true public servant. He devoted his entire adult life to others. He was also a man of deep faith. His service, and ultimately his sacrifice, reminds me—and I know Senator COONS—of a passage from the Book of John: "Greater love hath no man than this, that a man lay down his life for his friends."

While no words can ease the suffering of Jerry's family, we seek solace in the memory of a life lived for others and a life given to others by a brave and selfless man.

I pray and will continue to pray for Jerry's wife of 26 years, Laura; their two sons, Ben and Josh; Jerry's dad, Jerry, Sr.; his brothers, Steven and David; his sisters, Karen, Jeri, and Kimberly; and many, many nieces and nephews and his brothers and sisters in the Wilmington fire service.

Words can never express the pride we have in our hearts for our firefighters in Delaware, the City of Wilmington, and throughout our State. How grateful we are for their sacrifice and for that of their families because the work they do every day and the work Jerry did and really gave up his life for is unlike any other. From the moment he and his fellow firefighters put on that uniform every morning, they answered a call that they knew could put their lives at risk in just a moment.

I am reminded of the words of the firefighters' prayer that goes something like this: "When I am called to duty, God, wherever flames may race, give me the strength to save some life, whatever be its age . . . and if, according to our fate, I have to lose my life, please bless with Your protecting hand my children and my wife."

The prayer embodies the selflessness that Jerry Fickes displayed every single day. He took an oath to serve, knowing that one day he might not come home but feeling even more strongly that he had to help others. Now it is my hope that our community of Delaware can be a part of protecting him and looking after Jerry's family, his wife, and children, helping to comfort them in their time of need and looking out for them in the days to come.

To all of Delaware's firefighters who are in mourning, who continue to put on their gear every day to go to work to protect our communities, we salute you. We say thank you. And thank you for your unwavering commitment to lives lived in service to others. You are an inspiration to us all. So was Jerry.

God bless each and every one of you, and may God bless Jerry Fickes.

I yield the floor.

Mr. COONS. Mr. President, I thank Senator CARPER.

Before we conclude, let us share our deepest gratitude to Ardythe Hope and to Brad Speakman, two Wilmington firefighters who were also badly injured in Saturday's fire. They are still in the hospital, Chester Crozer, recovering, and we pray for a speedy recovery.

We are thankful as well for the safety of John Cawthray and Peter Cramer and Terrance Tate, firefighters who were also injured in the fire and for all of their colleagues.

For Delaware's first responder community, in some ways, tomorrow will be like any other. Our firefighters, our police officers, our EMTs and paramedics will be on call, keeping us safe and secure, and we, the rest of us in our community and State and country, will go on about our lives, many folks really not thinking about them until the moment we need them. But no matter what we are doing and what we are thinking, when their shift starts, they will be on it. They will be on duty ready to run without hesitation, even into situations that would cause the rest of us to run in the opposite direction.

As Christiana Fire Chief Rich Perillo said this past Sunday, "the only thing we ever signed up to do is to protect our neighbors and neighborhoods, and that we will continue to do no matter what comes our way."

We are both so grateful for the dedication, the service, and the love shown by the Delaware fire service to protect neighbors. In that sense, today and tomorrow and the days after will be like any other in that we can continue to rely on our first responders, and we are grateful for that. But in so many other ways—in the ways that truly matter—it just will not be the same.

For Chris's and Jerry's families and friends, for their brothers and sisters at the firehouse, for all the members of our first responder community, and for all the Delawareans who had a chance to work or serve with them and to be protected by them, things will not be the same. That is why we pray for their families. We pray that tomorrow will be just a little easier for them than today and that the next day a little easier than tomorrow, and so on, until the pain is eventually matched by the joy that comes from remembering someone you love and by the gratefulness we all feel for having had the privilege to know someone special.

One of life's unsung joys is the look in a child's face in the presence of one of their heroes. Have you ever seen a young child as a fire truck goes by? Their eyes are wide with amazement. The station door rises, sirens wale, the lights flash, and the bright red truck goes by with an American flag waving off the back. As adults, we notice it. We take notice. We wonder what might have happened, and we go back to our day. Even though a child doesn't know where the truck is going, they know that is what a hero looks like.

As a father, I look at firefighters like Chris and Jerry with the same sense of

awe that young children do, not just because of their uniforms or the sirens or the truck but because of their deep and lifelong commitment to do a dangerous job.

They loved their children and their families. They have been there for their friends and neighbors. They have served their communities and their brothers and sisters and firehouse tirelessly, all while risking their lives every day, leaving for a shift not knowing if they would come home that night or the next morning. That is what a hero looks like.

This week and the weeks to come, I know Senator CARPER and I and our whole community will remember, mourn, pray for, and be grateful for Chris and Jerry. Like a child watching an engine rush by, we will see their lives fly by in our memories and our tributes knowing they went by too quickly, leaving us before we can truly appreciate where they are going or why. But amidst so much we cannot know, we can take solace in knowing that they are going there for a reason far bigger than any one of us.

And as we watch their lives pass by in our memories, we can say to ourselves what the child says when he sees a fire truck go by: That is what a hero looks like.

Let me leave you with the same passage from Scripture shared by Senator CARPER from John 15. "Greater love has no one than this: to lay down one's life for one's friends."

Thank you, Chris and Jerry, for your sacrifice, your service, your love, and for laying down your lives for all of us.

I thank Senator CARPER for joining me tonight.

Mr. CARPER. I thank Senator COONS for those beautiful, heartfelt words.

A few years ago, the Senator who would have joined me and who would have joined Bill Roth before me would have been JOE BIDEN, who served here for six terms. He was someone who loved the fire service in Delaware and is still beloved by them.

I have heard JOE say a number of times—and I know Senator COONS has as well—these words when talking to people who had a serious loss in their life. He would say something such as this: May soon come the day when the memory of the one you have loved and lost brings a smile to your face before it brings a tear to your eye.

That would be my prayer for these families, the Leach family and the Fickes family.

Thank you.

I yield the floor.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7:31 p.m., adjourned until Thursday, September 29, 2016, at 10 a.m.

#### NOMINATIONS

Executive nominations received by the Senate:

##### NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

JANE MARIE DOGGETT, OF MONTANA, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2022. VICE CATHY M. DAVIDSON, TERM EXPIRED.

DIANE SUZETTE HARRIS, OF UTAH, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE HUMANITIES FOR A TERM EXPIRING JANUARY 26, 2022. VICE PAULA BARKER DUFFY, TERM EXPIRED.

VIRGINIA JOHNSON, OF NEW YORK, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2020. VICE AARON PAUL DWORIN, TERM EXPIRED.

SYLVIA OROZCO, OF TEXAS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2022. VICE PAUL W. HODES, TERM EXPIRED.

##### STATE JUSTICE INSTITUTE

WILFREDO MARTINEZ, OF FLORIDA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE STATE JUSTICE INSTITUTE FOR A TERM EXPIRING SEPTEMBER 17, 2019. (REAPPOINTMENT)

##### DEPARTMENT OF DEFENSE

GLENN FINE, OF MARYLAND, TO BE INSPECTOR GENERAL, DEPARTMENT OF DEFENSE, VICE JON T. RYMER, RESIGNED.

##### CORPORATION FOR PUBLIC BROADCASTING

BRENT FRANKLIN NELSEN, OF SOUTH CAROLINA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR PUBLIC BROADCASTING FOR A TERM EXPIRING JANUARY 31, 2022. (REAPPOINTMENT)

##### DEPARTMENT OF STATE

JEFFREY DELAURENTIS, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CUBA.

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

##### To be brigadier general

COL. BRIAN E. HASTINGS

##### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be vice admiral

VICE ADM. DIXON R. SMITH

#### CONFIRMATIONS

Executive nominations confirmed by the Senate September 28, 2016:

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

##### To be brigadier general

COL. KENNETH P. EKMAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

##### To be major general

BRIG. GEN. JON T. THOMAS

##### IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

##### To be brigadier general

COL. ALFRED F. ABRAMSON III  
COL. PETER B. ANDRYSIAK, JR.  
COL. ROBERT W. BENNETT, JR.  
COL. JONATHAN P. BRAGA  
COL. JOHN W. BRENNAN, JR.  
COL. DAVID E. BRIGHAM  
COL. MIGUEL A. CORREA  
COL. CLEMENT S. COWARD, JR.  
COL. PATRICK J. DONAHUE  
COL. CHRISTOPHER T. DONAHUE  
COL. ROBERT L. EDMONSON II  
COL. SCOTT L. EFFLANDT  
COL. DAVID J. FRANCIS  
COL. PAUL H. FREDENBURGH  
COL. DAVID M. HAMILTON  
COL. NEIL S. HERSEY  
COL. LONNIE G. HIBBARD  
COL. JOHNNIE L. JOHNSON, JR.

COL. OMAR J. JONES IV  
COL. MARK H. LANDES  
COL. DAVID A. LESPERANCE  
COL. STEPHEN J. MARANIAN  
COL. DOUGLAS M. MCBRIDE, JR.  
COL. MATTHEW W. MCFARLANE  
COL. STEPHEN L. MICHAEL  
COL. CHRISTOPHER O. MOHAN  
COL. LAURA A. POTTER  
COL. ANTHONY W. POTTS  
COL. ROBERT A. RASCH, JR.  
COL. KENNETH T. ROYAR  
COL. DOUGLAS A. SIMS II  
COL. STEPHEN G. SMITH  
COL. JOHN C. ULRICH  
COL. ROBERT F. WHITTLE, JR.  
COL. DAVID WILSON

#### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be general*

GEN. JOHN E. HYTEN

#### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be vice admiral*

REAR ADM. CHRISTOPHER W. GRADY

#### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be lieutenant general*

LT. GEN. JOHN F. THOMPSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be lieutenant general*

MAJ. GEN. ROBERT D. MCMURRY, JR.

#### IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

#### *To be lieutenant general*

MAJ. GEN. REYNOLD N. HOOVER

#### DEPARTMENT OF STATE

RENA BITTER, OF TEXAS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND

PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE LAO PEOPLE'S DEMOCRATIC REPUBLIC.

SUNG Y. KIM, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE PHILIPPINES.

ANDREW ROBERT YOUNG, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO BURKINA FASO.

W. STUART SYMINGTON, OF MISSOURI, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERAL REPUBLIC OF NIGERIA.

JOSEPH R. DONOVAN JR., OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF INDONESIA.

#### UNITED NATIONS

CHRISTOPHER COONS, OF DELAWARE, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SEVENTY-FIRST SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

RONALD H. JOHNSON, OF WISCONSIN, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SEVENTY-FIRST SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

#### IN THE AIR FORCE

AIR FORCE NOMINATION OF SCOTT E. WILLIAMS, TO BE COLONEL.

AIR FORCE NOMINATION OF JOHN D. CINNAMON, TO BE COLONEL.

AIR FORCE NOMINATION OF ALFRED G. TRAYLOR II, TO BE MAJOR.

AIR FORCE NOMINATION OF MARK C. ANARUMO, TO BE COLONEL.

AIR FORCE NOMINATION OF STEVEN C. M. HASSTEDT, TO BE COLONEL.

#### IN THE ARMY

ARMY NOMINATION OF KARL E. NELL, TO BE COLONEL.  
ARMY NOMINATION OF TODD D. WOLFORD, TO BE COLONEL.

ARMY NOMINATION OF LANCE L. JELKS, TO BE MAJOR.  
ARMY NOMINATION OF MATTHEW A. LEVINE, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF DANIEL J. DONOVAN, TO BE COLONEL.

ARMY NOMINATION OF DONNA A. MCDERMOTT, TO BE COLONEL.

#### IN THE NAVY

NAVY NOMINATION OF THOMAS M. HEARTY, TO BE COMMANDER.

NAVY NOMINATIONS BEGINNING WITH JORDAN M. ADLER AND ENDING WITH RICHARD C. WONG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 22, 2016.

NAVY NOMINATIONS BEGINNING WITH JOHN A. ALLEN AND ENDING WITH TIMBERON C. VANZANT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 22, 2016.

NAVY NOMINATIONS BEGINNING WITH CHRISTOPHER D. AYALA AND ENDING WITH ANDREW S. WEST, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 22, 2016.

NAVY NOMINATIONS BEGINNING WITH FRANCIS B. CARNABY AND ENDING WITH REBECCA I. SUMMERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 22, 2016.

NAVY NOMINATIONS BEGINNING WITH BENJAMIN R. ADDISON AND ENDING WITH RUSSELL P. WOLFKIEL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 22, 2016.

NAVY NOMINATIONS BEGINNING WITH JOSHUA C. ALCAZAR AND ENDING WITH JUI I. YANG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 22, 2016.

NAVY NOMINATIONS BEGINNING WITH SILAS O. CARPENTER AND ENDING WITH CHRISTOPHER E. WELLS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 22, 2016.

NAVY NOMINATIONS BEGINNING WITH GALO A. CAVALCANTI AND ENDING WITH AUDRA M. VANCE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 22, 2016.

NAVY NOMINATIONS BEGINNING WITH CHRISTOPHER T. ABPLANALP AND ENDING WITH RYAN E. ZYVITH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 22, 2016.

NAVY NOMINATIONS BEGINNING WITH STEVEN M. ARBOGAST AND ENDING WITH JOSEPH M. STARK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 22, 2016.

NAVY NOMINATIONS BEGINNING WITH DORIAN R. ACKER AND ENDING WITH JASON YORK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 22, 2016.

NAVY NOMINATIONS BEGINNING WITH MICHAEL A. AMMENDOLA AND ENDING WITH MICHAEL B. ZIMET, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 22, 2016.

#### FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH DIANA ISABEL ACOSTA AND ENDING WITH ELISA JOELLE ZOGBI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2016.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH JENNISA PAREDES AND ENDING WITH JAMORAL TWINE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JULY 13, 2016.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH JORGE A. ABUDEI AND ENDING WITH DEBORAH KAY JONES, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH JOHN ROBERT ADAMS AND ENDING WITH DAVID M. ZWICK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON SEPTEMBER 6, 2016.

# EXTENSIONS OF REMARKS

## VOTING RIGHTS

SPEECH OF

**HON. LUCILLE ROYBAL-ALLARD**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 21, 2016

Ms. ROYBAL-ALLARD. Mr. Speaker, to help our constituents gain a better understanding of the negative impact of the Supreme Court decision, on May 20, 2016, I hosted a forum titled "Protect Your Future: Restore the Vote." My co-chairs were Representative LINDA SANCHEZ, Chair of the Congressional Hispanic Caucus; Representative JUDY CHU, Chair of the Asian Pacific American Caucus; and special guest, Representative KAREN BASS. The event was organized to educate constituents on the devastating impact of the Supreme Court decision, *Shelby County vs. Holder*.

Members from our communities heard expert testimony from the National Association for Latino Elected and Appointed Officials (NALEO) regarding the devastating impacts of the decision upon the Voting Rights Act. I include in the RECORD the expert testimony of Arturo Vargas, Executive Director of NALEO.

WRITTEN TESTIMONY BY ARTURO VARGAS, EXECUTIVE DIRECTOR, NATIONAL ASSOCIATION OF LATINO ELECTED AND APPOINTED OFFICIALS (NALEO) EDUCATIONAL FUND, BEFORE THE CONGRESSIONAL FIELD FORUM ENTITLED "PROTECT YOUR FUTURE: RESTORE THE VOTE"—LOS ANGELES, CA MAY 20, 2016

U.S. Representative Roybal-Allard, U.S. Representative Chu, U.S. Representative Sánchez, U.S. Representative Bass: thank you for extending the opportunity to submit testimony concerning the status of Latino voting rights and protection of all Americans' equal right to vote.

The NALEO Educational Fund is the nation's leading non-profit, non-partisan organization that promotes full Latino participation in the American political process, from citizenship to public service. Our constituency encompasses the more than 6,000 Latino elected and appointed officials nationwide, and includes Republicans, Democrats, and Independents. For several decades, the NALEO Educational Fund has been at the forefront of efforts to advance policies that protect Latino voting rights, and ensure that Latinos are fully engaged as voters and have a fair opportunity to choose their elected leaders. We have advocated passage of state and federal voting rights legislation including the reauthorization of key provisions of the Voting Rights Act of 1965 (VRA). We have also provided direct assistance to voters encountering barriers to casting ballots through our year-round, bilingual hotline, 888-VE-Y-VOTA, and through nationwide dissemination of bilingual voting rights public service announcements, palm cards, and other materials.

### DISCRIMINATORY VOTING LAWS THREATEN ELECTION 2016

As the 2016 Presidential election approaches, we are extremely concerned about policy developments that will severely impede the robust participation of Latinos and all Americans in our nation's democracy.

The legal landscape against which the election will play out has rarely changed as dramatically as it did between the 2012 and 2016 election cycles. For almost 50 years, the VRA's signature provision protected voters in jurisdictions that had a demonstrated propensity to adopt discriminatory policies. During Election 2012, in nine entire states and selected towns and counties in seven additional states, no new voting law or administrative change in voting procedures could be implemented unless the U.S. Department of Justice or a federal court first determined it to be free of discriminatory motive and impact. This VRA-mandated preclearance procedure stopped more than 1,000 problematic provisions from taking effect between 1965 and 2013, when the Supreme Court decided *Shelby County v. Holder*.

When it effectively ended most jurisdictions' preclearance obligations, the Court's *Shelby County* decision inspired a wave of restrictive election lawmaking, and rapid implementation of laws that had been on hold, in states in which the potential influence of underrepresented voters has been dramatically increasing. For example, nine of the 12 states whose Latino populations grew most rapidly between 2000 and 2010 enacted laws that made it harder to register and vote between 2010 and 2014. In six of the nine states that saw more than a 100% increase in their Latino populations between the 2000 and 2010 decennial Censuses, there are new provisions in effect that will make voting in 2016 more difficult than it was in 2012. Moreover, nine of the 15 states covered in whole or part by preclearance procedures at the time of the *Shelby County* decision adopted new statewide voting restrictions between 2008 and 2016.

