



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 163

WASHINGTON, WEDNESDAY, JULY 19, 2017

No. 122

## House of Representatives

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

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
July 19, 2017.

I hereby appoint the Honorable BRUCE WESTERMAN to act as Speaker pro tempore on this day.

PAUL D. RYAN,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 11:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

### FIGHTING FOR IMMIGRATION POLICIES

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

Mr. GUTIÉRREZ. Mr. Speaker, it looks almost certain that the Trump administration is going to take about 1.2 million immigrants who currently have documents issued by the U.S. Government and turn them into undocumented immigrants. They have work permits and pay their full share of taxes. They are covered by U.S. labor laws and are not undercutting

the wages, well-being, and livelihood of native-born American workers.

For all intents and purposes, they are documented workers in the U.S., and many have been here for more than two decades. Nevertheless, the more than 400,000 with temporary protected status, or TPS, and 800,000 with Deferred Action for Childhood Arrivals, or DACA, could be made undocumented in the coming weeks and in the month of September.

Then, once they are categorized as undocumented, President Trump will unleash ICE and Homeland Security to go after them so they can be deported.

There are 800,000 young people who went through a thorough background check and have been complying with the rules of the DACA program for almost 5 years. They were brought here as children and grew up in the United States, went to our schools, played sports with our kids, and they speak English probably as well as you and I.

They came forward, as they were told to, and we actually reduced the population of undocumented immigrants, got people on the books, and were able to redeploy our resources elsewhere.

Now it appears that the leaders in the Republican Party who do not like the idea of so many immigrants having legal status are giving the President an ultimatum: deport the DREAMers, or we will sue.

The Governor of Texas, who is leading the charge, has a very sympathetic judge, and it is up to Jeff Sessions to put up a fight, when he himself has been trying to kill legal status for immigrants for years.

So, practically speaking, between ending DACA and ending TPS, we are going to dump about 1.2 million people into the pool of 10 million to 11 million people who are living and working here under the radar, outside of legal protections, and without any way to become legal.

So this Saturday, in Chicago, at 2 p.m., at Lincoln United Methodist

Church on Damen, we are going to get together and organize ourselves to fight back. Yes, there will be legislation from Democrats and even Republicans to fight back. There will be court cases to fight back, even if the Attorney General does nothing, which we fully expect him to do. But fighting for DACA and fighting to keep millions of people in this country who have put down roots and built lives here is going to be a people's fight, and the effort to find ways to protect families and to cope with more than a million people being pushed into the black market requires us to organize in every community across the Nation.

It is up to us to teach each other how we will resist this latest insult in our congregations, churches, universities, cities, and neighborhoods throughout the Nation. Immigrants or people who have DACA or TPS cannot do this on their own, but they need to be part of a coalition that fights back.

Teachers who work with kids every day and bear witness to the fears students face every day about their parents and families can't do this alone. They need to be part of a coalition that comes together to resist.

Employers will face a choice: whether they are just going to roll over while employees are ruled ineligible and work documents are terminated, or to stand with us and stand with their workers and fight for them.

So, if you marched with your pink hat at the Women's March, I am asking you now, on behalf of immigrants and the very future of immigration, to stand with us. If you marched for science or the environment, if you have joined us in protesting bathroom laws and discrimination in all its forms, your brothers and sisters need you now.

At airports across the country, you stood up for refugees and said no to Trump's Muslim ban. We need you. Black Lives Matter, we need you, and, frankly, we need each other.

□ 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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People are going to peacefully stand up and fight for justice, common sense, and what is right. We need everyone to be there with us, helping us, walking with us. In Chicago, it starts this Saturday at 2 at Lincoln United Methodist Church in Pilsen.

The road ahead is not going to be very easy, but we have fought hard to win victories for our country, and for the DREAMers, who are the leading edge of our movement to make immigration legal again in this country.

Now is the time. We need your help to protect families and communities and to do what is right. We cannot do it alone.

#### RECOGNIZING MADE IN PENNSYLVANIA COMPANIES

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to speak about American craftsmanship as the White House celebrates "Made in America Week."

American entrepreneurs, workers, farmers, and innovators have built this country and drive our country. They are the heart of this Nation, and they ensure that the "Made in the USA" label means quality and value, which is something we treasure.

Pennsylvania has a rich history of being a manufacturing leader, especially our storied Pennsylvania steel. The Commonwealth has been an important cog in the wheel of this country's industrial revolution, thanks to industries like iron, coal, and lumber, in addition to steel.

Our Pennsylvania farmers have fed, and continue to feed, generations of Americans, providing safe, nutritious food for all of our neighbors. This rich history continues today.

The Fifth Congressional District is home to numerous producers that have made vital contributions to our prosperity. They have employed American workers, produced American products, and grown American crops. From heritage companies to newer, rising stars, we have a wide cross-section of products produced in the Pennsylvania's Fifth Congressional District.

Brookville Equipment Corporation in Jefferson County is the leading American manufacturer of diesel locomotive engines, street trolleys, and mining machinery. Brookville's mass transit resume includes fully refurbishing streetcars for New Orleans, Philadelphia, and San Francisco.

Since 1889, W.R. Case & Sons Cutlery Company has been fashioning handcrafted pocketknives and sporting knives in McKean County. Zippo Manufacturing Company, makers of the world famous Zippo windproof lighter, owns Case knives today. Zippo is another family-owned business based in Bradford since 1936.

Clarion Industries has two divisions in Clarion County: Clarion Boards,

which produces high-quality fiberboard used to manufacture products such as laminate flooring, furniture, fixtures, cabinetry, and moldings; and Clarion Laminates, the only "Made in the USA" flooring manufacturer of its kind.

Emporium Powdered Metal, Inc., in Cameron County, is a powdered metal manufacturer staffed with more than 120 years of combined experience.

Welch's, in Erie County, is particularly known for its grape juices, jams, and jellies made from dark Concord grapes and its white Niagara grape juice.

Clearfield Machine Company has been producing custom machining since 1868 in Clearfield County.

Since 1830, the Woolrich name has stood for the best in sportswear for men and women, and it continues to make outerwear that combines comfort and function in Woolrich, Pennsylvania.

GE Transportation is an American manufacturing giant. The organization manufactures equipment for the railroad, marine, mining, drilling, and energy generation industries in Erie County.

Major leaguers have been swinging our fine Pennsylvania hardwoods, thanks to Jefferson County company BWP Bats. BWP's slogan is "Built With Pride."

Huntingdon County's Bonney Forge has a state-of-the-art forge facility capable of manufacturing our entire line of forged steel fittings and forged steel valve products since 1875.

DiamondBack Truck Covers is a company two Penn State students started in their garage in 2003. They make heavy-duty, utility-oriented, diamond plate aluminum truck bed covers for pickup trucks in Philipsburg, Pennsylvania, in Centre County.

Domtar Paper Company in Elk County is the largest integrated producer of uncoated freesheet paper in North America, and the second largest in the world, based on production and capacity.

Pul-A-Pump of PA, Inc., in Potter County, manufactures portable pump pulling machines for those in need of water well technology, with a unique dual traction belt design that is second to none.

Whirley Industries Incorporated in Warren County designs, develops, and produces products for the food and beverage industry.

Centre County also boasts many new rising stars in high-tech industries, including KCF Technologies, a dynamic technology company that develops and commercializes products for industry and the military.

Mr. Speaker, this is just a sample of the manufacturers who employ our friends, families, and neighbors in the Fifth Congressional District of Pennsylvania. These companies, and many others, produce quality, American-made products, and we could not be more proud to celebrate them during

"Made in America Week." Congratulations, and keep up the great work.

#### REPUBLICAN BUDGET

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

Mr. DEFAZIO. Mr. Speaker, one of my colleagues came to the floor this morning and said: It kind of smells like bacon in here. I said: That is because the Republicans are cooking their budget just off the floor. That is what they are doing. They are cooking up a budget with cooked books.

Here we are with a national debt of nearly \$20 trillion and the highest priority on the Republican side of the aisle—reflected both in their so-called healthcare bill, which was actually tax cuts only for people who earned over \$250,000 a year—is tax cuts for people who earn over \$250,000 a year, particularly targeted toward those in the top one-tenth of 1 percent—those who earn millions of dollars a year.

They say that is the cure for all of America's ills: just cut their taxes, and the benefits will trickle down onto all the rest of us. I think a lot of people don't much like to be trickled on in that manner.

What are the priorities, other than tax cuts, in their budget? A massive increase in spending at the Pentagon.

Remember, the Pentagon is the only agency of the Federal Government that is unauditible. That is right. Every year, every agency of the government is subject to an audit, but not the Pentagon. They say: Hey, we can't be audited. The books are a mess. We can't be audited.

Last fall, there was a report that \$125 billion went missing from the Pentagon budget. The Pentagon attempted to repress that report. God forbid we should bring any fiscal accountability to the Pentagon. They are just going to shower more money on them, in the hope that some of it gets spent on the real needs of the military. But there is no sense of responsibility there.

How are they going to get to their illusory balanced budget if they are having massive tax cuts for the wealthiest among us and massive increases in spending at the Pentagon, with no fiscal accountability?

Well, simple. We are just going to cut the programs that average and struggling Americans depend upon, like student financial aid. They don't know anybody at the country club whose kids need help going to college. So those programs get cut. Hungry kids? They have never met one. Never met a hungry kid. So let's cut the school lunch program again, and let's cut food stamps for families.

But they are breaking some new ground here and breaking some of the President's promises. The President promised he would not cut Medicare. Well, their proposed budget cuts Medicare. Yes, it cuts Medicare. It would cut \$500 billion out of Medicare. It assumes that, instead of getting a guaranteed benefit, an earned benefit that

every American over 65 can have, you will get vouchers, and you can go into the private insurance market and do better. It sounds a little bit like the failing ObamaCare plan that they talk about all the time. Now they want to put seniors in that same boat, instead of guaranteed Medicare.

Then, of course, \$1.5 trillion cuts in Medicaid. That is welfare. Well, actually, the largest recipients of Medicaid are seniors in long-term care. A lot of people are going to be surprised when grandma or granddad is out in the street or comes home and needs a lot of help and assistance and there is none to be had.

□ 1015

So that is the largest group.

Now, what is the second largest group of freeloaders on Medicaid?

Oh, it is kids. God forbid that kids should get medical help when they are growing up. Let's have them long-term, lifetime disabled. Deny them medical care when they are young and we will just worry about all that later. This is quite a set of priorities they are putting before us and fiscally irresponsible.

So as I have in past years, I am introducing a fiscally responsible balanced budget amendment to the Constitution, not like the Republican one that said you have to have two-thirds to increase taxes and one vote to cut taxes, no. This one would say you have to balance the budget, but you do it by prudent reductions in spending, and also you have to deal with the revenue side. And, oh, by the way, mine protects Medicare and Social Security totally from these sorts of cuts. It makes them into the entitlement programs they are supposed to be that the Republicans want to do away with in their budget.

So I think there is a better way to go forward, but just like in their fake healthcare bill, which was really disguised tax cuts for the wealthiest among us, they are now giving us a supposedly prudent fiscal budget blueprint, which, again, is huge tax cuts for the wealthy, massive increases for the Pentagon and cuts for everybody else.

#### DEATH OF THE CONSERVATIVE AGENDA

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

Mr. BROOKS of Alabama. Mr. Speaker, our Republican Senate majority is killing our conservative agenda, our Republican agenda, and President Trump's agenda. The murder weapon is the Senate filibuster rule, an archaic accident of history created during the days of horse-and-buggy and slavery.

The filibuster rule destroys the basic democratic principle of majority rule and obstructs passage of legislation unless a 60 percent supermajority of Senators agree. While today's 52-Senator Republican majority can abolish the filibuster rule anytime it wants, so

long as the filibuster rule is in place, Republicans can pass nothing without the consent of CHUCK SCHUMER and the Democrats.

Think about it. Our Republican Senate majority has abdicated control and empowered CHUCK SCHUMER and the Democrat minority to obstruct the will of the Republican House, obstruct the will of the Republican Senate majority, obstruct the will of President Trump, and obstruct the will of the tens of millions of American voters who send us to Washington.

That is political suicide and an abject betrayal of the millions of American voters who sent us here.

There will be no border wall because our Republican Senators empower Democrats to kill it. There will be no ObamaCare repeal because our Republican Senators empower Democrats to stop us. America's out-of-control deficits and debts will cause a debilitating insolvency and bankruptcy that destroys an America it took generations of our ancestors to build because our Republican Senators empower Democrats to spend money we don't have, have to borrow to get, and cannot afford to pay back.

During 2015 and 2016, the House worked hard to address America's challenges. Over 500 of our bills never got so much as a single Senate floor vote. All that work wasted.

The Senate filibuster rule is not in the Constitution. It is not a Federal law or statute. It exists solely at the discretion of the Senate majority.

President Trump understands the filibuster rule and that it threatens the President's entire legislative agenda. On May 2, President Trump urged our Republican Senators to end the filibuster rule, stating: "Change the rules now to 51 percent."

On May 30, President Trump reiterated: "The U.S. Senate should switch to 51 votes immediately and get healthcare and tax cuts approved fast and easy. Dems would do it, no doubt."

President Trump's pleas have fallen on deaf ears. Exhibit A in this murder trial is an April 7 letter to CHUCK SCHUMER, of all people, and MITCH MCCONNELL that lists the accomplices, those deaf ears, who are killing the conservative agenda, the Republican agenda, and President Trump's agenda.

The letter states: "We . . . urge you to . . . preserve existing rules, practices, and traditions as they pertain to the right of Members to engage in extended debate on legislation before the United States Senate. . . . We are united in our determination to preserve the ability of Members to engage in extended debate when bills are on the Senate floor."

Each Senator on exhibit A empowers CHUCK SCHUMER and the Democrats to kill President Trump's agenda. Remarkably, even an Alabama Senator supports killing President Trump's agenda.

Mr. Speaker, Republican Senators claim we need the filibuster to play de-

fense when Democrats control the Senate. I submit that claim is myopic and shortsighted. In the past 90 years, Republicans have not had a single filibuster-proof Senate, while Democrats enjoyed filibuster-proof Senates in the 1930s, the 1960s, and in 2009. In those years, Democrats passed ObamaCare and forced great society welfare programs on us that busted our budgets, destroyed the work ethic, broke up American families, and threatened America with a national insolvency.