Restrictive election lawmaking and administrative practices continue to have a disproportionately negative effect on Latinos' ability and propensity to be active participants in our democracy. The confluence between places where Latino and other underrepresented voters' political influence is increasing and places that have impaired access to the ballot strongly suggests that the discriminatory chilling impact of restrictive policies is not a coincidence, but a motivating factor behind their enactment.

Restrictive voting policies implemented since 2012 include barriers to voter registration, measures that leave registrants with less opportunity to vote, and changes that reduce the potential influence of underrepresented communities' votes. New statewide laws alone, which have been implemented in at least 19 states, will make it more difficult for more than 875,000 eligible Latino voters to cast ballots in November 2016. In addition to enacted laws, some elections officials' administrative choices will impede Latino access to the ballot in 2016. For example, a decision to close two-thirds of polling places in Maricopa County, Arizona, just a few short weeks in advance of the 2016 Presidential primary produced hours-long lines to vote, particularly in neighborhoods with large populations of underrepresented voters. Set forth below is a summary of these restrictive policies; attached to this testimony is our report, *Latino Voters at Risk: Assessing the Impact of Restrictive Voting Changes in Election 2016*, which provides a detailed description of the policies and their impact on the Latino electorate.

### Verification of Citizenship at Registration:

Since 2012, multiple states have begun to regularly check registrants' citizenship. Some states will not process new registration applications until receiving documentary proof of U.S. citizenship, while other states review their existing registration lists to identify possible non-citizen registrants. Latinos are disproportionately likely to be wrongly singled out as suspected non-citizens, because a larger-than-average share of the Latino electorate is composed of naturalized citizens who interacted with government agencies prior to naturalizing and who frequently appear in outdated records as non-citizens. Eligible Latino voters are also overrepresented among U.S. citizens who lack documents concerning their citizenship, and who face steep barriers to obtaining that documentation. As a result, Latinos are more likely than people of other races and ethnicities to be prevented from registering or maintaining registration by citizenship verification procedures.

### Earlier Registration Deadlines:

Although advanced technology has reduced the practical need to compile lists of eligible voters in advance of voting periods, some jurisdictions have nonetheless moved voter registration deadlines to earlier dates for 2016. Shortening the available period for voter registration impairs the Latino vote because Latino voters frequently lack basic information about the voting process. Young and naturalized voters who are the least likely to have meaningful voting experience constitute much larger percentages of the Latino electorate than of voters of other races and ethnicities, for example. Latinos are also more highly mobile than voters of other races and ethnicities, and thus more likely to have to re-register at a new address to preserve their right to vote in any given election year. In states that are tightening registration deadlines, the relatively large number of Latinos who must take action well in advance of Election Day are at heightened risk of exclusion from the political process.

### Expanded Reasons for Cancellation or Rejection of Registrations:

Since 2012, some states have adopted new provisions that expand the circumstances in which election officials must cancel existing registration records or reject new registration applications. As is the case with earlier registration deadlines, these measures make it more likely that Latinos and other people who are less knowledgeable about and experienced with the voting process will be excluded from participating in elections merely because of a technical requirement and not for any substantive reason.

### Restrictions on Third Party Voter Registration Activities:

In the past four years, jurisdictions have continued to make it more difficult for community-based organizations and individuals not affiliated with a government entity to help register new voters. Restrictions on third party registration activities are likely to exacerbate the troubling gap between white and Latino voter registration rates, since disproportionately large percentages of Latinos indicate that they register to vote at a public location associated with a community registration drive, such as a school

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

or shopping center. Moreover, community-based organizations that are known and trusted also have more incentive and opportunity to reach and engage low-propensity voters than government officials and politicians. Hindering their efforts may significantly reduce the likelihood that eligible, unregistered Latinos will be asked by anyone to take part in an election.

#### *Imposition of Strict Voter ID Requirements:*

The strict voter ID laws implemented in a number of jurisdictions around the country since 2012 inhibit qualified members of the electorate from casting ballots, because millions of American adults do not possess any of the personal identification documents that strict ID laws require. Individuals who do not already hold a valid form of voter ID face numerous potential barriers to obtaining a qualifying document, including inability to pay application fees, difficulty arranging transportation to identification-issuing locations during business hours, and lack of access to documents like birth certificates that are mandatory precursors to obtaining ID. Eligible Latino voters account for disproportionate shares of both those without ID and those who confront significant or insurmountable barriers to obtaining ID. In addition, studies indicate that Latinos are disproportionately likely to mistakenly presume they lack the ID required to vote, and to decline to attempt to vote as a result of apprehension about the scrutiny they will face at the polls.

#### *Shortened In-Person Early Voting Periods:*

In recognition of the increasing demands on Americans' time, many jurisdictions have extended voting days and hours in the past fifteen years, and many voters have taken advantage of early voting periods. Against this backdrop, jurisdictions that have moved in the opposite direction to limit the voting options available to their citizens stand out for their recalcitrance. Latino voters are more likely than others to lack workplace flexibility, and also to shoulder childcare responsibilities, both factors that leave potential Latino voters with less ability to vote where polling places are open on fewer days and for fewer hours. Unsurprisingly, the states with the highest early voting rates are disproportionately Latino: the nine jurisdictions whose citizens were most likely to vote early in 2008 and 2012 are home to less than 26% of all of the nation's voters, but 36% of all Latino voters in the country. Where early voting is constrained, Latinos are disproportionately likely to be negatively affected.

#### *Restrictions on Absentee Voting:*

Provisions that have made it more difficult to vote by mail also stand out as a contrast to the wider voting opportunities that improved technology generally has made possible. Several states implemented new laws between November 2012 and Election Day 2016 that impose tighter deadlines on mail ballots, restrict assistors' ability to deliver ballots for people with limited mobility, and make it more likely that mail ballots will be rejected. These and other measures that have made it more difficult to vote by mail are likely to have a disproportionate impact on Latino voters, because their demanding schedules and heightened likelihood of lacking access to personal transportation may force many to rely on mail balloting as the only logistically feasible voting option.

#### *Heightened Qualifications to Vote and Restrictions on Counting Ballots:*

Restrictions on registration and voting mechanisms have gained currency among legislators from many different states in the years following the contentious Presidential election of 2000. Voter advocates have begun

to win high-profile victories in legal challenges to voter ID laws, proof of citizenship requirements, and shortened early voting periods. However, simultaneously, jurisdictions have successfully pursued alternative legislative provisions that have not yet been the subject of successful anti-discrimination enforcement actions. Examples of other voting restrictions likely to disproportionately impair Latino voters in November 2016 include felon disfranchisement in Kentucky; refusal to count any votes cast outside the correct precinct in North Carolina; and heightened barriers to the counting of provisional ballots in Ohio.

#### *Redistricting and Other Laws That Diminish Latino Voters' Influence:*

Underrepresented voters' influence can be limited not only by laws that create barriers to registration and voting, but also by laws that diminish the weight of their votes. Between the 2012 and 2016 Presidential elections, a number of jurisdictions have adopted new measures concerning redistricting and methods of election that impair the ability of underrepresented communities to elect the candidates of their choice. For example, some redistricting plans have included districts in which Latinos constitute a slight majority of the population, but are unlikely to constitute a majority of voters because so many of the individuals assigned to the district cannot or are not likely to vote. When Latinos have preferences for the candidates of their choice that are consistently different from those of the majority white population, whites and Latinos may vote in blocs and in opposition to one another, and the deliberate manipulation of district boundaries can ensure that Latino voter-preferred candidates are consistently defeated.

#### *Barriers Imposed by Administrative Policy-making:*

As widespread as restrictive election law-making has been in state legislatures around the country between 2012 and 2016, discretionary decisions made by unelected administrators—particularly those serving at municipal or other local levels—now pose at least an equal threat to underrepresented voters' ability to participate in elections. With the exception of noncompliance with language assistance obligations, voting rights laws have rarely been used successfully to challenge executive policymaking that has discriminatory effects. Thus, Latino voters are particularly vulnerable to negative consequences of discriminatory or unsound election administration. Among the administrative issues over which election administrators have discretionary control, those that may have the most deleterious effect on Latinos' ability to vote in 2016 include decisions about registration list maintenance and the processing of new registration applications, the closing and consolidation of polling places, the allocation of resources among polling places, and the degree of effort invested in providing language assistance to voters not yet fully fluent in English.

#### **CONCLUSION—CONGRESS MUST RESTORE THE VRA TO FULL STRENGTH**

Laws and policies that make it harder for Latinos to register and vote have a clear negative impact on the individuals who are individually prevented from taking part in elections by their inability to satisfy heightened requirements. What may be less obvious is that restrictive measures inhibit even those who are not directly affected by them. The kinds of restrictive laws and policies that jurisdictions around the country have adopted since Election Day 2012 signal to members of the electorate that their voices and input as voters are not welcomed, but

only grudgingly accepted when voters are willing to put in the effort to clear the hurdles in their way. Because they discourage a broad group of potential voters at a time when voter participation has been in dangerous decline, policies that create barriers to the ballot box are the wrong policy choices for 2016. It is imperative that we instead encourage Latinos and all Americans to become more active participants in the political process by making the registration and voting process more accessible.

We applaud Members of Congress for introducing bipartisan legislation that would modernize the VRA. The Voting Rights Amendment Act, H.R. 885, and the Voting Rights Advancement Act, H.R. 2867, would ensure that discriminatory policies do not taint our political process, and that elections are instead open to all Americans regardless of their race, ethnicity, or linguistic ability. We look forward to working with Members of Congress on both sides of the aisle to advance legislation that strengthens protection of the fair and equal opportunity to vote, and safeguards the integrity of our democracy for the long term.

### **FIRST RESPONDER ACCESS TO INNOVATIVE TECHNOLOGIES ACT**

SPEECH OF

**HON. MICHAEL T. MCCAUL**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Monday, September 26, 2016*

Mr. MCCAUL. Mr. Speaker, I include in the RECORD the following cost estimate from the Congressional Budget Office regarding H.R. 5460.

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, September 28, 2016.*

Hon. MICHAEL MCCAUL,  
Chairman, Committee on Homeland Security,  
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 5460, the First Responder Access to Innovative Technologies Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Jacob Fabian.

Sincerely,

KEITH HALL,  
Director.

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST  
ESTIMATE

H.R. 5460—FIRST RESPONDER ACCESS TO  
INNOVATIVE TECHNOLOGIES ACT

The Federal Emergency Management Agency (FEMA) provides grants to help state, local, and tribal governments develop their capacity to prevent, prepare for, and respond to acts of terrorism. Under current law, equipment purchased using such grants must meet voluntary standards, developed by FEMA in coordination with appropriate federal agencies, the National Advisory Council, and private entities. Requests to use grants to purchase equipment that does not meet such standards, or for which no such standards exist, are subject to further review and approval by FEMA.

H.R. 5460 would require FEMA to implement a uniform process for reviewing applications for grants intended to support purchases of innovative equipment that does not meet or exceed current applicable standards or for which no voluntary standards exist. The bill also would require the Inspector General of the Department of Homeland Security to assess and report on FEMA's implementation of the new review process.



Based on information from FEMA, CBO estimates that implementing this legislation would not have a significant effect on the federal budget. According to the agency, grant recipients rarely request permission to purchase equipment that does not at least meet current standards or for which standards do not exist. As a result, CBO expects that any administrative costs to establish, implement, assess, and report on the proposed process for reviewing such requests would be insignificant; such spending would be subject to the availability of appropriated funds.

Enacting H.R. 5460 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting the bill would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

H.R. 5460 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Jacob Fabian. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

## DANGEROUS SYNTHETIC DRUG CONTROL ACT OF 2016

SPEECH OF

**HON. BOB GOODLATTE**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, September 26, 2016*

Mr. GOODLATTE. Mr. Speaker, I rise in support of H.R. 3537, the “Dangerous Synthetic Drug Control Act”. I want to thank Congressman KATKO and Congressman DENT for their work on this important legislation.

Earlier this year, Congress passed S. 524, the Comprehensive Addiction and Recovery Act, or CARA. That historic legislation was vitally important because, today, the United States faces an epidemic of opioid abuse. More than 120 Americans are dying every day from overdoses.

H.R. 3537 continues Congress’s stated commitment to stem the tide of drug abuse and death, by placing 22 synthetic substances on schedule I of the Controlled Substances Act. These 22 substances represent the “worst of the worst” synthetic drugs, and include three varieties of fentanyl, a powerful opioid which is all too familiar to Members of this body, as well as to our constituents, families, and loved ones. Fentanyl is up to 100 times more powerful than morphine, and has led to a rash of deaths across the country.

The federal agencies charged with battling drug abuse—specifically, the Drug Enforcement Administration, the Food and Drug Administration, and the National Institute on Drug Abuse—have all concurred that these substances are the “worst of the worst,” and have no medicinal use. People are overdosing and dying because of them right now. Congress cannot sit on its hands and allow this to continue happening.

I want to address a couple of misconceptions about this legislation. First, some have argued that the bill will prevent these substances from being researched. But that is a specious claim. Federal law permits schedule I controlled substances to be researched, via

FDA-approved “new drug” applications and DEA schedule I research registrations. The application requirements are significant, but that is appropriate since, again, these drugs are the worst of the worst. If you are experimenting with these substances, which have killed people, you should be held to the highest standards of scientific research.

Second, some of my colleagues have argued that this legislation would impose mandatory minimum sentences on people for simple possession of these synthetic substances. Again, this is erroneous. In order to receive a mandatory minimum sentence under the Controlled Substances Act, a defendant has to possess more than a certain amount of a drug that appears on a list in federal law. None of the synthetic substances in H.R. 3537 appear on that list. As a result, even with the passage of this bill the only way a defendant could be subject to a mandatory minimum is if a user suffers death or serious bodily injury after consuming the drug.

Mr. Speaker, H.R. 3537 is good, timely legislation that will criminalize some extremely dangerous substances that are killing American citizens. It is a stopgap, since a more comprehensive solution is needed down the road, and I look forward to working with my colleagues on comprehensive synthetic drug legislation. But Congress must pass this legislation now to get these substances off the streets now.

I urge my colleagues to support this important bill.

## IN HONOR OF KELLY MCMILLIN

**HON. SAM FARR**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. FARR. Mr. Speaker, I rise today to honor the remarkable public service career of Chief Kelly McMillin, who is retiring after a 32-year-long career in law enforcement, that last 4 as the Chief of the Salinas, California, Police Department. Kelly has been a remarkable leader who led the Salinas Police Department through a particularly challenging period. I am particularly grateful for his work with my office to help convince the U.S. Department of Justice in 2011 to include the City of Salinas as one of the initial 7 U.S. cities in the pilot National Forum on Youth Violence. I am proud of Kelly’s service and honored to call him a friend.

Kelly began his law enforcement career in 1984 as a Deputy with the San Benito County Sheriff’s Department. In 1986, he transferred to the San Diego County Sheriff’s Department before joining the Salinas Police Department in 1988. As a Salinas Police Officer, Kelly has worked patrol, several anti-gang units, vice/narcotics, administration, and various assignments as a detective including homicide. He was a SWAT operator, team leader and tactical commander. He has held the ranks of Officer, Corporal, Sergeant, Lieutenant, Commander and Deputy Chief. He was appointed Chief of the Salinas Police Department on June 11, 2012, and was the first Chief to be promoted from within the ranks since 1965.

While he was serving as a full time officer, Kelly earned an Associate’s Degree from Hartnell College, a BA from Saint Mary’s Col-

lege, and a Masters of Public Policy from the Panetta Institute at California State University Monterey Bay. He is a 2003 graduate of the 213th session of the FBI National Academy at Quantico, Virginia. In 2012, the White House recognized Kelly as a “Champion of Change” for his work in youth violence prevention in 2012.

Kelly is married to his wife Teresa, a Physician Assistant who owns a cosmetic dermatology practice in Salinas. Their son Liam has followed in his father’s public service footsteps and is currently a Plebe at the United States Military Academy at West Point.

Mr. Speaker, I know I speak for the whole House in congratulating Chief Kelly McMillin on the occasion of his retirement and to thank him and his family for his many years of selfless service.

## RECOGNIZING THE 45TH ANNIVERSARY OF WEST ORLANDO BAPTIST CHURCH

**HON. DANIEL WEBSTER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. WEBSTER of Florida. Mr. Speaker, I rise today to acknowledge a special occasion for West Orlando Baptist Church in Winter Garden, Florida. West Orlando Baptist Church will celebrate their 45th anniversary and new building dedication on October 2, 2016.

On October 3, 1971, more than 100 charter members founded Metropolitan Baptist Church in Pine Hills, Florida. Today, known as West Orlando Baptist Church it serves more than 700 in Winter Garden, FL. In honor of their 45th anniversary, West Orlando Baptist Church is dedicating a new 32,000-square foot expansion in Winter Garden, which includes a brand-new sanctuary and additional classrooms.

I would like to thank West Orlando Baptist Church for their 45 years of faithful ministry to our community and their dedication to Christian leadership. Many lives have been impacted through the church’s ministry.

On behalf of the people of Central Florida, it is my pleasure to recognize and congratulate West Orlando Baptist Church on this momentous occasion. May God continue to bless their church and ministry throughout future generations.

## RESTORATION TUESDAY: UNITED WE STAND, DIVIDED WE FALL

**HON. TERRI A. SEWELL**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Ms. SEWELL of Alabama. Mr. Speaker, today I rise to address the dangerously divisive effect that voter suppression has had on this country and the pressing need to restore the vote.