Over the long haul and because of the filibuster, Democrats force their leftist, socialist policies down America's throats, while Republicans never have the power to reverse the damage done.

That is the Senate filibuster legacy.

Mr. Speaker, time is running out. America's future is at stake. Now is not the time to play procedural games. I agree with President Trump.

Senate: End the filibuster.

#### VOTE ON LIFESAVING LEGISLATION

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

Ms. KELLY of Illinois. Mr. Speaker, I rise, yet again, to beg this House for action. Let us have a vote on lifesaving legislation.

Just this weekend, 57 Americans were shot in just one U.S. city. Tragically, 11 of them passed away, including a 10-year-old boy and a revered community activist who worked to create jobs for at-risk kids.

The violence did not take a rest after the weekend. On Monday, 13 more people were shot and 3 were killed.

Mr. Speaker, what are we doing here?

People, Americans, American kids are dying every day in every community, in every State, in every district, yet this House, the people's House, continues to do nothing.

Why, Mr. Speaker? Why is that?

Well, I think greed and dollars.

My 101st victim I want to share with you is Gustavo Garcia, who was 10 years old. Mr. Speaker, Gustavo would have turned 11 next month. He would have started fourth grade at Arnold Mireles Academy next month. Instead, he was murdered in the back seat of an SUV by an assault weapon, a weapon of war that this House has allowed to be legal and spill blood on our city streets.

These weapons have one purpose: killing people. They are not for sportsmanship. They are not for personal defense. They are for theaters of war. They are designed to devastate, maim, kill, and destroy. That is why assault weapons were banned from our streets until this House, poisoned by NRA dollars, allowed the bill to expire.

Mr. Speaker, Gustavo Garcia was 10 years old. He had an entire lifetime ahead of him. Mr. Speaker, the operative word in that sentence is "had." Now he has become "Dollar NRA No. 101."

\$102, William “Willie” Cooper, who was 58 years old. Willie was working to change Chicago and give our children a future. He founded the Lilydale Outreach Workers for a Better Community and helped mediate more than 50 conflicts that could have turned deadly.

Willie was everything you could want in a neighbor, a community leader, and a friend. He was kind, concerned about others in his community, someone who truly loved all of his fellow men. Now he is “\$102.” He was assassinated also with an assault weapon in front of the nonprofit he founded to help young people find jobs.

Time and time again I hear from the other side of the aisle that work is transformative, it gives people purpose and direction in life. I could not agree more.

Mr. Speaker, nothing stops a bullet like an opportunity. What Chicago needs is jobs for our young people, not guns flooding from States like Wisconsin and even the Vice President’s home State of Indiana.

Mr. Speaker, it is about jobs. So I join Senators DICK DURBIN and TAMMY DUCKWORTH to introduce three pieces of legislation directly targeted to support at-risk youth and the amazing businesses that take a chance on them to change their lives. To date, these bills have simply been referred to committee.

Mr. Speaker, when is the agenda of this House going to turn to the actual issues devastating American families?

This Congress has voted to allow companies to poison our air and water. We passed a bill that stripped 23 million Americans of their health insurance. We even passed a bill that lets dangerously mental ill people buy a firearm. Shameful.

We have not had one single debate, not passed one bill, nothing, zero, zilch, to save American lives. I guess some things just aren’t worth the price.

#### RECOGNIZING THE LIFE OF COLONEL THOMAS KUNKEL

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Colonel Thomas Kunkel, who retired on July 10, 2017, as the commander of the 23rd Wing at Moody Air Force Base, near Valdosta, Georgia.

Colonel Kunkel has served in the United States Air Force for over 20 years, and he has logged nearly 3,000 hours of flight. As commander of the 23rd Wing, he led over 5,000 airmen spread over four bases throughout the country.

An example of his extraordinary leadership and bravery occurred when one of his fellow airmen was shot down behind enemy lines during the Kosovo conflict in 1999. Colonel Kunkel bravely led a successful mission to rescue the missing pilot that was shot down by a missile.

Colonel Kunkel was also a part of the Air and Joint Staffs in Washington, D.C., that serve as advisers to the President of the United States.

He was stationed all over America, in addition to his time abroad in Iceland and Qatar, defending the freedoms we all greatly enjoy.

I am proud to rise today to honor Colonel Kunkel for his leadership, his commitment to our country, and his commitment to our airmen. Colonel Kunkel will now begin service in the Secretary of the Air Force Legislative Liaison Office here in Washington, D.C. I wish him all the best.

#### HONORING ERNIE LEE, STATE OF GEORGIA TEACHER OF THE YEAR

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Ernie Lee, who was named the 2016 Teacher of the Year for the State of Georgia.

Mr. Lee is a dedicated U.S. Government, civics, and history teacher to his students at Windsor Forest High School on Savannah’s south side.

After being named as Georgia’s Teacher of the Year, Mr. Lee was a finalist for National Teacher of the Year.

Before becoming a teacher in 2008, Mr. Lee practiced law for over 20 years. You can clearly tell through his demeanor and passion that he discovered his true calling when he began teaching.

Mr. Lee is currently working as a fellow at the Smithsonian Institute in Washington, D.C., studying the State of Georgia’s historical relationship with Indian Nations, specifically the Supreme Court case, *Cherokee Nation v. Georgia*.

His research during the fellowship is centered around writing and publishing lesson plans on the topic. I can’t thank Mr. Lee enough for his dedication to Georgia’s students and his ability to inspire them to learn about history and government.

#### RECOGNIZING THE LIFE OF JAMES P. BURNS

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize the life of Mr. James P. Burns of Warner Robins, Georgia, who passed away on April 31, 2017, shortly after celebrating his 100th birthday.

Mr. Burns used his 100 years to make his country and his community a better place to live. Mr. Burns served in the Army Air Corps and the United States Air Force from 1940 to 1960, fighting for his country during World War II and the Korean war.

After being honorably discharged from the Air Force, Mr. Burns worked another 16 years for the Department of Defense before retiring at Robins Air Force Base in Georgia.

Upon his retirement from the DOD, Mr. Burns and his wife, Lucille, dedicated their lives to helping fellow members of the south Georgia community. In his 20 years, Mr. Burns volunteered over 14,500 hours at the Houston Medical Hospital. When he wasn’t volunteering for the hospital, Mr. Burns could be found helping seniors do their

taxes or transporting food for the local food bank.

I am proud to recognize Mr. Burns’ life today and his dedication to the community. He will certainly be missed.

#### TASK FORCE ON DENYING TERRORISTS ENTRY INTO THE U.S.

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

Mr. GALLAGHER. Mr. Speaker, the liberation of Mosul from the Islamic State the other week was a major victory for the Iraqi people and for the United States, which supported the operation.

But to achieve victory in our broader mission of destroying radical Islamic terrorism and keeping the American people safe, we must confront some tough questions about the road ahead.

As chairman of the Task Force on Denying Terrorists Entry into the United States, I am concerned about the degree to which jihadists and foreign fighters threaten our homeland and our ability to meet these threats.