The unique diversity of the people of the United States of America is indeed one of our greatest strengths. However, it is our unity of principles that forms the strong foundation that our greatness is built upon. This country stands on the principles of liberty, justice and

equality for all. In order to maintain our position and place as one of the greatest nations in the world, we simply cannot stand for any efforts that would suppress a fundamental right of the American people. The right to a vote—to a voice is the cornerstone of our democracy and we cannot continue to stand by idly while the right to vote continues to be trampled on simply because of Congress' apathy and failure to act.

Following the 2013 Supreme Court decision asking for a new preclearance formula in *Shelby v. Holder*, states all across the country put in place new suppressive voting laws making it harder, not easier for Americans to vote. The elderly, disabled, students and minorities have been disproportionately affected by these new laws blocking hundreds of thousands of Americans from the ballot box. It has been three years since the Supreme Court decision asking Congress for a modern-day preclearance formula—and for three years, Republican leaders in Congress have refused to take up bipartisan legislation to restore the Voting Rights Act.

This is an election year and with less than 50 days from the Presidential election, we are facing the first time in over 50 years that Americans will not have the full protection of the Voting Rights Act of 1965. We are in desperate need for immediate action to voting rights in this country. These threats to our democracy and civil rights bar thousands of Americans from their right to the voting polls. Division in this country is both dangerous and destructive. We are never better when rights are restricted and we are always stronger when all voices can be heard. This is still the United States of America and as elected officials and conduits of the Constitution—voting rights deserves our undivided attention.

On this Restoration Tuesday, I give us all the charge to battle against the continued suppression of the American vote and stand strong by our principles of democracy, liberty and justice for all. Mr. Speaker, my Republican colleagues should join the 178 members of Congress and support H.R. 2867—the Voting Rights Advancement Act of 2015. Let's restore the Voting Rights Act of 1965 and give all Americans access to the voting polls—it's the right thing to do.

#### THE OCCASION OF THE BIRTHDAY OF MR. ERIC JOHNSON

#### HON. DAVID SCHWEIKERT

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. SCHWEIKERT. Mr. Speaker, I ask that the 50th birthday of a dear friend, Mr. Eric Johnson, be recognized on October 14th. A great patriot and Arizonan, my wife Joyce and I wish Mr. Johnson another 50 years of good health and happiness. Happy Birthday, Eric.

#### PERSONAL EXPLANATION

#### HON. RYAN A. COSTELLO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. COSTELLO of Pennsylvania. Mr. Speaker, unfortunately, on September 26,

2016, I missed two recorded votes on the House floor due to a family illness. Had I been present, I would have voted YEA on Roll Call 557 and YEA on Roll Call 558.

#### HONORING LIBBY MAYNARD AS 2016 NONPROFIT LEADER

#### HON. JARED HUFFMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. HUFFMAN. Mr. Speaker, I rise today to congratulate Libby Maynard of Humboldt County, who is being honored on September 30, 2016, by the Northern California Association of Nonprofits with the 2016 Nonprofit Leader Achievement Award, a recognition she richly deserves.

Libby Maynard has served as co-founder and Executive Director of The Ink People Center for the Arts in Eureka since 1979. A professional printmaker, Libby co-founded The Ink People to support artists and educate the community about the arts. Under her leadership, The Ink People has grown to more than 400 members and provides exhibitions, performances, and educational opportunities for all ages. The program helps at-risk youth create positive change in their communities through the MARZ Project and provides administrative support, management, and capacity building through its DreamMaker Program to self-directed projects.

With Bachelor of Arts and Master of Arts degrees from Humboldt State University in Arcata, Libby is an accomplished artist in her own right. Her artwork has been exhibited throughout California and is in collections across the nation.

Libby Maynard is highly engaged in her community, serving as a consultant in nonprofit management and program development, as well as director on many nonprofit boards, including Alliance for California Traditional Arts, Humboldt County Workforce Investment Board and Executive Committee, Humboldt County Convention and Visitors Bureau and Marketing Committee, and Access Humboldt and Finance Committee. Since 2005, Libby has served as staff to the City of Eureka's Art & Culture Commission and sits on Eureka Main Street's Public Arts Committee.

Libby has received numerous awards and honors, including the Ingrid Nickelsen Award for a lifetime of commitment to the arts; The Selina Roberts Ottum Award from Americans for the Arts and the National Endowment for the Arts; California Association of Nonprofits' Insurance Services' Award for Excellence in Nonprofit Leadership; California Arts Council Director's Special Award for Outstanding Contributions to the Local Arts Agency Field; and recognitions from the Hmong Community of the North Coast and Humboldt County Board of Supervisors, among many others.

Mr. Speaker, Libby Maynard's commitment to bettering her community through the advancement of art and culture is commendable and worthy of recognition. I urge my colleagues to join me in extending our congratulations to her.

#### HONORING THE LIFE OF EDMUND EDELMAN

#### HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. TED LIEU of California. Mr. Speaker, I rise to celebrate the life of Mr. Edmund Edelman—father, husband, grandfather, cellist, politician, and activist—who passed away on September 12, 2016, at the age of 85.

A lifelong resident of Los Angeles, Ed grew up on the Westside where he attended Beverly Hills High School. After serving in the Navy for two years, Ed earned a Bachelor of Arts degree in political science and Bachelor of Laws degree, both from the University of California, Los Angeles.

Ed's service to the community began in these halls as a staff lawyer for a congressional subcommittee on education and labor and then as an attorney for the National Labor Relations Board.

Ed served on the Los Angeles City Council from 1965 to 1974 to represent the 5th district. His progressive agenda helped the most vulnerable citizens in this district. Some of his notable accomplishments working as a City Councilman are creating support systems for the homeless and mentally ill, promoting public transportation, and protecting important landmarks from developers.

Ed was elected in 1975 to the Los Angeles County Board of Supervisors where he continued to serve the community. In that position he continued to be proud of his title as an "unabashed liberal." During his time as a Supervisor, Ed was a champion for abused and neglected children by establishing the county's Department of Children and Family Services and the Monterey Park court, which was later named for him. Ed was also a supporter for the arts and supported the renovations of the Hollywood Bowl to better promote cultural events in the community.

Ed was a passionate advocate for public transit, leading the drive for Los Angeles to invest in mass transit both the in the San Fernando Valley and South Los Angeles. The Red Line connecting the North Hollywood to downtown and the Los Angeles-Long Beach Blue Line are here today because of the vision and drive of Ed Edelman.

Ed retired from political office in 1994, but his public service did not end there. He continued to help others by advising on different public policy matters a Senior Fellow at the RAND Corporation. He later worked for the City of Santa Monica to assist the homeless population and created a program to establish connections between homeless people and different social services. Ed's legacy comes from his compassion for other people. The wide range of accomplishments in humanitarian, environmental, and cultural endeavors has enduring impact on the community of Los Angeles.

He is survived by his wife of 48 years, Mari; brother Raymond; sister, Sandra; daughters Erica Edelman Benadon and Emily Glickman; and grandchildren Jonah, Juliette, Adam, and Alexandra.

I ask my colleagues to join me in honoring the life of Ed Edelman.

IN RECOGNITION OF THE  
ROHRERSVILLE BAND HALL'S  
100TH YEAR ANNIVERSARY

**HON. JOHN K. DELANEY**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. DELANEY. Mr. Speaker, I rise today to congratulate the community of Rohrsersville and join with them in celebration of the Rohrsersville Band Hall's 100th Year Anniversary. The Rohrsersville Band Hall was built by the community band and first opened its doors in 1916. The Rohrsersville Band Hall has served as a rehearsal space, Town Hall, and concert venue to the people of Rohrsersville for the last 100 years.

The Rohrsersville community's commitment to preserving and maintaining this historic building is nothing short of inspiring. It is so critical to preserve and celebrate local history. So much has changed since 1916, but this building and the band who calls it home have stood the test of time.

CELEBRATING TAIWAN'S TEN TEN

**HON. MATT SALMON**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. SALMON. Mr. Speaker, on October 10, 2016, Taiwan celebrates the National Day of the Republic of China, more commonly known as double-ten day. I wish all Taiwanese a safe and happy National Day, and hope for many more to come. I lived in Taiwan for two years while serving a church mission, and quickly grew to love the people of Taiwan, their way of life, democratic values, and open-market principles. Taiwan has left a lasting impression on me and I have celebrated and worked to protect the U.S.-Taiwan relationship ever since.

In Congress, I've striven to ensure that Taiwan's close friendship and faithfulness as a global citizen is never forgotten. Just this year, Taiwan reminded the world once again that a vibrant democracy can thrive in the region with the peaceful election of a new leader through genuinely free and fair elections. I congratulate President Tsai once again and wish her well in leading her people.

Congress has also acted to include Taiwan in the international community and prevent marginalization efforts by China. As the world grows smaller and more interconnected, it is not only unreasonable that Taiwan is not at the table, it is dangerous. For that reason, I want to express my profound disappointment that the United Nations failed to include Taiwan in the International Civil Aviation Organization Assembly this year. As we all know, Taiwan airports are among the busiest in the world, and pressure from China should not lead to putting passenger safety at risk. I urge the UN to include Taiwan as a participant in all future ICAO assemblies; in addition to all other international organizations as they would be a valuable addition to addressing our many global challenges.

Congress and the United States stand firm in our commitment to Taiwan, and will continue to do so. I look forward to celebrating

another double-ten day along with my friends in Taiwan this year and in the years to come.

RECOGNIZING DYSAUTONOMIA  
AWARENESS MONTH

**HON. BRIAN HIGGINS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. HIGGINS. Mr. Speaker, I rise today to recognize the millions that fight each day against Dysautonomia, a group of debilitating medical conditions that result in a malfunction of the autonomic nervous system. This system is responsible for "automatic" bodily functions such as respiration, heart rate, blood pressure, digestion, and temperature control, things that many of us have the luxury of taking for granted. Dysautonomia continues to significantly impact the lives of Americans across the United States especially in Western New York.

As is, dysautonomia can be extremely debilitating but an often unseen symptom of this disability is the social isolation that accompanies it. The stress on the families of those impacted coupled with the financial hardships warrant our recognition as well as awareness. I am proud to affirm that the outstanding character and strong moral fiber of those in the Western New York community has provided the much needed support for the victims suffering from dysautonomia. Looking ahead, it will be crucial for the community to rally around these victims as they continue their hard fought battle against this disease.

Dysautonomia awareness is monumental in the early detection of the disease due to the fact that most patients take years to be properly diagnosed. Dysautonomia International, a non-profit organization that advocates on behalf of patients living with dysautonomia, encourages communities to deepen their understanding and be mindful of this challenging condition especially during Dysautonomia Awareness Month each October. The tireless efforts of the Dysautonomia community for increased research and accessible services will be recognized on Saturday, October 1 in my Congressional District as the color turquoise will bathe Niagara Falls and the Peace Bridge in the light of care, concern and continuing the fight to improve the lives of individuals living with this chronic condition.

Currently, Dysautonomia International is funding research to develop more substantial treatments and hopefully find a cure for all forms of this condition in the future.

I wanted to recognize the contributions of the professional medical community, patients and family members who are working to educate our citizenry about dysautonomia throughout Western New York. They are deserving of our support, recognition and respect.

Mr. Speaker, I ask that my colleagues join me in support for those suffering from the devastating medical condition and encourage them to spread awareness across our nation throughout and beyond the month of October.

THE OCCASION OF TAIWAN'S  
NATIONAL DAY

**HON. DAVID SCHWEIKERT**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. SCHWEIKERT. Mr. Speaker, Beijing's concentrated effort to isolate Taiwan from the global community, coupled with Taiwan's ambiguous sovereignty status has contributed to its exclusion from many international organizations and agreements. This is despite Taiwan's willingness and capability to be a major actor on the international stage.

This past year, the world witnessed Taiwan's third peaceful transition to power as the first woman was elected in Taiwan. The 23 million people on the island of Formosa represent the only democracy in the Chinese speaking world. While Taiwan might be separated by oceans and different cultures, we are united in our respect for democracy and human rights.

As an economic partner and vital ally, the United States should aid Taiwan in ensuring its meaningful participation in international organizations and bodies that it has expressed interest in participating. It is of vital importance for Taiwan's inclusion in the International Civil Aviation Organization. Taiwan occupies a critical geographical location and handles large cargo and passenger volumes. More than 47 foreign airlines operate flights from Taipei to over 100 international destinations. For the sake of passenger safety and international security, it is crucial Taiwan be brought into the ICAO fold. Any exclusion from the International Civil Aviation Organization is unnecessary and unconstructive.

On this noteworthy day Congress and the United States are provided the opportunity to evaluate our relationship with Taiwan. As such, the United States should work with Taiwan and our allies to ensure Taiwan is fully included in the international community, including the ICAO.

IN HONOR OF SHEN-YI MICHELLE  
CHANG

**HON. PAUL A. GOSAR**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. GOSAR. Mr. Speaker, I rise today to recognize and bring attention to an outstanding individual who has come to the United States and demonstrated that the American Dream is still alive and waiting for those who are willing to strive for it and are committed to achieving it.

Shen-Yi Michelle Chang, now residing in Phoenix, Arizona, has shown the grit and resolve that has so long been a staple of American pioneers across this country. She founded her own real estate firm and has excelled at real estate development and sales. In so doing, she has helped countless others achieve their dream of home ownership, a cornerstone of the American Dream. Her dynamic office is a mainstay of the community and employs Arizonans from diverse backgrounds.

Her peers have recognized her hard work and talent. Soon, Ms. Chang will be installed

as the 2017 President of the Arizona State Women's Council of Realtors (WCR) and she will be the first Asian American to take office in its 78 year history. A woman dedicated to public service and the well-being of others, Ms. Chang serves on multiple commissions for the City of Chandler, Arizona. She has founded and runs numerous non-profits and even works in support of the local Little League team.

It is an honor to recognize her hard work, diligence and determination. I congratulate Ms. Chang on behalf of the members of Congress and thank her for showing all of us what self-reliance and motivation can achieve and how such success can benefit one's community.

IN CELEBRATION OF TAIWAN'S  
NATIONAL DAY

**HON. MICHAEL C. BURGESS**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. BURGESS. Mr. Speaker, I rise today in honor of Taiwan's National Day, celebrated on October 10th, and to offer my best wishes to the people of Taiwan.

Also known as Double Ten Day, since it takes place on the 10th day of the 10th month, this holiday marks a special time for the Taiwanese as they celebrate their rich culture and take part in festivities across the country of Taiwan as well as here in the United States where Taiwanese-Americans have enhanced and diversified the culture of many cities and towns.

The state of Texas has a strong bond with the Taiwanese, bolstered by the trade of agricultural goods and products. I am also proud to have joined several of my colleagues from Texas to cosponsor legislation geared towards fostering Taiwanese prosperity as well as supporting their admission to the United Nations.

The 26th Congressional District of Texas has experienced great diversification and enrichment thanks to the people of Taiwan. I am glad to call them friends of Texas and friends of the 26th district.

I wish the people of Taiwan all the best as they celebrate Double Ten Day.

HONORING LT. COL. IRA STEPHEN  
"SHOOTER" EADIE

**HON. JOHN GARAMENDI**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. GARAMENDI. Mr. Speaker, I rise today in honor of Lieutenant Colonel Ira Stephen "Shooter" Eadie, who died on September 20, 2016 while flying a routine training mission.

At 9:05 am, the TU-2S piloted by Lt Col Eadie and his trainee crashed near the Sutter Buttes in California. They were assigned to the 1st Reconnaissance Squadron at Beale Air Force Base. Although both pilots ejected from the aircraft, Lt Col Eadie did not survive.

Lt Col Eadie was a respected pilot who began his military career in the Navy, flying P-3 patrol aircraft. He eventually joined the Air Force and became a U-2 pilot. The U-2 is a notoriously difficult aircraft to fly—becoming a

U-2 pilot means you are among the very best. He was part of an elite, tight-knit group of pilots, whose flights more closely mirror those of astronauts—the U-2 flies at altitudes over 70,000 feet, at the very edge of the atmosphere, affording the pilot breathtaking views of the horizon, watching nighttime creep across the Earth.

Steve was a loving and devoted family man. He met his wife Ashley in Lake City, FL, and together they raised six children, and recently welcomed a granddaughter.

Mr. Speaker, pilots fondly quote, "Oh! I have slipped the surly bonds of earth, and danced the skies on laughter-silvered wings". Today, it is my heartfelt honor to remember a cherished member of the flying community, Lt Col "Shooter" Eadie, who has put out his hand, and touched the face of God. In the days to come, may strength and comfort be granted to his family and friends, the 1st Reconnaissance Squadron and Beale Air Force Base, and the entire Dragon Lady community.

THANKING PATRICIA ORSINI FOR  
HER DEDICATED SERVICE TO  
THE HOUSE

**HON. CANDICE S. MILLER**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mrs. MILLER of Michigan. Mr. Speaker, I rise today to acknowledge and thank Ms. Patricia Orsini who is retiring on September 30, 2016, as the Director of the Wounded Warrior Program at the United States House of Representatives.

Patricia joined the House of Representatives in February 2008 after a long and distinguished career in the Marine Corps. For the past eight and a half years, Patricia has served as the first, and only, Director of the House Wounded Warrior Program. To embark on this endeavor, Patricia relied on the skills and instinct honed as a Marine and quickly rose to the challenge of creating a brand new program for our Nation's Wounded Warriors.

Through Patricia's guidance, assistance, and expert placement, many Members of Congress have come to rely on the Fellows as talented advisors and reliable advocates for military and veterans affairs issues. Every day, the Fellows are asked to attend and lead meetings with constituents, conduct policy analysis on complex issues, handle important and sensitive casework with the utmost care and compassion, and serve as a liaison with the Departments of Defense and Veterans Affairs.