□ 1030

We know that Iraqi fighters are concealing their identities and fleeing with groups of refugees, many to Europe. These returning fighters have learned to make dangerous weapons, have gotten battlefield experience, and are successfully training young people susceptible to radicalization. We know our visa waiver program, which allows many European citizens to travel to the U.S. without a visa, provides a window of opportunity for these determined terrorists to exploit.

Confronting these threats lies in our ability to quickly and effectively vet and screen travelers, share sufficient intelligence with our allies, and act on credible threats when identified. And the threats are real.

Between 100 and 250 ideologically driven foreigners are thought to have been smuggled into Europe between 2014 and 2016. These foreign fighters pose a greater threat to the West than ever before; and for the sake of our national security, it is a threat we cannot overlook, and it is a threat we must work together to confront. Nothing can be put ahead of the safety and security of the homeland.

Thank you, Mr. Speaker.

#### THE ROLE OF CONGRESS IN PUSHING BACK AGAINST RUSSIA

Mr. GALLAGHER. Mr. Speaker, I rise today not as a Republican or a Democrat, but as an American. If we can really find a way to cut through the media circus surrounding the debate about Russia in the past few weeks, I think it would reinforce for all of us that whatever our political differences, our country must always come first.

Those who would destroy our way of life do not wear the jersey of one political party or another. The only laundry

they wear is the flag of their nation, whose interests they will advance regardless of domestic American politics.

And make no mistake, Mr. Speaker: Russia, under Vladimir Putin, is not our friend. He is on no one's team but his own.

There are concrete steps that we in Congress can take to push back against Russian aggression both here at home and overseas. To start with, we must pass sanctions on Russia and Iran. The Senate passed a sanctions bill 98-2 just 1 month ago. We need to do the same. No more excuses. We need to vote immediately.

Most of all, Congress must reclaim its long-neglected role in foreign policy. Russia is not and will never be a partner in Syria. It has supported and enabled the Assad regime's genocidal war while focusing much of its military campaign against U.S.-supported rebels.

At the same time, the growth of Iranian power has deepened the sectarian atmosphere off which ISIS thrives. ISIS and Iran are two sides of the same coin of religious fundamentalism.

To advance our long-term interests in Syria and in the Middle East, we must cease outsourcing our foreign policy to our adversaries, and we can no longer cede a sphere of influence to the Russians and the Iranians.

We here in Congress have a constitutionally mandated role to play. True, we have been derelict in this duty for decades, but we now have an opportunity to reclaim our authority.

As part of a congressionally led campaign to push back against our adversaries, we should revisit the underlying authorities that are allowing us to conduct lethal activities around the world. We need to pass a new Authorization for Use of Military Force to put our efforts against ISIS, against al-Qaida, against all of their affiliates and anyone else who would seek to challenge our interests on the strongest legal footing possible. We can't just sit on the sidelines. The part of passive spectator is unworthy of this great body.

We must lead when it comes to both enhancing our defenses against attacks and pushing back against Russian or Iranian aggression abroad. To do otherwise would be to abdicate our responsibility to our constituents, to our Nation, and to the oath we all took to protect this country.

**RECOGNIZING THE LIFE OF FALL-EN JACKSONVILLE SOLDIER, MARINE SERGEANT JOSEPH MURRAY**

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

Mr. RUTHERFORD. Mr. Speaker, today I rise in memory of Marine Sergeant Joseph Murray, who paid the ultimate sacrifice on July 12, 2017, when a KC-130 military transport plane crashed in the Mississippi Delta.

Sergeant Murray had lived in Jacksonville, Florida, since he was 10 years old and was a military dependent whose father was in the Navy for over 20 years. He was a Sandalwood High School graduate in the class of 2009, and joined the Marines that same year. He was stationed at Camp Lejeune, North Carolina.

Sergeant Murray was promoted three times in the first 3 years he was in the Marine Corps, and he was very proud of his two deployments to Afghanistan. He told his father he wanted to be a grunt instead of an intelligence officer because "that is the hardest thing to do." He died as a member of a special operations team, where his closest friends were the fellow marines who served next to him.

Sergeant Murray was a proud husband and father, with four children: a 5-year-old son, a 3-year-old daughter, and 1-year-old twin boys.

He met his wife, Gayle, the same year he joined the military, and he was a family man who loved to serve others. Gayle said that he would do anything for his family and loved to play his guitar for them. She said: "What he wanted most in the world, besides his family's happiness, was to destroy evil on Earth."

His father, Terry, stated the only thing stronger than his commitment to his family was his commitment to his church. In fact, he was known to hum praise and worship songs when he was on patrol, and his fellow servicemembers looked to him as a faith leader. A fellow marine mentioned: "When Joseph stopped that humming and singing praises, they took the safeties off their weapons because they thought something was up. All was well when Joseph was with them."

His father said: "The city of Jacksonville should be very proud to have had his son come from here."

I can attest today for the citizens of northeast Florida that we are very proud, very proud and honored to have had Sergeant Murray defending our freedoms. Sergeant Murray's dedication to his faith, family, and nation will always be remembered.

May God bless and keep you and your family.

Semper fi, Sergeant Murray.

#### A TOO-MUCH-IS-NOT-ENOUGH MENTALITY

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

Mr. AL GREEN of Texas. Mr. Speaker, I rise today to address the problem with TrumpCare.

The problem with TrumpCare is a too-much-is-not-enough mentality: a too-much-is-not-enough mentality that would cause some to be willing to sacrifice the needy to satiate the insatiable desires of the greedy; a too-much-is-not-enough mentality that would allow some to rob the needy of healthcare to reward the rich with

wealthcare—a too-much-is-not-enough mentality.

This too-much-is-not-enough mentality exists at a time, Mr. Speaker, when the very wealthy are doing very well in this country:

The big banks are banking big bucks. The healthcare industry is quite healthy. In fact, last year the industry's net income was up \$13.1 billion. That is 46 percent.

CEOs are doing quite well. The top 10 percent CEOs are raking in millions, annually. Let's look at the number one person on the top 10. This person had an income of \$98 million, up 499 percent.

Mr. Speaker, I don't begrudge people from making money. I don't begrudge people from making a lot of money. I do think that they should all pay a fair share of taxes on that money, however. Some of them pay carried interest, which is not the ordinary income tax that other people are paying.

Mr. Speaker, the too-much-is-not-enough mentality not only impacts the way people view healthcare, but it also impacts people who are making minimum wage. Juxtapose the person who made \$98 million last year with the person who is making \$7.25 an hour.

By the way, all minimum wage workers are making \$7.25 an hour except those who are in the service industry, and they make even less. \$7.25 an hour, the minimum wage has not been raised in a decade, more than 10 years. CEOs get raises of millions, annually.

Mr. Speaker, the too-much-is-not-enough mentality is keeping wages down, causing those at the top to make more and creating a chasm between the top and the bottom, and the middle as well; and in so doing, we have created a class ceiling—a class ceiling.

Those who are in the working class are not making enough to make ends meet. At \$7.25 an hour, you cannot afford to take care of a family. At \$7.25 an hour, you can barely manage to take care of your needs, and you cannot afford healthcare.

Those who would take a trillion dollars out of healthcare, those who would reward the rich with billions of dollars as a result, those who would do it so that they can go on to a tax plan where they will cut even more, those who would do this, Mr. Speaker, have a too-much-is-not-enough mentality. It seems that they believe that the poor can do more with less, and that the rich need more to do more.

I refuse to support TrumpCare. I will not support anything developed along the lines of too much is not enough.

#### HONORING THE 106TH RESCUE WING OF THE NEW YORK AIR NATIONAL GUARD

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

Mr. ZELDIN. Mr. Speaker, I rise today in honor of the 103rd Rescue Squadron, a unit of the 106th Rescue

Wing of the New York Air National Guard.

Commanded by Colonel Michael Bank, the 106th Rescue Wing is based out of Gabreski Airport in Westhampton Beach, located in my home district, and has a long and distinguished history of service.

In October 1991, during the storm that was depicted in the major motion picture "The Perfect Storm," an HH-60 and tanker from the 106th Rescue Wing flew to an endangered sailboat about 250 miles south of its base.

After survival gear was dropped onto the vessel, they began their return to base. However, braving incredibly severe weather conditions, the HH-60 was forced to ditch 60 miles south of base in the Atlantic Ocean. All but one member of the crew was rescued by the United States Coast Guard cutter Tamaroa.

In addition, in 1998, the 106th Rescue Wing carried out the longest overwater rescue mission in an HH-60. Members of their wing were also on scene at Ground Zero during the 9/11 terror attacks.

Then, most recently, this past April, the heroic members of this squadron saved several lives when an explosion occurred on a Slovenian cargo ship. These brave airmen took immediate action when called upon to offer desperately needed medical assistance.

On April 24, the cargo ship Tamar was rocked by an explosion in the forward bulkhead, which resulted in the immediate death of one individual and severe burns for three other crew members, one who, sadly, perished prior to the team's arrival. 1,300 miles off the coast of Cape Cod at the time of the explosion and holding a crew of over 20 men, the situation looked dire for the injured members of this crew.

Boston Rescue Coordination Center was initially contacted for help, who reached out to two Canadian vessels in the area. However, these ships were 12 to 24 hours away, at the very least, and did not possess the necessary medical capability. It was then that the 106th Rescue Wing was called into immediate action to save those lives aboard the vessel.

Less than 2 hours after the request was made by the Coast Guard, this seven-member crew, led by Major Sean Boughal, boarded a C-130 Hercules aircraft from the 102nd Rescue Squadron, also a part of the 106th Rescue Wing, to begin the search and rescue. Following a 5-hour flight and superb airmanship by the C-130 crew, the seven-man PJ team executed a complex night parachute insertion of equipment and personnel into the water and then made their way to the stricken vessel.

After making it onboard, the 103rd Rescue Squadron PJ team provided advanced medical care for the next 2 days until a Portuguese rescue helicopter could hoist the team off and airlift the injured seamen to a higher level of medical care. If not for the brave actions of this rescue wing, there could

very well have been a greater loss of life upon that vessel.

Mr. Speaker, these pararescuemen risked life and limb to save these crew members and have more than earned our respect and admiration. Today I would like to honor Major Edward Boughal, Technical Sergeant Jordan St. Clair, Major Marty Viera, Senior Master Sergeant Erik Blom, Master Sergeant Jed Smith, Staff Sergeant Bryan Dalere, and Senior Airman Michael Hartman for their lifesaving efforts on April 24.

□ 1045

Not only today, but every day, men and women, like those in the 106th Rescue Wing, put themselves on the line to protect us, our families, and our communities. It is so important that we continue to give our support to our Nation's defenders and provide every needed resource for these heroes. All Americans should be very proud of the 106th Rescue Wing and their continued legacy of remarkably answering the call to duty.

#### RECOGNIZING KIDSPACE

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

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize KidsPeace, which is a private charity dedicated to assisting children and adolescents experiencing emotional, behavioral, and social challenges in Pennsylvania. Founded in 1882, KidsPeace provides a comprehensive range of residential treatment programs, accredited educational services, and a variety of foster care and community-based treatment programs to help people in need overcome challenges and transform their lives.

Last week, I had the privilege of meeting Dominick DiSalvo and Patrick Slattery, advocates of KidsPeace Foster Care in Doylestown in my district, where they work with families affected by the opioid epidemic.

Through the power of family living, kids who have emotional and behavioral challenges learn to participate in healthier relationships with adults, experience healthy family functioning, witness positive parenting styles, participate in community life, and learn social skills through positive role modeling.

I am proud of the efforts of KidsPeace to help Bucks County's youth receive the information and treatment they need to become healthy adults. KidsPeace reminds us that we can all make a difference in the life of a child.

#### HEALTHCARE

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

Mr. DUNCAN of Tennessee. Mr. Speaker, yesterday, I received this

message from a very respected businessman in Knoxville, Randy Greaves.

He wrote:

I just received a letter from Humana stating that they are leaving the State of Tennessee next year.

This leaves no one to write individual health policies in the State. Aetna only writes group policies, and they may withdraw, as well. Please let anyone with a vote know that families are being failed miserably, as you already know.

The insurance that Humana wrote for my family, in 2017, required that we pay the first \$37,000 between premiums and the deductible before insurance would contribute only 50 percent.

It was basically worthless, and now they won't even make that lousy policy available because people on subsidies, mostly with no personal accountability for their own health, cost a fortune to the rest of us.

ObamaCare may have helped 20 million people, but it has hurt 200 million people in the process.

About a month ago, The Irish Times, the largest newspaper in Ireland, reported that they had over 660,000 people on waiting lists for healthcare. That is in a country of less than 5 million people. If you multiply that times 60 or 65, you have got the United States.

Medicare, when it started, when it was first passed, there was a CBO prediction that it would cost \$9 billion after 25 years. Instead, it cost 12 times that after the first 25 years, and now it costs six times more than that, or about 70 times more than the original estimates.

California, as liberal and leftwing as that State is, a few days ago, I read that they tried to pass a healthcare, or medical care for everyone, bill. They had to withdraw the bill because they found out that it would cost \$400 billion for the first year. If you multiply that times 10 or 11, you are talking about the whole United States. We are having trouble affording the Medicare that we have now for 14 percent of the population, so Medicare for everyone is not going to work in this country.

We took what was a very minor problem, for very few people in the mid-sixties, and turned it into a major problem for everyone so that now only Warren Buffett and Bill Gates, and people like that, multibillionaires, can afford healthcare. And the reason is, is that anything the Federal Government subsidizes, the costs just explode because you remove the incentives and pressures to hold costs down.

The American people don't want a Russian or Cuban type of medical system in this country. They don't want a totally federally run system, like they have in so many countries, with medical care that is not even a fraction of what we have.

We are still under ObamaCare today, and it is not working. These insurance companies are pulling out all over the whole country, and The Washington Times reported yesterday, or the day before, that, according to the Department of Health and Human Services, premiums went up 63 percent in Tennessee in 2017 alone.

Mr. Speaker, this system is not working. We need to move more in the direction of a free market medical system if we are ever going to hope to bring down healthcare costs for the American people with the kind of healthcare that everyone is demanding and wanting and that we want to give to them.

#### RECOGNIZING STEVE BANTA

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

Mr. FARENTHOLD. Mr. Speaker, I am here today to recognize a great American patriot, Captain Steve Banta, call-sign "Slash," who will be retiring this week from his post as commanding officer of Naval Air Station Corpus Christi.