However, one only needs to look at the results of the program to understand and appreciate that the true benefit rests with the Veterans and their families. Over the course of the program's eight year history, Patricia helped place 142 Wounded Warriors into fellowships in Washington, DC and District Offices nationwide. Of those, 23 Fellows transitioned to full-time employment with the Member office. An additional 53 accepted a full-time position outside of the House of Representatives. Fifteen other Fellows advanced their career path by accepting a job with the Department of Veterans Affairs. All in all, 75 percent of the Wounded Warrior fellows either accepted a full-time position or returned to col-

lege after completing their assignment with the Member office.

Mr. Speaker, I would also like to commend and thank Patricia for her military service. Patricia began her career in the Marines in 1975 as the Assistant Editor at the Marine Corps Institute in Washington, DC. Over the next 33 years, she rose to become a Master Gunnery Sergeant, which is the highest rank an enlisted Marine can achieve. Patricia retired from the Marine Corps in 2008 as the Program Manager for the Wounded Warrior Regiment in Quantico, Virginia.

Clearly Patricia's background in the Marine Corps made her the right candidate to serve as the first and, up to this point, only Director of the House of Representatives Wounded Warrior Program.

On behalf of the entire House community, we extend congratulations to Patricia Orsini for her many years of dedication, outstanding contributions, and service to the United States House of Representatives and to our grateful Nation.

We wish Patricia many great years in fulfilling her retirement dreams.

RECOGNITION OF THE 15TH ANNI-  
VERSARY OF HEALTHLINK DEN-  
TAL CLINIC IN SOUTHAMPTON

**HON. MICHAEL G. FITZPATRICK**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. FITZPATRICK. Mr. Speaker, HealthLink Dental Clinic opened its doors in 2001 in Southampton, Bucks County Pennsylvania as a medical and dental clinic providing free care to underserved adults. The 15th anniversary, this year, marks the opening of a free dental clinic. The change from a medical-dental facility to a dental clinic resulted from the increased availability to healthcare through expansion of the eligibility requirements for Medicaid coverage and the Affordable Care Act. But little progress has been made regarding access to dental care; therefore, in March 2015, HealthLink Dental Clinic, Inc. became a sole provider of dental care with an expansion of the clinic and collaboration with Temple University's Kornberg School of Dentistry. Congratulations on this milestone and for recognizing a need in Bucks and Montgomery counties, and stepping in. In so doing, HealthLink has set an example of professionalism and charitable giving for others to follow.

CONGRATULATING ST. JOHN  
MACOMB-OAKLAND HOSPITAL

**HON. SANDER M. LEVIN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. LEVIN. Mr. Speaker, I rise today to congratulate St. John Macomb-Oakland Hospital in Warren as it celebrates its 50th anniversary this year.

In 1955, the greater Warren Chamber of Commerce and others recognized a need for quality health care and so began the effort to build a hospital in the south end of Macomb

County. The city of Warren purchased the land and an ambitious community fund drive led to the groundbreaking of a new 202-bed hospital, South Macomb Hospital which first opened its doors to patients on March 1, 1966.

As the city and region saw growth, so did South Macomb Hospital. In 1974, South Macomb Hospital opened the west tower and over the next several years continued to add additional floors to the east wing. By 1987, the hospital changed its name to Macomb Hospital Center in recognition of its wider geographic outreach and expansion of services.

In 1997, the Macomb Hospital Center joined the St. John Health System and became St. John Macomb Hospital. The hospital continued to grow and gave residents of southeast Michigan access to quality health care at a state of the art facility. St. John Macomb Hospital provided patients with comprehensive prevention, primary care, and advanced treatment programs through the additions to their surgery center, OR, ICU, Webber Cancer Center and Cardiac Intervention Center.

And in 2007, St. John Macomb joined with St. John Oakland to create the current St. John Macomb-Oakland Hospital. The two campuses in Madison Heights and Warren are now home to over 1,200 physicians and 195 residents, 3,436 nurses and associates, 600 volunteers, all faithfully caring for the patients who walk through the door.

I've had the pleasure of seeing firsthand the growth of St. John Macomb-Oakland Hospital and have enjoyed many opportunities to meet with hospital administrators, doctors, nurses, and patients to discuss critical health care issues. We've discussed challenges such as the effects of sequestration on the hospitals, and the impact of proposed cuts to Medicare. And we have discussed the importance of the Affordable Care Act on patients' health. I've also had the opportunity to see the many medical advances made at St. John Macomb-Oakland. I toured the Hip & Knee Replacement Center, an orthopedic program for joint replacement, that has been designated a Blue Distinction Center by Blue Cross Blue Shield of Michigan.

I look forward to continuing to work with St. John Macomb-Oakland Hospital as it remains committed to addressing the needs of the community it serves.

**TRIBUTE TO THE FIRE AND EMERGENCY MANUFACTURERS AND SERVICES ASSOCIATION AND THE FIRE APPARATUS MANUFACTURERS' ASSOCIATION**

**HON. BILL PASCRELL, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. PASCRELL. Mr. Speaker, as Chairman of the Congressional Fire Services Caucus, I rise today to commemorate the 50th anniversary of the Fire and Emergency Manufacturers and Services Association (FEMSA) and the 70th Anniversary of the Fire Apparatus Manufacturers' Association (FAMA). In advance of their joint conference in Nashville, TN on Oc-

tober 5th, I would like to personally extend my congratulations to both organizations in recognition of their distinguished legacies. Both of these organizations bring their members together to discuss ideas on how best to provide the needed tools, equipment, educational materials, and apparatus that enable our nation's firefighters and emergency services personnel to perform their missions safely and more effectively.

The brave men and women serving in our nation's fire and emergency services put their lives on the line every day to protect our communities. Every year the fire service industry does everything it can to reduce the threat of injury and death for these heroes. While members of both FEMSA and FAMA compete with each other for business, these two associations have served a critical role in bringing fire service companies together to advance important issues to the industry and the fire service as a whole.

The fire service industry is vast, comprised of both large and small companies. These companies are located in nearly every state in our nation, including my home state of New Jersey. They provide thousands of well-paying jobs to highly skilled and trained workers. Some bear a family name and are guided by new generations of family members who possess the same values and work ethics as the founders themselves, while others are large companies providing a broad range of technologies and equipment.

Thanks to the great work being done by FAMA and FEMSA, the fire service industry has been bolstered by individual companies working collectively to develop new technologies and training methods. Next week marks two important anniversary milestones for the fire service industry. I extend my congratulations to both the Fire and Emergency Manufacturers and Services Association and the Fire Apparatus Manufacturers' Association. I encourage both organizations to continue their important missions as we all work together to make the fire service industry a safer profession for all who serve.

**COMMEMORATING CONGRESSMAN PAUL FINDLEY**

**HON. DARIN LAHOOD**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. LAHOOD. Mr. Speaker, today, I would like to recognize Paul Findley's contributions to the state of Illinois and his accomplishments as a Member of the United States House of Representatives.

From a young age, Mr. Findley had a talent for writing, starting at the Jacksonville Journal Courier in high school, he went on to author his own section in the Illinois College newspaper titled, Findley's Uncensored Prejudices. He then became the first editor of Wingtips at Monmouth College. Mr. Findley joined the Navy Reserves in the spring of 1942, following the attack on Pearl Harbor. Eager to go overseas, he was stationed in both Guam and Japan during the war. Upon his return to the United States, he married Lucille Gemme, a flight nurse whom he had met in Guam. They

moved to Pittsfield, Illinois, where he became the managing editor of the Pike County Republican.

In 1958, Mr. Findley felt called to enter politics, and he ran for Illinois' 20th congressional seat, which he won in 1960. As a Congressman, he was an active supporter for the Civil Rights Act of 1964. He persistently offered the Powell Amendment, to prohibit racial discrimination, as an amendment to each bill considered on the House Floor. In 1965, Congressman Findley hired Frank Mitchell, a 15-year-old boy from Springfield, Illinois, and the first African American page in the U.S. House of Representatives.

Congressman Findley shaped U.S. House of Representatives' foreign policy by leading the NATO task force and establishing a stronger relationship with France, particularly General de Gaulle, whom he always considered a strong ally of the United States. In his early years in office, Congressman Findley was a supporter of the Vietnam War and led initiatives to block food sales to any Warsaw Pact countries aiding Hanoi. This action became known as the Findley Amendments.

Congressman Findley devoted a considerable amount of his public and personal life to honoring Abraham Lincoln. He authored, "A. Lincoln: The Crucible of Congress," a book about Abraham Lincoln's influence in the U.S. House of Representatives. His admiration of Lincoln led to the preservation of Lincoln's home, which was fulfilled when the Lincoln Home Historic Site Act was signed into law by President Nixon in 1974.

Congressman Findley was the first Republican member of the House of Representatives to advocate for diplomatic relations with the Peoples Republic of China, during the Chinese Cultural Revolution. Once diplomatic relations were achieved, the Chinese Ambassador traveled to Jacksonville, Illinois to speak to the local Rotary Club, where he praised the leadership and friendship of Congressman Findley.

During all of his overseas negotiations, Congressman Findley still found time to support his constituents in Illinois. He continuously protected the interests of farmers and the agricultural community, which made up most of Illinois' 20th Congressional District. Although one may disagree with Congressman Findley on policy, he was never a disagreeable person. His personal motto was "One catches more flies with honey than vinegar."

Congressman Findley spoke freely about his passions, even if they were against his own party. He continues, at the age of 93, to play a role in politics through speeches, books, and Op Ed articles advocating for tolerance, fair and balanced policy, and against nuclear proliferation. Stephen Jones, a long-time colleague and friend of Mr. Findley, described him saying, "He was an ideal Congressman. He was not dogmatic, always open to persuasion, did his homework, and remembered the people back home."

It is an honor to represent Jacksonville, Illinois, the hometown of Congressman Findley. He admirably served our state, worked to make the United States a stronger nation, and continues to live Abraham Lincoln's vision.

CELEBRATING THE LONG-  
STANDING COMMITMENT TO EX-  
CELLENCE OF THE NAVAL SUR-  
FACE WARFARE CENTER CRANE  
DIVISION

**HON. JACKIE WALORSKI**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mrs. WALORSKI. Mr. Speaker, I rise today to recognize the active duty military and civilian employees at the Naval Surface Warfare Center Crane Division as they celebrate their 75th anniversary and the 241st birthday of the United States Navy.

Located at Naval Support Activity Crane in Indiana, the Naval Surface Warfare Center Crane Division supports the shore command of the U.S. Navy and provides engineering services for electronic systems and electronic, strategic, and special warfare weapons. These systems and weapons have proven to be critical to the success and high performance of the Navy over NSWC Crane's 75 years of service.

American Naval supremacy and military readiness depends on the ability to harness the power of the cutting-edge technologies that NSWC Crane supports. Because of these hardworking employees and military personnel, the exceptional men and women of our Armed Forces are well-equipped to defend our nation and support our allies across the globe.

NSWC Crane, which is located on the third largest naval installation in the world, is an important contributor to the Indiana economy. The base employs over 5,000 civilian personnel and is an engine of the Indiana economy that provides secure jobs to Hoosiers who work every day knowing the vital role they play in the defense of the nation. Moreover, it is one of Indiana's largest high-tech employers, with over 2,000 scientists, engineers, and technicians.

This organization is committed to excellence and continues to promote patriotism, honor, and strong national security. Their continued devotion to our service members and our country should serve as an honorable example for all Hoosiers.

On behalf of all Hoosiers, I am honored to celebrate the Naval Surface Warfare Center Crane Division's 75th anniversary and the U.S. Navy's 241st birthday. Lastly, I would like to recognize the important work of the men and women at NSWC Crane, and wish them continued success and growth in the years ahead.

TAIWAN'S NATIONAL DAY

**HON. LUKE MESSER**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. MESSER. Mr. Speaker, October 10, 2016 is Taiwan's National Day, marking the founding of the Republic of China 105 years ago. I rise today to congratulate the people of Taiwan on this important occasion.

I've had the opportunity to visit Taiwan in the past. The country's evolution into a free society that espouses the values of free elections, human rights, free markets, and the rule of law is a significant one in which the United States has played an important role. Taiwan remains a great friend and strategic ally to the United States.

Beginning with passage of the Taiwan Relations Act, Congress has been at the forefront of bilateral relations with the island nation, playing a key part in ensuring Taiwan's military needs are addressed and assisting Taiwan with its democratic and economic development.

That cooperation continues today. Congress has played a critical role in assisting Taiwan's participation in the World Health Assembly and facilitating its entrance into the Visa Waiver Program. Most recently, through the assistance of the United States, Taiwan was granted observer status in Interpol.

As a member of the Asia Pacific Economic Forum and World Trade Organization, Taiwan is an important trading partner and export market for the United States in almost every major sector. It is our ninth largest trading partner overall, and the sixth largest international market for U.S. agricultural products. Taiwan has been a full participant in trade negotiations and initiatives, devoting a great amount of effort to multilateral trade and investment activities, working to ensure that any trade agreements are both free and fair.

Given its economic strength and dedication to global trade and investment, Taiwan should be given fair and equal treatment when considering future U.S. partnerships and trade deals. As we continue to discuss the merits of a Trans-Pacific Partnership, we must carefully examine the implications of excluding countries that are not only robust trading partners, but critical geopolitical allies as well. It is my hope that the U.S. Government thoughtfully consider all these relevant factors and allow them to inform our path forward in an evolving landscape of international trade.

I look forward to the continued collaboration with Taiwan in the months and years ahead as we continue to enhance our bilateral security, economic, and trade relations.

HONORING LEVI LEIPHEIMER'S  
GRANFONDO

**HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Levi Leipheimer for his work to create the GranFondo cycling event, taking place this year on October 1, 2016, which has enjoyed great success in the cycling community and has raised funds to support many local charitable organizations in our community.

Mr. Leipheimer led an impressive cycling career from 1997 until his retirement in May 2013. His accomplishments include three Amgen Tour of California victories from 2007 to 2009 and a bronze medal at the Beijing 2008 Summer Olympics in the road time trial.

Mr. Leipheimer later finished as the Tour de France Stage 4 winner in 2009 and won the Tour de Suisse in 2011.

Mr. Leipheimer began "Levi's GranFondo" in 2009 to welcome cyclists of all ability levels from around the world to our community and to raise funds for important local causes. The GranFondo has achieved incredible success under Mr. Leipheimer's leadership, raising nearly \$2 million for philanthropic causes over the past eight years. Furthermore, publications including Red Kite Prayer, Road Bike Action and Outside Online have recognized the GranFondo as one of the best organized cycling events in the world.

The GranFondo has raised nearly \$2 million for the King Ridge Foundation which supports numerous programs that address the needs of at-risk youth in our community. For example, the foundation provides funding to the Forget Me Not Farm and the B-RAD Foundation which teach children and teens team-building and leadership skills through farming and outdoor adventures. The Social Advocates for Youth program, also supported by the foundation, provides housing, counseling and job training to young adults at risk for homelessness.

The King Ridge Foundation also creates opportunities for our young people to become involved in cycling through its 50 Bikes for 50 Kids program, which supplies bikes, helmets and locks to 50 underserved youth in our community each year. The GranFondo has also helped our community in times of need, raising over \$60,000 for the Valley Fire relief efforts in Lake County.

Mr. Speaker, Levi Leipheimer has created an impressive event that provides resources for young people in need. He is a true friend of our community and a good friend of mine. It is therefore, fitting and proper that we honor him here today and recognize the tremendous value of his GranFondo event for our local community.

RECOGNIZING THE TEN YEAR AN-  
NIVERSARY OF NAVIENT'S MUN-  
CIE, INDIANA FACILITY

**HON. LUKE MESSER**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. MESSER. Mr. Speaker, I rise today to recognize the ten-year anniversary of Navient's Muncie, Indiana facility in my district. As one of the largest employers in the region, Navient has recognized the talent and value that Hoosiers bring to the table.

Today, Navient has two locations in Indiana and employs more than 2,000 people who are on the front lines providing superior customer service to both private and public sector clients. The employees in Muncie play an integral part in providing quality loan counseling and guidance to over 12 million customers nationwide whose loans are serviced by Navient.

Companies have a choice in where they do business, and I am confident Navient has chosen well in Muncie, Indiana. I want to congratulate the employees in my district for ten years of tremendous work, and I wish them the best in the years to come.



## PERSONAL EXPLANATION

**HON. JOYCE BEATTY**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mrs. BEATTY. Mr. Speaker, on September 26, 2016, I missed roll call vote 557 and 558.

On roll call vote 557, had I been present, I would have voted "no" on final passage of H.R. 3537, the Synthetic Drug Control Act of 2015.

On roll call vote 558, had I been present, I would have voted "aye" on final passage of H.R. 5392, the No Veterans Crisis Line Call Should Go Unanswered Act.

On September 27, 2016, I missed roll call votes 559, 560, 561, and 562.

On roll call vote 559, had I been present, I would have voted "no" on ordering the previous question.

On roll call vote 560, had I been present, I would have voted "no" on agreeing to the resolution.

On roll call vote 561, had I been present, I would have voted "no" on ordering the previous question.

On roll call vote 562, had I been present, I would have voted "no" on agreeing to the resolution.

## HONORING LENNIE ROBERTS

**HON. JACKIE SPEIER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Ms. SPEIER. Mr. Speaker, I rise to honor Lennie Roberts, a tireless advocate for our open spaces and wild creatures, a conscience for elected officials on the local, state and federal level for all things environmental and a personal friend for over 35 years. Lennie will be honored today with the extremely rare "Guardian of Nature Award" from the Sierra Club's Loma Prieta Chapter for her four decades of exemplary service. This is only the second time in the chapter's 83-year history that this honor will be bestowed. There is no one who comes close to Lennie Roberts in vigilance of our environment.

Lennie served on the original California Coastal Commission after it was established by voter initiative in 1972. In 1974, she was a founding docent for Stanford University's Jasper Ridge Biological Preserve. Whether as policymaker or docent, Lennie Roberts seems to advocate and educate because the laws of nature command her to these tasks.

One of Lennie's greatest accomplishments was her fight against construction of a six lane freeway at Devil's Slide, a treacherous stretch of Highway 1 along California's beautiful coast. Instead, Lennie Roberts had the audacity to proffer to Caltrans a pair of tunnels. These tunnels now connect communities long threatened with periodic isolation when massive rock and debris slides, or the loss of the roadway, occurred during storms.

Construction came after a decades-long, hard-fought battle by the so-called tunnelists. A handful of visionaries saw that San Mateo's beautiful coast could be protected and the public's safety ensured.

Vast stretches of the Santa Cruz mountain range from San Mateo through Santa Clara

counties have been preserved because Lennie and her friends established, with voter approval, the Midpeninsula Regional Open Space District. Working with local philanthropists such as Tom Ford and the Peninsula Open Space Trust, Lennie's vision of a permanent mechanism to identify and preserve precious tracts of land has given the Bay Area a crown jewel: huge Redwood forests, hundreds of miles of walking and riding trails, recreational opportunities for people and pets, and habitat that nourishes endangered and threatened species. In part because of Lennie's advocacy, local farmers and ranchers now transition agricultural lands into permanent conservation, often permitting sustainable agriculture to remain on the property even when the land is in public ownership.

Lennie's interests are not simply in the mountains. The coast and coastal waters, and streams that serve as endangered species habitat, are all enriched and preserved through her efforts. Vast stretches of open space along the coast have been preserved by a local ordinance, passed by voters, that was inspired by Lennie's direction and standards.

The Yosemite Trust is an important steward of Yosemite National Park, and Lennie is an active member of the trust's board of directors. The planning and long-term vision for John Muir's most precious place on earth is in skilled hands through Lennie's thoughtful advocacy.

Some say that Lennie Roberts knows every square inch of rural San Mateo County. I can tell you that she certainly knows every square inch that is worth preserving. At the same time, she is also willing to support thoughtful development and this includes using land within already-developed areas for housing and public services. In short, she is a public steward and compromise is often offered but only with the public's best interests in mind.

Mr. Speaker, I ask the House of Representative to join me in honoring San Mateo County's version of a Mount Rushmore figure, Ms. Lennie Roberts. Where Caltrans once proposed to carve a bypass, we might carve her visage although she would undoubtedly oppose such a sacrilege against the pristine nature of our coast, and perhaps file a lawsuit, if anyone seriously made such a proposal. The Sierra Club's Loma Prieta Chapter may be honoring Lennie Roberts with a Guardian of Nature Award, but in truth they are only stating the obvious over the past many decades. Mother Nature has no greater local and regional guardian, and we are all honored to call her friend and leader as she is honored on October 1st for her lifetime of achievement in service to this nation's environment.

IN RECOGNITION OF THE ARAB  
AMERICAN CIVIL RIGHTS LEAGUE**HON. DEBBIE DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the Arab American Civil Rights League on the day of the organization's 5th annual Fight for Justice Gala. The ACRL plays an integral role in advocating on behalf of the constitutional and civil rights of Arab Ameri-

cans through its legal and outreach efforts and continues to serve as a driving force toward meaningful change.

The ACRL was founded in 2011 in Dearborn, Michigan to protect and advocate on behalf of the wider Arab American community. The organization acts as a conduit between Arab Americans and the media to ensure adequate and accurate representation on issues affecting the Arab American community. The ACRL is dedicated to combating negative stereotypes through education and outreach, and providing legal representation for individuals whose civil rights have been violated.

The organization plays a vital role in addressing discrimination and helps shape public policy initiatives that protect and preserve Arab Americans' civil rights. ACRL also works to better the wider community through charitable efforts, including recent efforts to provide bottled water to families in Flint.

The ACRL has effectively served the Arab American community at a time when the principles of religious tolerance and respect are under threat. The ACRL's efforts show that, in a time of uncertainty, there is far more that unites us than divides us. We must all come together to combat the most extreme elements of society while recognizing our common humanity.

Mr. Speaker, I ask my colleagues to join me today in recognizing the ACRL. The organization serves in the public interest through its anti-discrimination initiatives, and it is my hope that it continues to be an effective advocate for the Arab American community.

TRIBUTE FOR PASTOR JAMES  
MODLISH**HON. SCOTT R. TIPTON**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. TIPTON. Mr. Speaker, I rise today to honor Pastor James Modlish of the Huerfano Community Bible Church in Walsenburg, Colorado. Pastor Modlish, through his faithful service and commitment to God, has served individuals and families across Colorado and the country for the past fifty years.

Born and raised in Pueblo, Colorado, Pastor Modlish received a Bachelor of Theology degree from Baptist Bible College in Springfield, Missouri. He went on to receive his Doctorate of Divinity from Hyles-Anderson College in Hammond, Indiana. After receiving his Ph.D., Pastor Modlish got to work establishing churches across the nation.

In 2007, after establishing churches in Wisconsin, New York, Washington State, and Idaho, Pastor Modlish came back to Walsenburg in Huerfano County, Colorado, where he and his wife planned to retire. God seemed to have other plans for Pastor Modlish. Shortly after moving to Walsenburg he formed the Huerfano Community Bible Church. Today, the Huerfano Community Bible Church has grown to a congregation of 120 people.

Not only has Pastor Modlish spent his life spreading the gospel in communities across the United States, he has also prioritized sharing God's word across the world. Pastor Modlish has visited 26 different countries to inspire missionaries and share the good news of

Christ. He has spread his message from the jungles of the Philippines to the distant villages of Antarctica.

Mr. Speaker, I have a great deal of appreciation for Pastor Modlish and his dedication to his church and community, and it is my honor to acknowledge his faithful service.

IN HONOR OF THE OLD HICKORY  
DIVISION

**HON. RICHARD HUDSON**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. HUDSON. Mr. Speaker, I rise today to honor the Old Hickory Division for their service during World War II.

This October 2nd will mark the 72nd Anniversary of the 30th Infantry Division's crossing into Germany during World War II and smashing through Adolph Hitler's vaunted Westwall. The Westwall was designed to keep American forces from driving into the heart of the Ruhr Industrial area, but American forces broke through, destroying Germany's ability to supply its armies.

The 30th Infantry Division, a National Guard Division made up of young men from the Carolinas, Tennessee and Georgia was part of that force that broke through the German lines. The 30th Infantry Division was proudly called "Old Hickory" after Andrew Jackson, the 7th President of the United States.

In less than 100 days after landing on the beaches of Normandy, these men first kept the routes between Omaha and Utah Beach—the two principal American landing sites—open. They then led the charge through the Normandy hedgerows down to Saint-Lô, France. Next, they were the division that spearheaded the Normandy breakout in late July.

Less than two weeks later—in what was agreed to by both American and German commanders as the turning point of World War II in Europe—Old Hickory managed to hold off the onslaught of four German panzer divisions during a fight at Mortain, France that numbered nearly 80,000 Germans against 13,000 brave soldiers from Old Hickory.

By the 2nd of October, 1944, 72 years ago next week, the 30th infiltrated into France and became the first infantry division into Belgium and the Netherlands. This was the longest and fastest military incursion in history.

Two weeks later the men of Old Hickory broke up a massive counterattack put on by the 1st SS Panzer Corps and closed the Aachen Gap, which cut off all supply and reinforcement lines into the ancient imperial city of Aachen and forced its surrender on the 21st of October, 1944. This was the first large German city to be captured by the Allies in WWII.

The 30th followed this success with a rapid advance around the north side of the Ruhr Industrial Pocket, capturing Brunswick and finally capturing Magdeburg on the Elbe River on the 17th of April 1945.

The 30th met the Russian army at Magdeburg and remained in occupation there throughout the month of May when it was turned over to the Russians, as part of their designated occupation territory. This brought the end of the war for the 30th Infantry Division.

After war's end in 1946, General Dwight Eisenhower directed his historian of the European Theater to draw up a rating sheet and rank all of the divisions that fought there.

There were 42 infantry divisions in all.

His staff of 35 officers came to a quick and near unanimous consensus. Old Hickory was merited with the distinction of being the top-rated infantry division in all three major operations performed in Europe during World War II.

A Presidential Unit Citation honoring these men for this achievement was recommended that very same year. But it was never awarded.

Following the end of conflict in Europe, the 30th returned to Ft. Jackson, SC and was deactivated on the 25th of November 1945.

On this anniversary of the crucial breaching of Hitler's vaunted Westwall and subsequent capture of Aachen, I ask this body to pause and remember. Remember the achievements and sacrifice of those members of the greatest generation who belonged to the "most outstanding infantry division" in the European Theater in World War II, the 30th Infantry Division, the Workhorse of the Western Front.

Mr. Speaker, please join me today in recognizing the 30th Infantry Division for their outstanding service and sacrifice during World War II.

TRIBUTE TO YOLANDA URBY  
URRABAZO

**HON. HENRY CUELLAR**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. CUELLAR. Mr. Speaker, I rise today to commemorate the life of one of Laredo's finest teachers, Yolanda Urby Urrabazo.

Mrs. Urrabazo was born on February 12, 1947 to Juan and Carolina Urby in Del Rio, Texas. She was considered a miracle baby due to being born ten years after her nine siblings. Although her first language was Spanish, she quickly learned English and excelled in her studies. She had straight A's throughout her grade school education and graduated in the top five percent of her class from Del Rio High School in 1965. She was one of the few Hispanics in the National Honor Society all four years and participated in many extra-curricular activities. She received her bachelor's degree in Spanish Literature and a minor in English from Texas Woman's University and then a Master's degree in Spanish Literature from The University of Texas-El Paso in 1977. Many of her loved ones knew that her favorite novel was Don Quixote de la Mancha by Cervantes and she could quote Shakespeare eloquently and effortlessly.

Her enthusiasm for literature and poetry was most evident to everyone she met. This eventually led her to a passionate and fulfilling teaching career of 32 years, recently retiring from United High School in June 2016. Yolanda's devotion to her students is shown by her long and passionate career in teaching where she prided herself in teaching in every decade since the 1960s. For decades, she dedicated her life to educating generations of students, including her own seven children. She also inspired two of her daughters, Elizabeth U. Velasquez and Veronica Urrabazo, to follow in

her footsteps and become educators themselves. This commitment to education is an inspiration, and serves as reminder for how important educators are to our community. Her dedication to serving others will not be forgotten and will serve as a testament to what we should all strive for.

Mrs. Urrabazo is survived by her beloved husband Ignacio Urrabazo and their seven children (Tom, Elizabeth, Jaime, Yolanda, Veronica, Alejandra, and Claudia) and six grandchildren, as well as her five siblings. Her legacy will live on in the countless people she helped shape—she was intelligent, humble, strong, and compassionate to all. The mentoring and guidance that she provided will be shown throughout the community she touched. I have personally seen her impact through the great work her daughters, Yolanda Urrabazo and Claudia Urrabazo, provided when they worked in my Congressional office. It was clear through their hard work and ability that their mother had taught them very well.

She serves as reminder for how much one person can do to affect so many lives. Not only her family, but students, teachers, community members, and both the young and old, mourn her passing. Her legacy will live on through her good deeds and through our cherished memories. The city of Laredo will miss her and cherish the kindness and inspiration that she brought to our community and our education system.

Mr. Speaker, I am honored to have the opportunity to remember the legacy of Yolanda Urby Urrabazo.

IN HONOR OF MRS. ANNA M.  
DEBRO

**HON. SANFORD D. BISHOP, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to congratulate Mrs. Anna M. Debroy of Columbus, Georgia on her 100th birthday. Mrs. Debroy is a phenomenal woman who has lived a life of compassion dedicated to serving her community as a triumphant and caring teacher, Christian, and mother.

Anna M. Debroy was born in Mississippi on October 3, 1916 to Reverend Louis W. Hooper, an honored educator, and Minnie Hooper. She married the late Presiding Elder James Debroy, Sr., and together over their 30 years of marriage, had five children—James Jr., Willie, Lisa, Harriette, and Dwight.

Mrs. Debroy graduated from Delta Industrial High School, a historical boarding school for gifted Black children in the Mississippi Delta. In 1941, she earned her undergraduate degree at Alcorn & Campbell College and continued her education at Atlanta University (now Clark Atlanta University), where she received her Master's in Math Education in 1960. As a lifelong learner with a passion for education, she sought further studies at the University of Georgia, Florida A&M University, and Tuskegee University.

Over the next 40 years, Mrs. Debroy was committed to educating young minds in several capacities. She held the position of Math Department Chair, the Tri Hi Y Chair and Student Advisor, as well as the PTA Chairwoman at Carver High in Columbus, GA from 1954 to

1971. Furthermore, she taught at Columbus High from 1971 to 1978, where she was historically among the first wave of African American teachers to desegregate the Muscogee County School District.

George Washington Carver once said, "How far you go in life depends on your being tender with the young, compassionate with the aged, sympathetic with the striving and tolerant of the weak and strong because someday in your life you will have been all of these." Mrs. Debro has lived a truly blessed life due to her eternal faith in the Lord and her vibrant testimony of His greatness to all whom she encounters, whether they are a member of her community, church or classroom. As a devout servant of God and a member of St. Mark A.M.E. Church for over 70 years, her pledge to Christ is echoed in her compassionate leadership, which makes her a guiding light within the community.

Mr. Speaker, I ask my colleagues to join me and my wife, Vivian, in extending our best wishes to Mrs. Anna M. Debro on her 100th birthday. As we celebrate another year of this outstanding citizen's life, we would do well to follow the example of her legacy of striving to be lifelong learners and improving the quality of the communities we touch.

#### A TRIBUTE TO CIVIL RIGHTS LEGEND FRANKIE MUSE FREEMAN

#### HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. CLAY. Mr. Speaker, I rise today to pay tribute to Frankie Muse Freeman, a remarkable American who will soon celebrate her 100th birthday on November 24, 2016. As an exceptional and groundbreaking attorney, Frankie Freeman is a long-time civil rights icon who has set a standard of excellence in the law, housing reform, social justice, protecting the right to vote and personal courage.

Attorney Frankie Muse Freeman is a trailblazer who has been making history for decades. A brilliant, public service-oriented lawyer, she has devoted her life to opening up the doors of equal opportunity for all.

Her career has been exceptional in many ways. It includes her dedicated service as a member of the U.S. Civil Rights Commission and Inspector General of the Community Services Administration, as well as her long time service as an attorney for the St. Louis Housing Authority.

Mrs. Freeman's extraordinary work has been recognized across generations and across this nation. This living legend was instrumental in creating the Citizens Commission on Civil Rights in 1982, inducted into the International Civil Rights Walk of Fame at the Martin Luther King, Jr. National Historic Site in 2007, and appointed by President Barack Obama to serve as a Member of the Commission on Presidential Scholars in 2015.

In addition, she has been the recipient of numerous awards such as the Spingarn Medal from the NAACP and the Spirit of Excellence Award from the American Bar Association's Commission on Racial and Ethnic Diversity in the Profession.

I have known Mrs. Freeman since my earliest days growing up in St. Louis. She stood

shoulder-to-shoulder with my father, former Congressman Bill Clay, and other national leaders to help break down the walls of segregation. A grand and gracious lady, and a person of total integrity, she has truly been a mentor to me, whose learned opinion I still seek out on a regular basis.

A noted author, she published her memoir, "A Song of Faith and Hope," to critical acclaim in 2003. She is also a Past President of the Delta Sigma Theta Sorority.

Mr. Speaker, I urge Members of Congress to join me in honoring Frankie Muse Freeman on her centennial, she has helped so many and continues to inspire us to have courage, to work towards transformative change, and to confront injustice and inequality wherever it exists.

#### RECOGNIZING THE 105TH ANNIVERSARY OF THE FOUNDING OF THE REPUBLIC OF CHINA (TAIWAN)

#### HON. KEVIN YODER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. YODER. Mr. Speaker, I would like to congratulate the people of Taiwan on the 105th anniversary of their National Day, which will take place on October 10, 2016.

Taiwan has close trade ties with the United States, ranking as our country's ninth largest trading partner. Taiwan also represents Kansas' fifth largest export market in Asia, and thirteenth largest export market in the world. In 2014, Kansas' exports to Taiwan reached \$185.4 million.

Every two years, Taiwanese Agricultural Trade Goodwill Missions visit the United States to purchase top quality American agricultural commodities, many of which are produced in my home state.

As a member of Congressional Taiwan Caucus, I cherish the friendship between our two nations and look forward to continuing to work with Ambassador Stanley Kao of Taiwan and his team in Washington, D.C.

#### TRIBUTE FOR GRAND JUNCTION CHALLENGER BASEBALL TEAM

#### HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. TIPTON. Mr. Speaker, I rise today to honor the Grand Junction Challenger baseball team on qualifying for the Little League World Series Championship game. The Challenger little league baseball team gives special needs children an opportunity to compete in baseball. The program started in 1989 with 12 kids who had a dream of playing baseball, and has turned into an entire league of kids with a passion for America's past time. Today there are more than 30,000 children participating in more than 900 leagues worldwide.

This year the Challengers Little League World Series games will be broadcast on ESPN. They are one of eight teams from the Grand Junction area to qualify to compete, and will be the first Grand Junction Challengers team to play in this televised game.

The whole community is proud of this Grand Junction team that rose to the challenge to take advantage of this wonderful opportunity.

There is a natural competitiveness to the game, but these kids will take it a step further when they take the field, showcasing their baseball skills and demonstrating that anything is possible in life through perseverance and determination. I look forward to watching them fulfill their dreams of playing baseball in front of a large crowd cheering for them just as fans cheered for Ruth, DiMaggio, Mays, Robinson and Williams.