A 1991 graduate of the United States Naval Academy, where he earned a bachelor's degree in engineering, Captain Banta completed primary naval aviation training with the VT-27 Boomers at NAS Corpus Christi, and was designated a naval aviator on March 18, 1994.

His sea duty included deployments on various cruisers, destroyers, frigates to the Mediterranean, Arabian Gulf, Caribbean, Southeast Pacific, and other areas. During his deployment as maintenance officer with HSL-44 Detachment Four, they were the first in the fleet to test the Hellfire missile.

On September 11, 2001, he was deployed on the USS Carl Vinson with Carrier Group Three. During the first 4 months of Operation Enduring Freedom, he coordinated the daily schedule of more than 40 helicopters in 16 different aviation units. In 2009 and 2010, he served as commanding officer of the world famous HSL-48 Vipers. During his tenure, they earned multiple awards for tactical and retention excellence.

Captain Banta's shore duties includes tours as a Seahawk helicopter flight instructor, as an analyst in the Pentagon for the Navy's role in Operation Enduring Freedom, and as the lead country program director for Afghanistan with the Defense Security Cooperation Agency.

He earned a master's degree in national security strategy at the National War College in 2011.

Captain Banta assumed command of Naval Air Station Corpus Christi on June 26, 2014. During his tour, improvements in infrastructure, program management, and quality of life resulted in numerous awards, including Department of Defense Fire Department of the Year, Fire Department National Accreditation, SECNAV Gold Award for Energy and Water Management, and CNO Shore Safety Award. The Wingspan Newspaper was ranked number one in the Navy, and the base was on the A-list for outstanding customer satisfaction in family housing, and more.

Captain Banta has been an invaluable asset to the Navy, south Texas, and the

United States. I wish him and his wife, Sarah, a Corpus Christi native, best of luck as he moves into civilian life and begins his new job as executive director of the USS Lexington Museum on the Bay. Thank you, Captain Banta, for your service.

#### RECESS

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

Accordingly (at 10 o'clock and 53 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

Chaplain Marshall Dunbar, Christian Community Action, Lewisville, Texas, offered the following prayer:

Heavenly Father, thank You for the opportunity You have given me to stand before the men and women of this House, who have the awesome responsibility of governing this great Nation. Help them to come together in unity, for Your Word reminds us that a house divided against itself cannot stand.

So believing You know what we have need of before we even ask, together we offer this prayer as taught by Your Son, Jesus Christ:

Our Father, which art in Heaven, hallowed be Thy name. Thy kingdom come, Thy will be done on Earth, as it is in Heaven. Give us this day our daily bread. And forgive us our debts, as we forgive our debtors. And lead us not into temptation, but deliver us from evil, for Thine is the kingdom, and the power, and the glory, forever.

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.

Ms. ROS-LEHTINEN. 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.

Ms. ROS-LEHTINEN. 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 Florida (Mr. DEUTCH) come forward and lead the House in the Pledge of Allegiance.

Mr. DEUTCH led the Pledge of Allegiance as follows:

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

#### WELCOMING CHAPLAIN MARSHALL DUNBAR

The SPEAKER. Without objection, the gentleman from Texas (Mr. BURGESS) is recognized for 1 minute.

There was no objection.

Mr. BURGESS. Mr. Speaker, today I rise to speak in honor of our guest chaplain, Marshall Dunbar, of Cross Roads, Texas.

Chaplain Dunbar is the vice president of Spiritual Life and interim vice president of Programs for Christian Community Action, one of the largest private nonprofits in north Texas. He has an extensive record of service to our country and the north Texas community, including years in active military service, law enforcement, and homeland security.

Chaplain Dunbar was commissioned into the United States Army Reserve Chaplain Corps as a chaplain candidate in 2011, beginning his chaplaincy career at the VA Hospital in Dallas. In 2014, he ended his military career as a first lieutenant.

Chaplain Dunbar holds a B.S. in ministry and leadership from Dallas Christian College and a master of divinity in chaplaincy from Liberty Baptist Theological Seminary. He is currently working toward his doctor of ministry degree in Christian leadership and spiritual formation at Dallas Theological Seminary.

I am grateful to Chaplain Dunbar for his service to north Texans and the American people. It is a true pleasure to have him here in the House, along with his wife, Melinda, and daughter, Elle-Simone. We are grateful for his service and we welcome him to the House.

#### MESSAGE FROM THE PRESIDENT

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

#### ANNOUNCEMENT BY THE SPEAKER

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

#### RECOGNIZING HARVE MOGUL

(Ms. ROS-LEHTINEN asked and was given permission to address the House



for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise in great admiration of Harve Mogul, who, for more than a quarter century, has served as the CEO of United Way of Miami-Dade.

Through its many successful programs in education, financial stability, and health, this wonderful organization strives to create a stronger Miami.

Harve has been dedicated to public service from a young age, serving as a teacher in the Peace Corps and working at several United Way chapters across our great Nation. In 1991, he took on the great task of leading the Miami chapter, where he arduously worked to broaden the organization's advocacy and philanthropic efforts.

Throughout his tenure, Harve has spearheaded many campaigns, including a national event to advance the U.S. Holocaust Memorial Museum, of which I am proudly a council member.

Harve is now ready for a new chapter in his life. He will be stepping down from his CEO position, but he will continue to advance the goals of this noble organization.

Mr. Speaker, on behalf of our community and the many individuals who have been positively impacted by Harve's contributions, I want to say thank you to my friend, "mi amigo." He is an inspiration to us all. Good luck and Godspeed to Harve Mogul.

#### AMERICAN SOLUTION TO HEALTHCARE

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

Mr. GENE GREEN of Texas. Mr. Speaker, the Senate has failed to repeal and replace the Affordable Care Act, or the ACA.

As the President said: Healthcare is hard.

As Democrats, we didn't receive Republican votes to pass the ACA, but it is the law of the land.

Our job as Members of Congress is to fix laws that are not effective. Let's work as Members of Congress not to do a Republican fix or a Democratic fix. Let's work together as Americans to find the American solution to our healthcare problems. That is what our Founding Fathers and our constituents expect from us.

#### CAPTIVE NATIONS WEEK

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

Mr. ROSS. Mr. Speaker, I rise today to recognize Captive Nations Week.

In 1959, Congress authorized and requested the President proclaim the third week in July as Captive Nations Week. During this week, we stand united with those who still live under the rule of communist regimes as they

continue fighting against this oppression and lack of human rights. You have my word that I will continue to fight along with you.

As a way to educate current and future generations about the ideology, history, and societal impact of communism, the Victims of Communism Memorial Foundation was authorized in 1993 by a unanimous act of Congress.

In honor of this foundation, I have introduced H. Con. Res. 57, which expresses the sense of Congress that establishing a museum in memory of the victims of communism is an important step in educating Americans about the human rights violations committed by these totalitarian regimes and telling the whole story of 20th century history.

This museum would honor the memory of the heroes who resisted communist tyranny and commemorate America's more than half a century of efforts resisting Soviet imperialism.

I ask my colleagues to join me during Captive Nations Week in recognizing and supporting victims of communism by cosponsoring H. Con. Res. 57 and bringing the truth to light.