#### THANKING CAROLINE KLEMP FOR HER DEDICATED SERVICE TO THE HOUSE

#### HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mrs. MILLER of Michigan. Mr. Speaker, I want to extend my thanks and appreciation to Ms. Caroline Klemm who, during the past forty-one years, has served the United States House of Representatives in the offices of the House Sergeant at Arms and the Chief Administrative Officer.

In October of this year, Caroline will officially end her tenure at the House.

Caroline began her career with the House Sergeant at Arms in 1975, where she held various financial responsibilities for Members of Congress. In 1993, she began working in the Office of Members' Services under the direction of George Chapin in the Office of Non-Legislative and Financial Services, which later became the Office of the Chief Administrative Officer.

Throughout the years, Caroline has made significant contributions processing and managing Member benefits and payroll for the House. In 1994, Caroline was promoted to Director of Members' Services. In this capacity she is responsible for the quality, accuracy, and timeliness of submissions of all Members' benefits records to the Office of Personnel Management (OPM). She has provided many years of dedication, hard work, and service to Members and their families.

The Members truly view Caroline as a member of their family as she continues to serve them well beyond their House careers.

On behalf of the entire House community, I extend congratulations to Caroline for her many years of dedication and outstanding contributions to the House. We wish Caroline many wonderful years in fulfilling her retirement dreams.

#### HONORING MR. CHARLES C. FIELDER

#### HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. THOMPSON of California. Mr. Speaker, I rise today, along with Representative HUFFMAN, to honor Charles C. Fielder, the Director of Caltrans District 1, upon his retirement on September 29, 2016 from an impressive career that spanned over 28 years as a

civil engineer in state and federal transportation planning.

A California native, Mr. Fielder completed his B.S. in Civil Engineering at the University of California, Davis and his Master in Business Administration at Humboldt State University. He moved to Humboldt County in 1988 and has been an active member of his community ever since.

Mr. Fielder began his career with Caltrans as a Junior Civil Engineer and rapidly earned promotions in the agency. He served as a Transportation Engineer, Senior Transportation Engineer and Supervising Transportation Engineer over the next three years before earning a promotion to Deputy District Director for Program and Project Management. He was appointed District 1 Director in 2003 and has since been responsible for transportation policy and projects across northern California. Mr. Fielder has also served in Sacramento as an Interim Deputy Director for Maintenance and Operations, where he was responsible for over 50,000 lane miles throughout California.

Throughout his career, Mr. Fielder has focused on collaborative approaches to transportation operations. He has served our community well by receiving and implementing suggestions from the public. In addition to his work with Caltrans, he is a member of the American Society of Civil Engineers and he serves as a committee member on the Transportation Research Board which addresses transportation issues on a national level.

Mr. Speaker, Mr. Fielder has dedicated his career to making the process of delivering a safe, sustainable, integrated and efficient transportation system as transparent as possible. Therefore, it is fitting and proper that we honor him here today and extend our best wishes for an enjoyable retirement.

#### TRIBUTE TO TERRY MOORE, JR.

### HON. BRAD ASHFORD

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. ASHFORD. Mr. Speaker, I rise today to honor and remember a beloved Nebraskan whose life was truly an inspiration to all who were fortunate enough to know him.

Terry Moore, Jr., who has passed away at the age of 47, suffered from a rare developmental disorder known as Williams Syndrome.

Although it brings with it a lifetime of health and learning challenges, Terry refused to let it slow him down as he maintained an extremely rigorous, productive and fulfilling life.

Many Omahans came to know him during his years happily working in the City-County building, as an energetic and most-helpful clerk in the Douglas County Treasurer's office.

This is a most difficult time for Terry's dad, Terry Moore, Sr., a very good friend of mine and longtime Nebraska labor leader.

Terry, I can't begin to understand the pain you are suffering but please know that your son will long be remembered for his never-ending courage and grace as he lived a truly motivating life.

#### PRESIDENT OBAMA VETOES SUPPORT FOR 9/11 VICTIM FAMILIES

### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. POE of Texas. Mr. Speaker, fifteen years ago, on September 11, 2001, our country was instantly transformed. Three thousand Americans and people from other nations were murdered at the hands of evil, malicious terrorists.

A few weeks ago Congress granted the families of these victims their basic right under the Constitution of the U.S., to their day in court, the right to sue the perpetrators. President Obama disagrees. He vetoed the bill.

Based on the 28 pages held secret for years, there may be evidence that the country of Saudi Arabia and their officials may have had some involvement in planning the elements of that attack.

As a former judge I am a strong believer in the jury trial to solve such disputes. That is what the courtroom is for. However the administration seems more interested in diplomatic niceties with foreign nations than the victims of 9/11.

Congress must override this veto. The truth needs to be known about who was responsible for the 9/11 attacks. The families of the 9/11 victims deserve to pursue justice because Mr. Speaker, justice is what we do in America.

And that's just the way it is.

#### RECOGNIZING THE MARK L. WILT AMERICAN LEGION POST 210 FOR 95 YEARS OF SERVICE

### HON. JACKIE WALORSKI

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mrs. WALORSKI. Mr. Speaker, I rise today to acknowledge the members of the Mark L. Wilt American Legion Post 210 in Middlebury, Indiana, as they celebrate 95 years of service to our community and advocacy on behalf of all veterans.

After its founding in 1921, American Legion Post 210 was named in honor of Mark L. Wilt, a local citizen who was killed in World War I. Post 210 met at several locations until 1969, when construction was completed on their present building on York Road in Middlebury.

Post 210 has grown since its founding, as has its mark on the community. The members of Post 210 have been constant advocates for Northern Indiana veterans, consistently raising charitable donations and honoring the area's veterans through activities such as dedicating headstones for unmarked military graves. Their continued success is due to their standing within the Northern Indiana community as a patriotic organization whose mission helps American veterans within our community and ensures future generations of Hoosiers recognize the sacrifices these heroes made on their behalf.

Because of their many significant contributions to our community and our veterans, I am grateful that the Mark L. Wilt American Legion Post 210 is in Indiana's Second District. It is

clear the veterans of Post 210 are still serving the nation long after their active duty has ended.

According to its mission statement, the American Legion "is the nation's largest wartime veterans service organization, committed to mentoring youth and sponsorship of wholesome programs in our communities, advocating patriotism and honor, promoting strong national security, and continued devotion to our fellow service members and veterans." For Hoosiers, Post 210 exemplifies the long-standing tradition of excellence in Indiana.

On behalf of 2nd District Hoosiers, I sincerely congratulate the Mark L. Wilt American Legion Post 210 on their 95th Anniversary, and I wish them continued success and growth in the years ahead.

#### HONORING THE BICENTENNIAL OF HOWARD COUNTY, MISSOURI

### HON. VICKY HARTZLER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mrs. HARTZLER. Mr. Speaker, I rise today to honor the bicentennial birthday of Howard County, Missouri, a truly monumental milestone. Howard County was first established in January 23, 1816 as migrants from Kentucky, Tennessee, and Virginia came west looking for room for their families to grow. Twenty-three more counties would be formed from this Missouri "Mother of Counties" which stretched all the way from St. Louis to what was then the edge of the Missouri Territory. After 200 years this thriving rural area, though quite a bit smaller in land mass, is home to more than 10,139 residents, 192 businesses, a plethora of family farms, and one of the loveliest court-houses in Missouri.

I am honored to represent the good people of Howard County and I want to congratulate the leaders of this beautiful area for their efforts in making this county one of the priceless gems of central Missouri.

#### SEA BOX, INC.

### HON. THOMAS MacARTHUR

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. MACARTHUR. Mr. Speaker, I rise today to honor Sea Box, Inc., of New Jersey's Third Congressional District, in its recent award of a 32 million dollar General Services Administration contract to provide the United States Air Force with Containerized Hygiene Systems over the next two years.

Sea Box, Inc., of East Riverton, was established in 1983 and specializes in the design, customization, and manufacturing of ISO containers and related equipment for military and commercial applications. Sea Box directly supports our warfighters and has created 200 manufacturing jobs in New Jersey. This two year contract will provide the United States Air Force with temperature controlled expendable shelters for bathing and storage that can be transported worldwide, utilizing standard military equipment.

Sea Box, Inc., has deep ties to the community and has answered the call of need for our

men and women in uniform. I am proud to represent a South Jersey company that is providing shelter and care for our active duty members who sacrifice so much to protect our nation and our freedom.

Mr. Speaker, the people of New Jersey's Third Congressional District are tremendously honored to have Sea Box, Inc., as a part of their community. Sea Box, Inc., has shown a desire to serve our nation and provide for our troops. I am honored to recognize the award of their GSA contract, which will enable them to service our soldiers more efficiently, and to commend Sea Box, Inc., for all of its contributions to our community, before the United States House of Representatives.

#### HONORING THE ACHIEVEMENT OF NATHANIEL R. JONES

#### HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. RYAN of Ohio. Mr. Speaker, I rise today to honor one of the great jurists of the United States, Nathaniel R. Jones. Judge Jones was born and raised in Youngstown, Ohio, just blocks from the federal courthouse that now bears his name. He served his country valiantly in World War II, and later attended Youngstown College.

Judge Jones was the first African American to serve as Assistant U.S. Attorney for the Northern District of Ohio. In 1969, he became General Counsel of the NAACP, where he directed national legal efforts to end school segregation. In 1979, President Jimmy Carter nominated Judge Jones to the U.S. Court of Appeals, where he served until he retired from the bench in 2002.

Judge Jones has dedicated his life and career to protecting the rights of all: as a professor at Harvard Law School, an observer in South Africa's first democratic elections, a defender of affirmative action, and an advocate for black servicemen facing discrimination in our newly-integrated military.

At age 90, Judge Jones still serves as Senior Counsel at Blank Rome, LLP in Cincinnati. In October, he will receive the Simeon Booker Award for Courage of which he is so deserving.

Thank you, Judge Jones, for your tireless service to our community, our nation, and our world.

#### COMMEMORATING DR. JOHN HARVEY'S TENURE OF PRESIDENT OF THE MEDICAL ASSOCIATION OF GEORGIA

#### HON. TOM PRICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. TOM PRICE of Georgia. Mr. Speaker, today I would like to speak in honor of a good friend, Dr. John Harvey. Dr. Harvey is the outgoing President of the Medical Association of Georgia (MAG), which has close to 8,000 members spanning the entire state of Georgia focused on enhancing patient care and advancing the art and science of medicine.

Dr. Harvey has served Georgians for more than 25 years as a general and trauma surgeon in the Atlanta area. During his tenure with MAG, Dr. Harvey started the Medical Reserve Corp. The Medical Reserve Corp assists the state in times of disaster by having trained physicians ready to respond. Before serving as the President, Dr. Harvey was the Speaker of the House of Delegates, the primary legislative and policymaking body for the association, for five years.

Mr. Speaker, despite his full schedule, Dr. Harvey still takes time to teach residents in the transitional year at Gwinnett Medical Center and travels across the state to testify on the behalf of patients and physicians. He is a man I am glad to call a friend and a colleague in medicine. I would like to thank Dr. Harvey on behalf of citizens of the Sixth District of Georgia and the entire state for his service to patients and physicians and his commitment to public health.

#### HONORING STAFF SERGEANT TOBLER

#### HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. GARAMENDI. Mr. Speaker, I rise today to recognize Staff Sergeant Aaron Tobler of the United States Air Force who has been named one of the twelve Outstanding Airmen of the Year for 2016.

Aaron enlisted in the Air Force Reserve in 2011 and received honors at both basic training and technical school. He is currently a Geospatial Intelligence Analyst assigned to the 50th Intelligence Squadron at Distributed Ground Station—Two at Beale Air Force Base, California. His mission is to exploit high-value targets and satisfy intelligence requirements in support of Combatant Commanders around the World. As a direct result of Staff Sergeant Tobler's work, weapon manufacturing compounds were identified and destroyed, crippling an entire terrorist network. He also facilitated successful overwatch of Joint Task Force troop convoys, ensuring over two thousand miles of roads were clear of threats.

When he's not working for the Air Force, Aaron is an active member in his community. He is a manager with the California Department of Social Services in Sacramento, and serves on the Board of Directors for Rocklin Residents Unite for Fido community group, an organization that offers scholarships to wounded veterans to receive training for their service dogs. He is involved in several community fundraising events, offering strategic support and is a regular blood donor.

Staff Sergeant Aaron Tobler exemplifies what it means to be an Outstanding Airman. He has accumulated many accolades and medals in his Air Force career, and now he can add being the first Reservist in the Intelligence Career Field to ever be selected as an Outstanding Airman of the Year as one of his many accomplishments.

Mr. Speaker, I am honored that Sergeant Tobler and his family are assigned to Beale Air Force Base in my district. And it is my privilege to recognize him here for his outstanding contributions to California and to the United States.

#### ST. VOLODYMYR UKRAINIAN ORTHODOX CATHEDRAL

#### HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. DANNY K. DAVIS of Illinois. Mr. Speaker, on October 30, 2016 the St. Volodymyr Ukrainian Orthodox Cathedral will celebrate the 100th anniversary of its founding. St. Volodymyr is a part of the Ukrainian Orthodox Church of the USA and was established in 1916 as the first independent Ukrainian Church in the United States. The centennial celebration will take place on the 30th day of October 2016, starting with the Hierarchal Dinner Liturgy, led by his eminence metropolitan Anthony and his grace Bishop Daniel at 10:00 am at St. Volodymyr, which has been a source of spiritual strength to its members as they perpetuated their religious heritage and culture at the same time. They also found inspiration from their religion to be active and loyal citizens to the USA and to the city of Chicago.

The festivities then will continue with a member banquet held at the Ukrainian Cultural Center at 2247 W. Chicago Avenue in Chicago. Since its inception, the cathedral has been an integral part of life of the community at large. Some notable examples include participating in the 1928 women's world fair at the coliseum, and in the Ukrainian Pavilion during Chicago's 1933 century of progress international exposition; sending its son and daughter to war when the government called; providing help to those in need during troubled times.

I congratulate the St. Volodymyr Ukrainian Orthodox Church for 100 years of spiritual and community service and look forward to 100 years more.

#### RECOGNITION OF THE TAIWANESE NATIONAL DAY

#### HON. BILL FLORES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 28, 2016*

Mr. FLORES. Mr. Speaker, I rise to recognize and congratulate the Taiwanese people on their National Day, the 105th anniversary of the founding of the Republic of China (Taiwan), celebrated each year on October 10th.

Taiwan is a key ally in the region and shares the important values of freedom and respect for human rights with our country. This year, Taiwan went through a peaceful transition of power with the election of President Tsai Ing-wen, the first woman elected to this office. I was pleased to have productive conversations with President Tsai and my colleagues during a recent visit to Taiwan earlier this year. Taiwan's remarkable democracy serves as a model to neighboring countries.

Both Chambers of Congress passed resolutions earlier this year reaffirming the importance of the Taiwan Relations Act and the Six Assurances. As a member of the Congressional Taiwan Caucus, I would like to reiterate my commitment of support to Taiwan and its self-defense capabilities.

Once again, I extend my best wishes for a Happy Double Tenth Day to the people of Taiwan and our Taiwanese American friends at home.

## VOTING RIGHTS

SPEECH OF

**HON. KAREN BASS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, September 21, 2016*

Ms. BASS. Mr. Speaker, on May 20, 2016, I was honored as a special guest at an event in Monterey Park, California titled "Protect Your Future: Restore the Vote". The event was organized to help constituents gain a better understanding of the negative impact of the Supreme Court decision, *Shelby County vs. Holder*.

Members from our communities heard expert testimony from the National Association for the Advancement of Colored People (NAACP) regarding the devastating impacts of the decision upon the Voting Rights Act. I include in the RECORD the expert testimony of Sean Dugar, Regional Director, Region I of the NAACP into the CONGRESSIONAL RECORD.

TESTIMONY OF SEAN DUGAR, REGIONAL DIRECTOR, REGION I, TESTIMONY ON BEHALF OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP) ON THE ROUNDTABLE DISCUSSION "PROTECT YOUR FUTURE: RESTORE THE VOTE"—MAY 20, 2016

Good morning, Congresswoman CHU, Congresswoman ROYBAL-ALLARD, Congresswoman SANCHEZ, and distinguished guests and friends. Thank you so very much for inviting me here to discuss fully restoring and protecting the right to vote. I appreciate the opportunity to provide you with the thoughts and opinions of the NAACP on this very important issue.

Founded more than 107 years ago, in February of 1909, the National Association for the Advancement of Colored People, the NAACP, is our nation's oldest, largest, and most widely-recognized grassroots-based civil rights organization. We currently have more than 1,200 active membership units across the nation, with members in every one of the 50 states as well as units on overseas military bases. In addition to our community based adult units, we also have youth and college units in hundreds of communities and schools including colleges and university campuses across the country as well as units in prisons.

My name is Sean Dugar, and I am the regional field director for the NAACP for Region I. The NAACP divides the country into seven regions, and Region I is the western-most region: it is comprised of Alaska, Arizona, Hawaii, Idaho, Nevada, Oregon, Utah, Washington, and of course, California. I am a national staff person, and I come to you today on behalf of the national NAACP. In preparing this testimony, I consulted with Mr. Hilary Shelton who is the Director of the Washington Bureau and the lead advocate for the NAACP before the federal government. Hilary asked that I tell you all how sorry he is that he cannot be here today and indicated that he would be more than happy to answer any questions you may have which I cannot answer for you.

The NAACP, a non-profit, non-partisan organization was established with the objective of insuring the educational, political, social, and economic equality of racial and

ethnic minorities in our country. The NAACP has as its mission the goal of eliminating race prejudice and removing all barriers of racial discrimination through the democratic process. Voting rights for all eligible Americans, advancing voter participation and the eradication of disenfranchising practices and voter fraud, has been a top priority of the NAACP since our founding. Throughout our more than 107-year history, the NAACP has advocated and worked against such racist and heinous obstacles to full democratic citizenship participation such as America's Jim Crow laws and the Black Codes.

As such, we were instrumental in the development and enactment of the 1965 Voting Rights Act, and its subsequent reauthorizations, the 1992 Motor Voter Law, and the 2002 Help America Vote Act as well as several other key pieces of Federal legislation aimed at ensuring and protecting the rights of all eligible Americans to cast an unfettered vote and be certain that our vote has been counted.

Tragically, our country, which promotes itself as the beacon of democracy throughout the world, has seen a reversal in the century-old struggle for achieving the goal of "one person, one vote." This reversal has been strategic and multi-faceted and sadly targeted disproportionately at the very people whom I would argue could use a louder, stronger, and more consistent voice among our elected officials. Specifically, a majority of those currently being disenfranchised by these malevolent laws are racial and ethnic minorities, low-income Americans, the elderly, students and women. Whether through bogus photo identification requirements, racially disparate ex-felon disenfranchisement laws, shortened early voting periods, or initiatives making it harder for third parties to register qualified voters, states are abridging the voting rights of millions of Americans.

Furthermore, with the Supreme Court's misguided, harmful 2013 decision in *Shelby v. Holder*, many of the protections we had begun to appreciate are now threatened. The Voting Rights Act of 1965 (VRA), for which the NAACP was on the frontlines in the struggle to enact, was signed into law to insure that under the 15th Amendment to the U.S. Constitution, no one, including federal, state or local governments, may in any way impede people from registering to vote or voting because of their race, ethnicity or other differences. Most provisions in the VRA, and specifically the portions that guarantee that no one may be denied the right to vote because of his or her race or color, are permanent, and as such are not the provisions subject to reauthorization.

Section 5 of the VRA requires certain states or jurisdictions, which have an established history of laws or policies which result in the disenfranchisement of a group of racial or ethnic minority voters to obtain advance approval or "preclearance" from the US Department of Justice or the US District Court in D.C. before they can make any changes to voting practices or procedures. Examples of these changes include any change in the date, time, place, or manner under which an election is held. Federal approval is given to make the proposed change as soon as the state or jurisdiction proves that the proposed change would not abridge the right to vote on account of race or color. Originally, in 1965, legislators hoped that within five years the problems would be resolved and there would be no further need for these enforcement-related provisions: however, it proved necessary to extend these protections in 1970, and again in 1975, 1982 and 2006 through the Congressional reauthorization process.

As a side note, the 2006 reauthorization, which had passed the House by the over-

whelming bipartisan vote of 390-33, appeared to be stalled in the Senate, and was being threatened by a number of dangerous amendments. But thousands of delegates and friends of the NAACP who were attending our annual convention in Washington, marched from the convention center to Capitol Hill in support of the reauthorization bill and then went to their Senators' offices with specific demands to pass the reauthorization bill without amendment. I am pleased to report that the bill was passed later that same week, unamended, by a vote of 98 to 0.

I am relaying this anecdote because the march was driven mostly by our youth and college division, who led the marchers on that incredibly hot July day not only for the 2+ miles to the Hill, but then also on visits with their Senators. It was an instance where the NAACP, and specifically the next generation of NAACPers, made a real difference.

On June 25, 2013, however, the U.S. Supreme Court issued its decision in the case of *Shelby v. Holder* in which the Court did not invalidate the principle of preclearance. The Supreme Court did decide, however, that Section 4(b) of the VRA, which establishes the formula that is used to determine which states and jurisdictions must comply with preclearance, is antiquated and thus unconstitutional and can no longer be used. Thus, although Section 5 survives, it is currently not being used and will not be used fully until Congress develops and enacts a new formula to determine which states and jurisdictions should be covered by it.

The bipartisan Voting Rights Advancement Act, S. 1659/H.R. 2867, is sponsored in the U.S. Senate by Senators Patrick Leahy (VT), Lisa Murkowski (AK) and in the U.S. House by Congresswoman Terri Sewell and Congressman John Lewis (GA) on behalf of themselves, the Congressional Black Caucus, the Congressional Hispanic Caucus, and the Congressional Asian and Pacific American Caucus among others. I would like to stop for a minute and express the sincere appreciation of the NAACP to the three legislators here today, Congresswoman Chu, Congresswoman Roybal-Allard, and Congresswoman Sanchez, who are co-sponsors of this important legislation. I would also be remiss if I didn't pass along Hilary Shelton's personal appreciation that they each consistently score an "A" on the NAACP's Federal Legislative Report Card.

This seminal legislation would: modernize the preclearance formula to cover states with an historical pattern of discrimination; ensure that last-minute voting changes won't adversely affect voters; protect voters from the types of voting changes most likely to discriminate against and disenfranchise people of color and language minorities; enhance the ability to apply a preclearance review when needed; expand the effective Federal Observer Program; and improve voting Rights protections for Native Americans and Alaska Natives. Furthermore, this legislation includes all of the priorities necessary for a strong VRA restoration as established by the NAACP National Board of Directors.

We need to fix the damage to the VRA inflicted by *Shelby*, and this legislation would repair and strengthen it. Yet the NAACP has consistently, and before *Shelby*, argued that we need to do more to expand the franchise and get more Americans involved in the electoral system. That is why our Washington Bureau Director asked me again to express our sincere appreciation to the three lawmakers sitting here today for lifting up and sponsoring H.R. 12, the Voter Empowerment Act.

In a time when numerous states are considering or have already enacted legislation



to restrict or suppress voter participation, Congressman John Lewis (GA) and 174 of his colleagues in the U.S. House of Representatives have introduced H.R. 12, the Voter Empowerment Act. This important legislation would expand and protect voters' access to the polls and would increase accountability and integrity among election officials and poll workers. It also would expand eligibility to allow all ex-offenders who have been released from prison to register and vote in federal elections (even those who may still be on probation or parole).

Specifically, the Voter Empowerment Act would:

Guarantee early voting—require that every state establish early voting sites that are open at least 15 days prior to a general election day;

This includes weekends, which many working people may find to be the only time they can get to the polls;

Require automatic registration—the bill would use modern technology to automatically and permanently register all eligible voters;

Allow same-day registration throughout the country—H.R. 12 would ensure allow voters to register to vote on election day at their polling place;

Ensure on-line voter registration—the Voter Empowerment Act would ensure that online voter registration is a viable option nationally;

Outlaw “voter caging”—makes illegal a practice by which mail is sent to a registered voter's address and, if the mail is returned as “undeliverable” or if it is delivered and the

voter does not respond, his or her registration is challenged;

Clarify and strengthen the use of provisional ballots—ensures that provisional ballots are counted;

Make voter intimidation and deception punishable by law—with strong and tough penalties so that people who commit these crimes suffer more than just a slap on the wrist, and establish a process for reaching out to misinformed voters with accurate information so they can cast their votes in time;

Re-enfranchise ex-offenders—H.R. 12 incorporates the provisions of the NAACP-supported “Democracy Restoration Act” by allowing ex-offenders, once they are out of prison, the opportunity to register and vote in federal elections without challenges or complication;

Encourage youth voters—the Voter Empowerment Act requires colleges and universities to offer and encourage voter registration to all students;

Assure voting by overseas residents—H.R. 12 increases assurances that Americans who may be living overseas, especially those serving our country in the armed services, can cast a valid vote and be assured that their vote was counted.

In short, we can and should do more to guarantee that the vote to right—the cornerstone of our Constitution and our democracy—is not only protected but made easier. I would again like to commend and thank Congresswoman Chu, Congresswoman Roybal-Allard, and Congresswoman Sanchez for their leadership in this area; please know

that Director Shelton and the entire NAACP stand ready to work with you in Washington and here at home, and I look forward to our round table discussion.

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#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, September 29, 2016 may be found in the Daily Digest of today's RECORD.

# Daily Digest

## HIGHLIGHTS

Senate upon reconsideration passed S. 2040, Justice Against Sponsors of Terrorism Act, the objections of the President to the contrary notwithstanding.

Senate passed H.R. 5325, Legislative Branch Appropriations Act, as amended. (Legislative vehicle for “Continuing Appropriations Act”)

## Senate

### Chamber Action

*Routine Proceedings, pages S6165–S6249*

**Measures Introduced:** Fifty-four bills and ten resolutions were introduced, as follows: S. 3406–3459, S. Res. 583–589, and S. Con. Res. 52–54.

**Pages S6225–27**

#### Measures Passed:

***Legislative Branch Appropriations Act (Legislative vehicle for “Continuing Appropriations Act”):*** By 72 yeas to 26 nays (Vote No. 151), Senate passed H.R. 5325, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, after taking action on the following amendments and motions proposed thereto:

**Pages S6166, S6173–83**

#### Adopted:

McConnell (for Cochran) Amendment No. 5082, in the nature of a substitute. **Page S6166**

#### Withdrawn:

McConnell Amendment No. 5083 (to Amendment No. 5082), to change the enactment date.

**Pages S6166, S6182**

McConnell Amendment No. 5085 (to the language proposed to be stricken by Amendment No. 5082), to change the enactment date.

**Pages S6166, S6182**

During consideration of this measure today, Senate also took the following action:

The motion to proceed to the motion to reconsider the vote by which cloture was not invoked on McConnell (for Cochran) Amendment No. 5082, on September 27, 2016, was agreed to. **Page S6182**

The motion to reconsider the vote by which cloture was not invoked on McConnell (for Cochran)

Amendment No. 5082, on September 27, 2016, was agreed to. **Page S6182**

By 77 yeas to 21 nays (Vote No. 149), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate upon reconsideration agreed to the motion to close further debate on McConnell (for Cochran) Amendment No. 5082.

**Page S6182**

McConnell motion to commit the bill to the Committee on Appropriations, with instructions, McConnell Amendment No. 5087, to change the enactment date, fell when cloture was invoked on McConnell (for Cochran) Amendment No. 5082.

**Page S6166**

McConnell Amendment No. 5088 (to (the instructions) Amendment No. 5087), of a perfecting nature, fell when McConnell motion to commit the bill to the Committee on Appropriations, with instructions, McConnell Amendment No. 5087 fell.

**Page S6166**

McConnell Amendment No. 5089 (to Amendment No. 5088), of a perfecting nature, fell when McConnell Amendment No. 5088 (to (the instructions) Amendment No. 5087) fell.

**Page S6166**

McConnell Amendment No. 5084 (to Amendment No. 5083), of a perfecting nature, fell when McConnell Amendment No. 5083 (to Amendment No. 5082) was withdrawn.

**Page S6182**

McConnell Amendment No. 5086 (to Amendment No. 5085), of a perfecting nature, fell when McConnell Amendment No. 5085 (to the language proposed to be stricken by Amendment No. 5082) was withdrawn.

**Page S6182**

The motion to proceed to the motion to reconsider the vote by which cloture was not invoked on the bill, on September 27, 2016, was agreed to.

**Page S6182**

The motion to reconsider the vote by which cloture was not invoked on the bill, on September 27, 2016, was agreed to. **Page S6182**

By 77 yeas to 21 nays (Vote No. 150), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate upon reconsideration agreed to the motion to close further debate on the bill. **Page S6183**

**Enrollment Correction:** Senate agreed to S. Con. Res. 53, directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 5325. **Page S6197**

**Earth Science Week:** Committee on Commerce, Science, and Transportation was discharged from further consideration of S. Res. 562, expressing support for designation of the week of October 9, 2016, through October 15, 2016, as "Earth Science Week", and the resolution was then agreed to. **Page S6197**

**Day of the Deployed:** Senate agreed to S. Res. 585, designating October 26, 2016, as "Day of the Deployed". **Page S6197**

**Honoring the life of Jacob Wetterling:** Senate agreed to S. Res. 586, honoring the life of Jacob Wetterling and recognizing the efforts of Jacob Wetterling's family to find abducted children and support the families of those children. **Page S6197**

**Charitable Collections:** Senate agreed to S. Res. 587, permitting the collection of clothing, toys, food, and housewares during the holiday season for charitable purposes in Senate buildings. **Page S6197**

**National Principals Month:** Senate agreed to S. Res. 588, recognizing the month of October 2016 as "National Principals Month". **Page S6197**

**Survivors' Bill of Rights Act:** Committee on the Judiciary was discharged from further consideration of H.R. 5578, to establish certain rights for sexual assault survivors, and the bill was then passed. **Pages S6197–99**

#### Veto Messages:

**Justice Against Sponsors of Terrorism Act Veto Message:** By 97 yeas to 1 nay (Vote No. 148), two-thirds of the Senators voting, a quorum being present, having voted in the affirmative, S. 2040, to deter terrorism, provide justice for victims, upon reconsideration was passed, the objections of the President of the United States to the contrary notwithstanding. **Pages S6166–73**

**Gold Star Families Voices Act—Agreement:** A unanimous-consent-time agreement was reached providing that at 5 p.m., on Tuesday, November 15, 2016, the Rules Committee be discharged from further consideration of H.R. 4511, to amend the Vet-

erans' Oral History Project Act to allow the collection of video and audio recordings of biographical histories by immediate family members of members of the Armed Forces who died as a result of their service during a period of war, and Senate begin consideration of the bill; that there be 30 minutes of debate, equally divided in the usual form, and following the use or yielding back of time, Senate vote on passage of the bill, with no intervening action or debate. **Page S6195**

**Treaties Approved:** The following treaties having passed through their various parliamentary stages, up to and including the presentation of the resolution of ratification, upon division, two-thirds of the Senators present having voted in the affirmative, the resolutions of ratification were agreed to:

Treaty on Plant Genetic Resources for Food and Agriculture (Treaty Doc. 110–19); and

The Convention on the Law Applicable to Certain Rights in Respect of Securities Held with an Intermediary (Treaty Doc. 112–6) as amended. **Page S6195**

**Nominations Confirmed:** Senate confirmed the following nominations:

Rena Bitter, of Texas, to be Ambassador to the Lao People's Democratic Republic.

Sung Y. Kim, of California, to be Ambassador to the Republic of the Philippines.

Andrew Robert Young, of California, to be Ambassador to Burkina Faso.

W. Stuart Symington, of Missouri, to be Ambassador to the Federal Republic of Nigeria.

Joseph R. Donovan Jr., of Virginia, to be Ambassador to the Republic of Indonesia.

Christopher Coons, of Delaware, to be Representative of the United States of America to the Seventy-first Session of the General Assembly of the United Nations.

Ronald H. Johnson, of Wisconsin, to be Representative of the United States of America to the Seventy-first Session of the General Assembly of the United Nations. **Pages S6248–49**

5 Air Force nominations in the rank of general.

36 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Foreign Service, and Navy. **Pages S6248–49**

**Nominations Received:** Senate received the following nominations:

Jane Marie Doggett, of Montana, to be a Member of the National Council on the Humanities for a term expiring January 26, 2022.

Diane Suzette Harris, of Utah, to be a Member of the National Council on the Humanities for a term expiring January 26, 2022.

Virginia Johnson, of New York, to be a Member of the National Council on the Arts for a term expiring September 3, 2020.

Sylvia Orozco, of Texas, to be a Member of the National Council on the Arts for a term expiring September 3, 2022.

Wilfredo Martinez, of Florida, to be a Member of the Board of Directors of the State Justice Institute for a term expiring September 17, 2019.

Glenn Fine, of Maryland, to be Inspector General, Department of Defense.

Brent Franklin Nelsen, of South Carolina, to be a Member of the Board of Directors of the Corporation for Public Broadcasting for a term expiring January 31, 2022.

Jeffrey DeLaurentis, of New York, to be Ambassador to the Republic of Cuba.

1 Air Force nomination in the rank of general.

1 Navy nomination in the rank of admiral.

Page S6248

Messages from the House:

Page S6222

Measures Referred:

Page S6222

Measures Read the First Time: Pages S6222, S6245

Executive Communications:

Pages S6222–25

Petitions and Memorials:

Page S6225

Executive Reports of Committees:

Page S6225

Additional Cosponsors:

Pages S6227–29

Statements on Introduced Bills/Resolutions:

Pages S6229–44

Additional Statements:

Pages S6214–22

Amendments Submitted:

Pages S6244–45

Authorities for Committees to Meet:

Page S6245

Privileges of the Floor:

Page S6245

Record Votes: Four record votes were taken today. (Total—151)

Pages S6173, S6182, S6183

Adjournment: Senate convened at 9:30 a.m. and adjourned at 7:31 p.m., until 10 a.m. on Thursday,

September 29, 2016. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S6245.)

## Committee Meetings

(Committees not listed did not meet)

### BUSINESS MEETING

*Committee on Agriculture, Nutrition, and Forestry:* Committee ordered favorably reported the nominations of Christopher James Brummer, of the District of Columbia, and Brian D. Quintenz, of the District of Columbia, both to be a Commissioner of the Commodity Futures Trading Commission.

### NORTH KOREA

*Committee on Foreign Relations:* Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy concluded a hearing to examine the persistent threat of North Korea and developing an effective United States response, after receiving testimony from Daniel Russel, Assistant Secretary, Bureau of East Asia and Pacific Affairs, and Daniel Fried, Coordinator for Sanctions Policy, both of the Department of State.

### REFUGEE RESETTLEMENT PROGRAM OVERSIGHT

*Committee on the Judiciary:* Subcommittee on Immigration and the National Interest concluded an oversight hearing to examine the Administration's fiscal year 2017 refugee resettlement program, after receiving testimony from Simon Henshaw, Principal Deputy Assistant Secretary of State, Bureau of Population, Refugees and Migration; Leon Rodriguez, Director, Citizenship and Immigration Services, Department of Homeland Security; and Robert Carey, Director, Office of Refugee Resettlement, Administration for Children and Families, Department of Health and Human Services.