#### BUDGET FOR THE AMERICAN PEOPLE

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

Ms. JACKSON LEE. Mr. Speaker, many of us are engaged in the budget process today.

A budget for Americans should be the playbook for improving the quality of lives for all Americans. Yet this draconian budget, which is worse than the Trump budget, cuts \$250 billion-plus out of quality of life issues for Americans. It cuts education, healthcare, Medicaid, Medicare, and the environment, undermining the fight against climate change.

Where is the relief for the American people?

We have the fact that wages are slow in growing. Mr. Speaker, corporate America is doing well, and all that is needed, as some corporations have already done, is to raise the salaries of Americans.

We also need to make sure the government does what the American people need, to shore up the Affordable Care Act, but not cut billions from it. Shore up national defense, but not cut from diplomacy and engagement in peacekeeping activities, as well as USAID. Shore up America's national security. Give a quality of life to our young people so that jobs are created.

How do you do that?

You do that, Mr. Speaker, by ensuring that the climate and quality of life issues are there for corporations to grow. Growth is important for the American people, not draconian cuts to leave Americans without healthcare, without good climate, and without education. We want a budget for the American people.

#### SAVING PRECIOUS WELFARE DOLLARS

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

Mr. POLIQUIN. Mr. Speaker, sadly, rural Maine is ground zero for the opioid epidemic in America.

Every day, on average, Mr. Speaker, one fellow Mainer dies from an overdose. Sixty percent of our families are impacted one way or another from this scourge.

For years, Mr. Speaker, law enforcement officials in Maine have found electronic benefit transfer cards, or EBT cards, at drug busts. Every month, these EBT cards are replenished with food stamps and other welfare benefits intended to help disadvantaged families. But too often these valuable cards are used to buy drugs.

Mr. Speaker, this has got to stop. I have found a commonsense way to do that. My Food Stamp Integrity Act permanently disqualifies anyone convicted of drug trafficking from receiving food stamps. This will help make sure limited welfare benefits are saved to compassionately help moms and dads put food on the table for hungry kids.

Additionally, Mr. Speaker, H.R. 3151 will require able-bodied adults without dependents, between the ages of 18 and 50, work at least 20 hours per week, job train, or perform community service in order for taxpayers to help them out with food assistance.

Mr. Speaker, similar reforms in Maine have helped lift thousands out of poverty and into independence and better lives through employment. We have plenty of jobs available.

My bill will help save precious welfare dollars for the disabled, elderly, sick, and the poor. It will also help stop deadly drug trafficking and treat taxpayers better.

Mr. Speaker, H.R. 3151 is a Maine commonsense solution to a national problem. I ask everyone in this Chamber, Republicans and Democrats, to vote for it.

#### LET'S WORK TOGETHER ON HEALTHCARE

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

Mr. CICILLINE. Mr. Speaker, Republicans have threatened to repeal and replace the Affordable Care Act for 7 years, but earlier this week, they failed again to deliver on this threat. So next week, the Senate will vote on a bill to repeal the Affordable Care Act without a replacement.

If this bill were to pass, 32 million people will lose their health insurance, insurance premiums will go up, and insurance markets will unravel. That is exactly why this bill will not pass. But MITCH MCCONNELL and the Republican leadership are going to have a vote anyway.



What is the point?

The American people are sick and tired of Washington failing to get things done. It is time—in fact, well past time—for Republicans to stop going it alone. All of us came here to serve our constituents, but that is not going to happen unless Republicans are willing to work in good faith with Democrats to make the necessary improvements to the Affordable Care Act.

If we work together, none of us will get everything we want, which is true, but our constituents will finally get the progress they have been waiting for, and that is much more important.

#### ROLLING BACK FEDERAL REGULATIONS

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

Mr. BUCSHON. Mr. Speaker, I rise today to recognize a rebounding community in the Eighth District of Indiana.

Sullivan County, Indiana, is located in central western Indiana, along the Wabash River. It is home to roughly 21,000 proud, hardworking Hoosiers. The local economy relies on manufacturing and the coal and transportation industries.

In the first 6 months of this new administration, we have worked with the Trump administration to roll back the aggressive, job-killing Federal regulations of the last 8 years that have devastated this area of the country. The agenda we have set forth of less regulation and lower taxes is breathing life into our local economies and communities like Sullivan, Indiana.

As of May 2017, the unemployment rate in Sullivan County is at a 27-year low, sitting at 3.3 percent. Just a year ago, the unemployment was 7 percent.

Mr. Speaker, as we continue to work on behalf of the American people, I am hopeful this trend continues.

□ 1215

#### RUSSIAN CYBER ATTACKS

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

Mr. DEUTCH. Mr. Speaker, inaction from this House leaves us open to Russian cyber attacks against our democracy, and the numbers tell the story.

Sixteen months since Russians attacked, this House stands mute. Eleven months since all four major U.S. intelligence agencies confirmed Putin's direct involvement, and we have done nothing.

Eight Russians and Trump advisers met to discuss illegal Russian Government assistance to the Trump campaign, 3 hours of face-to-face meetings between President Trump and Putin, one of those hours with absolutely no accountability to the American people,

and 98 out of 100 Senators voted in favor of new Russian sanctions 34 days ago.

And finally zero. Zero action from this House to fight back. Zero show of bipartisanship that mirrors our Senate counterparts. Zero votes on the House floor to send the sanctions bill to the President.

Mr. Speaker, if you allow us to vote on this bill, it will pass with overwhelming bipartisan support. And if you do not allow us to get Russia sanctions to the President's desk and put the pressure on him to sign it, you and the rest of this majority in the House will carry the weight of our failure to stand up to Russia back to your districts in August, and no one will understand how it is that you show weakness when it is strength that is required in the face of Russian aggression. That is what America expects and deserves.

#### RECOGNITION OF ELI BOROCHOV

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

Mr. MCKINLEY. Mr. Speaker, today I would like to recognize a little known role model, Eli Borochoy, a 22-year-old young man from Cedarhurst, New York.

While on a trip to Israel with his family in 2015, Eli was praying during a Shabbat service at the Cave of the Patriarchs in Hebron. While praying, Eli was targeted by a pair of Arab snipers and was shot twice in the leg. Thankfully, after emergency surgery and a lengthy rehabilitation, Eli has recovered.

After the terrorists were apprehended and put on trial, Eli was called upon to speak in court, which meant he had to face his shooters in person. While addressing the court, Eli displayed conviction and character well beyond his years.

As Eli mentioned in his statement, the only reason he was targeted was the fact that he was practicing his Jewish faith. I commend Eli for standing tall in the face of violence and showing great courage. He is a role model.

#### FREEDOM OF EXPRESSION

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

Mr. COSTA. Mr. Speaker, I rise today to speak about one of the most basic rights that serves as the cornerstone of our democracy, and that is freedom of speech, freedom of expression for all Americans guaranteed in the First Amendment in our Bill of Rights. It is the freedom of press; it is the freedom of assembly; it is the freedom to petition.

This morning, I joined with several fellow Members of Congress and other Americans to exercise this First Amendment freedom in a demonstra-

tion outside the Turkish Ambassador's residence, the same place where members of Turkish President Erdogan's security forces attacked 11 peaceful Americans who were exercising their freedom of speech on May 16.