# House of Representatives

## Chamber Action

Public Bills and Resolutions Introduced: 101 public bills, H.R. 6195–6295; 1 private bill, H.R. 6296; and 30 resolutions, H.J. Res. 99–101; H. Con. Res. 165–170; and H. Res. 898–900, 902–920 were introduced.

Pages H6098–H6104

Additional Cosponsors:

Pages H6108–09

Reports Filed: Reports were filed today as follows:

Committee on Ethics. In the matter of Allegations Relating to Representative David McKinley (H. Rept. 114–795);

H.R. 2261, to facilitate the continued development of the commercial remote sensing industry and

protect national security, with an amendment (H. Rept. 114–796);

H.R. 2263, to rename the Office of Space Commerce and for other purposes (H. Rept. 114–797);

H.R. 5311, to improve the quality of proxy advisory firms for the protection of investors and the U.S. economy, and in the public interest, by fostering accountability, transparency, responsiveness, and competition in the proxy advisory firm industry, with an amendment (H. Rept. 114–798);

H.R. 5429, to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders (H. Rept. 114–799);

H. Res. 901, providing for consideration of the Senate amendment to the bill (H.R. 5325) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, and for other purposes (H. Rept. 114–800)

H.R. 4092, to reauthorize the sound recording and film preservation programs of the Library of Congress, and for other purposes (H. Rept. 114–703, Part 1); and

H.R. 5227, to authorize the National Library Service for the Blind and Physically Handicapped to provide playback equipment in all forms, to establish a National Collection Stewardship Fund for the processing and storage of collection materials of the Library of Congress, and to provide for the continuation of service of returning members of Joint Committee on the Library at beginning of a Congress (H. Rept. 114–706, Part 1). **Page H6098**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Duncan (TN) to act as Speaker pro tempore for today. **Page H6005**

**Recess:** The House recessed at 11:02 a.m. and reconvened at 12 noon. **Page H6012**

**Guest Chaplain:** The prayer was offered by the Guest Chaplain, Reverend Gene Hemrick, St. Josephs Catholic Church, Washington, DC. **Page H6012**

**Journal:** The House agreed to the Speaker's approval of the Journal by voice vote. **Page H6012**

**Justice Against Sponsors of Terrorism Act—Presidential Veto:** Read a message from the President where he announced his veto of S. 2040, to deter terrorism, and provide justice for victims, and explains his reasons therefor. **Pages H6023–32**

Subsequently, the House voted to override the President's veto of S. 2040, to deter terrorism, and provide justice for victims, by a yea-and-nay vote of 348 yeas to 77 nays with 1 answering "present", Roll No. 564 (two-thirds of those present voting to override). **Page H6032**

**Suspension:** The House agreed to suspend the rules and pass the following measure:

*Designating the community-based outpatient clinic of the Department of Veterans Affairs in Pueblo, Colorado, as the "PFC James Dunn VA Clinic":* S. 3283, to designate the community-based outpatient clinic of the Department of Veterans Affairs in Pueblo, Colorado, as the "PFC James Dunn VA Clinic", by a  $\frac{2}{3}$  yea-and-nay vote of 423 yeas with none voting "nay" and 1 answering "present", Roll No. 567. **Pages H6034–35**

**Water Resources Development Act of 2016:** The House passed H.R. 5303, to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, by a recorded vote of 399 yeas to 25 noes, Roll No. 572. Consideration began yesterday, September 27th. **Pages H6016–21, H6033–39, H6040–58**

Rejected the DeFazio motion to recommit the bill to the Committee on Transportation and Infrastructure with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 181 yeas to 243 noes, Roll No. 571. **Pages H6055–57**

Agreed to:

Byrne amendment (No. 1 printed in H. Rept. 114–794) that directs the Secretary to coordinate with all Gulf States on developing an oyster bed recovery assessment for beds that were damaged due to Hurricane Katrina, Deepwater Horizon and recent floods, adopting a modified version of the Senate passed text; **Page H6036**

Crawford amendment (No. 2 printed in H. Rept. 114–794) that clarifies the Water Infrastructure Finance and Innovation Act (WIFIA) to make eligible alternative water delivery projects aimed at reducing aquifer depletion and makes a technical modification that ensures WIFIA financing arrangements take into account the total cost of the project; **Pages H6036–37**

Culberson amendment (No. 3 printed in H. Rept. 114–794) that directs the Secretary to expedite the Brays Bayou flood mitigation project authorized by item 6 in section 211(f) of the Water Resources Development Act of 1996; **Page H6037**

Farenthold amendment (No. 4 printed in H. Rept. 114–794) that provides that no new start or new investment decision shall be required to initiate work on a separable element of an authorized project when contraction of one or more separable elements of that project was initiated previously; it shall be considered ongoing work and it should be considered continuation of the fully authorized project; **Pages H6037–38**

Sam Johnson (TX) amendment (No. 5 printed in H. Rept. 114–794) that requires the EPA and Army Corps of Engineers to issue the final federal permit for the Lower Bois d' Arc Creek Reservoir Project no later than September 30, 2017; **Pages H6038–39**

Ribble amendment (No. 6 printed in H. Rept. 114–794) that provides that in carrying out the design, construction, maintenance, repair, and rehabilitation of water resources development projects, including flood risk reduction, coastal resiliency, and ecosystem restoration projects, the Secretary shall ensure that appropriate consideration is given to the use of natural and nature-based features; **Page H6039**

Rogers (KY) amendment (No. 7 printed in H. Rept. 114–794) that clarifies that requirements imposed on floating cabins used in the Cumberland River Basin cannot be different or more stringent than the requirements imposed on all recreational vessels authorized for use in the Basin; **Page H6040**

Rouzer amendment (No. 8 printed in H. Rept. 114–794) that directs the Army Corps of Engineers to work with state officials to establish a no wake zone in federal navigation channels when certain criteria are met; **Pages H6040–41**

Meng amendment (No. 9 printed in H. Rept. 114–794) that allows the Army Corps of Engineers to pursue projects and technologies that prevent and mitigate flood damages associated with ice jams (chunks of ice floating on a river that catch on an obstruction such as a bridge piling, rocks, logs, etc., pile up to form an ice dam, and cause flooding upstream from the blockage, and then possibly downstream again when the ice finally releases); **Page H6041**

Moore amendment (No. 10 printed in H. Rept. 114–794) that calls for the Army Corps to conduct a review of its tribal consultation policies and regulations; provides that the Army Corps shall provide for public meetings with Indian tribes and other stakeholders and provide a report to Congress on the results of the 3 review; **Pages H6042–44**

Peters amendment (No. 11 printed in H. Rept. 114–794) that directs the Secretary to design and develop a structural health monitoring program to assess and improve the condition of infrastructure constructed and maintained by the Corps of Engineers, including research, design, and development of systems and frameworks for response to flood and earthquake events; pre-disaster mitigation measures; lengthening the useful life of the infrastructure; and identifying risks due to sea level rise; **Page H6044**

Quigley amendment (No. 12 printed in H. Rept. 114–794) that expedites the completion of the project for flood control, Chicagoland Underflow Plan, Illinois, phase 2; **Pages H6044–45**

Vela amendment (No. 13 printed in H. Rept. 114–794) that directs the Secretary of the Army to release the interests of the United States in certain tracts of land located in Cameron County, Texas, and for other purposes; **Pages H6045–46**

Huizenga (MI) amendment (No. 14 printed in H. Rept. 114–794) that makes permanent a set aside of Army Corps priority funding for the Great Lakes; **Pages H6046–47**

Bridenstine amendment (No. 16 printed in H. Rept. 114–794) that strengthens language requiring a feasibility study of Tulsa and West Tulsa levees; prioritizes the project if study classifies levee or levee system Class I or Class II; **Pages H6048–49**

Courtney amendment (No. 17 printed in H. Rept. 114–794) that removes a breakwater in Stonington, Connecticut as a federally authorized project; **Page H6049**

Newhouse amendment (No. 18 printed in H. Rept. 114–794) that directs the Chief of Engineers to transfer the human remains commonly known as the Kennewick Man or the Ancient One to the Washington State Department of Archeology and Historic Preservation, on the condition that the Department disposes of the remains and repatriates the remains to the claimant tribes; **Pages H6050–51**

Joyce amendment (No. 15 printed in H. Rept. 114–794) that amends the Clean Water Act to reauthorize the Great Lakes Restoration Initiative (by a recorded vote of 407 ayes to 18 noes, Roll No. 569); and **Pages H6047–48, H6054–55**

Kildee amendment (No. 19 printed in H. Rept. 114–794) that authorizes the Secretary to provide additional assistance under section 219 of the Water Resources Development Act of 1992 for certain communities for the repair or replacement of public and private infrastructure in any State for which the President has declared an emergency under the Stafford Act as a result of the presence of chemical, physical, or biological constituents, including lead or other contaminants in the eligible system (by a recorded vote of 284 ayes to 141 noes with 1 answering “present”, Roll No. 570). **Pages H6051–54, H6055**

Rejected:

Graves (LA) amendment (No. 10 printed in H. Rept. 114–790) that was debated on September 27 that sought to allow the non-federal interest to execute a project or project component when they determine that it can be done at lower cost and/or faster time; directs 20% of money saved back to treasury, and the rest to other corps projects (by a recorded vote of 190 ayes to 233 noes, Roll No. 568). **Page H6035**

H. Res. 897, the rule providing for further consideration of the bill (H.R. 5303) and providing for consideration of the bill (H.R. 6094) was agreed to



by a recorded vote of 234 ayes to 191 noes, Roll No. 566, after the previous question was ordered by a yea-and-nay vote of 242 yeas to 183 nays, Roll No. 565.

**Pages H6033–34**

Expressing concern over the disappearance of David Sneddon: The House agreed to discharge from committee and agree to H. Res. 891, expressing concern over the disappearance of David Sneddon.

**Pages H6058–59**

**Recess:** The House recessed at 7:33 p.m. and reconvened at 8:30 p.m.

**Page H6070**

**Legislative Branch Appropriations Act, 2017:** The House agreed to the Rogers (KY) motion to concur in the Senate amendment to H.R. 5325, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2017, by a yea-and-nay vote of 342 yeas to 85 nays, Roll No. 573.

**Pages H6070–94**

H. Res. 901, the rule providing for consideration of the Senate amendment to the bill (H.R. 5325) was agreed to by voice vote, after the previous question was ordered without objection.

**Page H6070**

**Regulatory Relief for Small Businesses, Schools, and Nonprofits Act:** The House passed H.R. 6094, to provide for a 6-month delay in the effective date of a rule of the Department of Labor relating to income thresholds for determining overtime pay for executive, administrative, professional, outside sales, and computer employees, by a yea-and-nay vote of 246 yeas to 177 nays, Roll No. 574.

**Page H6095**

H. Res. 897, the rule providing for further consideration of the bill (H.R. 5303) and providing for consideration of the bill (H.R. 6094) was agreed to by a recorded vote of 234 ayes to 191 noes, Roll No. 566, after the previous question was ordered by a yea-and-nay vote of 242 yeas to 183 nays, Roll No. 565.

**Pages H6033–34**

**Directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 5325:** The House agreed to take from the Speakers table and agree to S. Con. Res. 53, directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 5325.

**Page H6096**

**Adjournment Resolution:** The House agreed to H. Con. Res. 166, providing for an adjournment of the House of Representatives.

**Page H6096**

**Meeting Hour:** Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 10:30 a.m. on Friday, September 30, unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 166, in which case the House shall stand adjourned pursuant to that concurrent resolution.

**Page H6096**

**Senate Messages:** Messages received from the Senate today appears on pages H6039–40 and H6069.

**Quorum Calls Votes:** Five yea-and-nay votes and six recorded votes developed during the proceedings of today and appear on pages H6032, H6033, H6033–34, H6034–35, H6035, H6054–55, H6055, H6057, H6057–58, H6094, H6095. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and at 10:24 p.m., the House stands adjourned until 10:30 a.m. on Friday, September 30, 2016, unless it sooner has received a message from the Senate transmitting its adoption of H. Con. Res. 166, in which case the House shall stand adjourned pursuant to that concurrent resolution.

## *Committee Meetings*

### **DEPARTMENT OF DEFENSE LABORATORIES: INNOVATION THROUGH SCIENCE AND ENGINEERING IN SUPPORT OF MILITARY OPERATIONS**

*Committee on Armed Services:* Subcommittee on Emerging Threats and Capabilities held a hearing entitled “Department of Defense Laboratories: Innovation through Science and Engineering in Support of Military Operations”. Testimony was heard from Philip Perconti, Acting Director, U.S. Army Research Laboratory; Jeffery P. Holland, Director, Engineer Research and Development Center, U.S. Army Corps of Engineers, Waterways Experiment Station; Edward R. Franchi, Acting Director of Research, Naval Research Laboratory; and Major General Robert D. McMurry, USAF, Commander, Air Force Research Laboratory.

### **SEMI-ANNUAL TESTIMONY ON THE FEDERAL RESERVE’S SUPERVISION AND REGULATION OF THE FINANCIAL SYSTEM**

*Committee on Financial Services:* Full Committee held a hearing entitled “Semi-Annual Testimony on the Federal Reserve’s Supervision and Regulation of the Financial System”. Testimony was heard from Janet Yellen, Chair of the Board of Governors, Federal Reserve System.

### **THE IMPACT OF US–EU DIALOGUES ON U.S. INSURANCE MARKETS**

*Committee on Financial Services:* Subcommittee on Housing and Insurance held a hearing entitled “The Impact of US–EU Dialogues on U.S. Insurance Markets”. Testimony was heard from Michael McRaith, Director, Federal Insurance Office, Department of the Treasury; Tom Sullivan, Senior Advisor, Board of Governors, Federal Reserve System; and Julie Mix

McPeak, Commissioner, Tennessee Department of Commerce and Insurance.

## OVERSIGHT OF THE FEDERAL BUREAU OF INVESTIGATION

*Committee on the Judiciary:* Full Committee held a hearing entitled “Oversight of the Federal Bureau of Investigation”. Testimony was heard from James Comey, Director, Federal Bureau of Investigation.

## CYBERSECURITY: ENSURING THE INTEGRITY OF THE BALLOT BOX

*Committee on Oversight and Government Reform:* Subcommittee on Information Technology held a hearing entitled “Cybersecurity: Ensuring the Integrity of the Ballot Box”. Testimony was heard from Andy Ozment, Assistant Secretary for Cybersecurity and Communications, Department of Homeland Security; Thomas Hicks, Chairman, U.S. Election Assistance Commission; Brian P. Kemp, Secretary of State, State of Georgia; and public witnesses.

## SENATE AMENDMENT TO LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2017

*Committee on Rules:* Full Committee held a hearing on a Senate amendment to H.R. 5325, the “Legislative Branch Appropriations Act, 2017”. The committee granted, by voice vote, a rule that provides for the consideration of the Senate amendment to H.R. 5325. The rule makes in order a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment to H.R. 5325. The rule waives all points of order against consideration of the motion. The rule provides that the Senate amendment and the motion shall be considered as read. The rule provides one hour of debate on the motion equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. Testimony was heard from Chairman Rogers of Kentucky, and Representatives Lowey, Jordan, Meadows, and Babin.

## DEPARTMENT OF VETERANS AFFAIRS LEASES: IS THE VA OVER-PAYING FOR LEASED MEDICAL FACILITIES?

*Committee on Transportation and Infrastructure:* Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing entitled “Department of Veterans Affairs Leases: Is the

VA Over-Paying for Leased Medical Facilities?”. Testimony was heard from Rebecca Shea, Acting Director, Physical Infrastructure, Government Accountability Office; James M. Sullivan, Director of Asset Enterprise Management, Department of Veterans Affairs; and Chris Wisner, Assistant Commissioner for Leasing, Public Buildings Service, General Services Administration.

## HEALTH CARE FRAUD INVESTIGATIONS

*Committee on Ways and Means:* Subcommittee on Oversight held a hearing on health care fraud investigations. Testimony was heard from Abhijit Dixit, Special Agent, Office of Investigations, Office of Inspector General, Department of Health and Human Services; Barbara McQuade, U.S. Attorney, Eastern District of Michigan; and a public witness.

## Joint Meetings

No joint committee meetings were held.

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## COMMITTEE MEETINGS FOR THURSDAY, SEPTEMBER 29, 2016

(Committee meetings are open unless otherwise indicated)

### Senate

*Committee on Foreign Relations:* to hold hearings to examine the regional impact of the Syria conflict, focusing on Syria, Turkey, and Iraq, 10 a.m., SD-419.

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Regulatory Affairs and Federal Management, to hold hearings to examine understanding the Millennial perspective in deciding to pursue and remain in Federal employment, 10 a.m., SD-342.

### House

*Committee on Financial Services,* Full Committee, hearing entitled “Holding Wall Street Accountable: Investigating Wells Fargo’s Opening of Unauthorized Customer Accounts”, 10 a.m., 2128 Rayburn.

*Committee on the Judiciary,* Subcommittee on Regulatory Reform, Commercial and Antitrust Law, hearing entitled “Ongoing Oversight: Monitoring the Activities of the Justice Department’s Civil, Tax and Environment and Natural Resources Divisions and the U.S. Trustee Program”, 10 a.m., 2237 Rayburn.

*Committee on Science, Space, and Technology,* Subcommittee on Research and Technology, hearing entitled “Academic Research Regulatory Relief: A Review of New Recommendations”, 10 a.m., 2318 Rayburn.

*Next Meeting of the SENATE*

10 a.m., Thursday, September 29

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10:30 a.m., Friday, September 30

## Senate Chamber

**Program for Thursday:** Senate will be in a period of morning business.

## House Chamber

**Program for Friday:** House will meet in Pro Forma session at 10:30 a.m.

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