This morning, we stood together to demand the protection of the freedom of expression. We stood together to say that we will never stop fighting for those basic freedoms that are enshrined in our Bill of Rights and protected by our Constitution.

Americans have fought for over 241 years and shed blood to protect our basic freedoms that we hold most dearly. As Supreme Court Justice Cardozo stated in 1937, freedom of expression is "the indispensable condition of nearly every other form of freedom" that we cherish in our country.

#### CELEBRATING ST. CLOUD FEDERAL CREDIT UNION

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

Mr. EMMER. Mr. Speaker, I rise today to celebrate the St. Cloud Federal Credit Union for being named one of the top 150 workplaces in Minnesota by the Minneapolis Star Tribune.

The companies selected were based off of a survey done by Workplace Dynamics, which measured the employees' opinions on engagement, organizational health, and overall satisfaction at their company. This is a wonderful achievement for the St. Cloud Federal Credit Union as Workplace Dynamics surveyed nearly 70,000 employees throughout Minnesota to come up with these results.

For every company, no matter how big or small, the employees are the key to securing success. The hard work they put in every day is critical, so it is imperative that management ensures they feel both valued and respected.

I want to congratulate everyone at the St. Cloud Federal Credit Union on their incredible teamwork, and I especially want to congratulate management for creating a great workplace for their employees. Your company and employees will continue to thrive due to your leadership. Keep up the good work.

#### STANDING UP FOR THE AMERICAN PEOPLE

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

Mrs. BEATTY. Mr. Speaker, I rise today to let the American people know that my message is standing up for hardworking American people; standing up for hardworking American people to have the healthcare that they deserve and that they have with the Affordable Care Act; standing up for the American people so they can have equal voting rights and not have a sham voting rights commission that

President Trump has developed; standing up for American people so they can have an investment in jobs and in their communities; standing up for the American people against Trump's budget; standing up for the American people so we can keep Medicaid; standing up for the American people so we can make sure that they have healthcare, that they have jobs, that we don't cut Medicaid and the safety net programs that allow us to have hardworking Americans supporting their families.

#### AWARENESS FOR TYPE 1 DIABETES

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

Mr. REED. Mr. Speaker, I rise today to raise awareness for the issue of type 1 diabetes across America.

As co-chair of the Congressional Diabetes Caucus on the Republican side with my good friend, DIANA DEGETTE, on the Democratic side, this is an issue I care deeply about. We must work together to find ways to address this disease to improve the lives of families that are dealing with this each and every day.

Mr. Speaker, my family is one of these families. My son, Will, at 17 years of age, has been fighting this disease 24/7, 365 days a year since the age of 4.

This young girl, Kennedy, I had the honor to meet with and is representing my district here in the congressional workshop being put on by Juvenile Diabetes Research Foundation. She showed me the scars on her fingers where she has to poke her fingers six to seven times a day, Mr. Speaker, to control her blood sugar and monitor it on a regular basis.

She is a true inspiration to all diabetics across the Nation and should be an inspiration to each and every one of us to tackle this disease in a way that will improve lives for generations to come.

#### APPRENTICESHIP GRANTS BUDGET CUT

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

Mr. COURTNEY. Mr. Speaker, last February, President Trump had CEOs from America's largest manufacturers to come and talk about progrowth tax policies. Instead of talking about taxes, what they really talked about is the real need out there, which is to close the skills gap in this country and get the job training out there so that people can get hired.

USA Today reported the next day with the headline: "U.S. factory CEOs to Trump: Jobs exist; skills don't." In the 2017 budget, the bipartisan budget, Congress listened, and we appropriated robust funding for apprenticeship pro-

grams, for youth job training programs, and for adult, older incumbent job training programs.

Incredibly, a few minutes ago, the partisan Republican budget cut apprenticeship grants to zero, from 95 million from last year to zero. Mr. Speaker, better skills means better wages and better jobs. We should be investing strongly in job training programs so that people will have a future for themselves and their families.

We should listen to the job creators in this country. We should listen to the people back home, and we should reject this Republican budget which incredibly turns the clock back so that we can fill the job openings that the Labor Department says now total almost 6 million jobs in this country. Close the skills gaps. Invest in job training.

#### HONORING C.J. AND DAVE DUNKLEE

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

Mrs. HARTZLER. Mr. Speaker, I rise today to recognize C.J. and Dave Dunklee, founders of The Healing Box Project. Mr. and Mrs. Dunklee are serving our Nation's veterans through providing guitar lessons at the Truman VA Hospital in Columbia, Missouri.

The Healing Box Project came to life at the Truman VA Hospital a couple of years ago. C.J. and Dave provide guitars, picks, and lessons to disabled veterans in order to help them ease the wounds that so many of them are facing.

These weekly lessons provide an outlet for veterans to use the joy of music to heal their souls. Weekly, they provide these lessons for up to 50 veterans. C.J. and Dave provide the fundraising through their 501(c)(3) nonprofit to pay for the supplies and lessons needed to help this project succeed.

I am thankful for their efforts to provide services to our Nation's heroes who have so graciously given service to our great country.

Mr. Speaker, it is an honor to take this opportunity to recognize C.J. and Dave for their efforts on behalf of our Nation's veterans. I am blessed to represent them in Congress and wish them continued success with this very special project.

#### HONORING MARYAM MIRZAKHANI

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

Mr. MCNERNEY. Mr. Speaker, I rise today to honor the life and work of Maryam Mirzakhani. Maryam was born and raised in Iran where she was the first female on Iran's International Mathematical Olympiad team, winning gold medals in 1994 and 1995, and was the first Iranian woman elected to the National Academy of Sciences.

She moved to the United States to attend graduate school at Harvard Uni-

versity and became a 2004 research fellow of the Clay Mathematics Institute and a professor at Princeton University. In 2008, she became a professor at Stanford University. In 2014, Maryam was the first woman ever to be bestowed with the most prestigious mathematical award, the Fields Medal, for her outstanding contributions to the dynamics and geometry of Riemann surfaces and their moduli spaces.

The Fields Medals are awarded every 4 years to people aged 40 or younger. Maryam was an amazing mathematician, socially engaging, and involved in the local community. Maryam Mirzakhani died last week at the age of 40, a tragedy not only for her family and friends but for the additional beautiful mathematics she would have given the human race had she been blessed with a long career.

#### HONORING MONSIGNOR JOHN MCSWEENEY

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

Mr. PITTENGER. Mr. Speaker, I rise today in honor of Monsignor John McSweeney, priest of Charlotte's St. Matthew Catholic Church, the largest Catholic parish in America, who retires this week after more than 40 years of ministry.

He was actually the first priest ordained in what was then the new Charlotte Diocese back in 1974. Monsignor McSweeney is committed to the principle of servant leadership and of helping each member of his parish find their special God-given role in life and in the church.

Despite his very public role, he often reminds folks that Jesus is the star of St. Matthew, not the priest. Monsignor McSweeney has another motto: "You never say no to Jesus."

And so, still listening to Jesus at age 75, Monsignor McSweeney is retiring from America's largest Catholic parish to move on to Haiti or Jamaica to live among the poor and minister to their needs.

May God bless Monsignor McSweeney in this next phase of ministry.

□ 1230

#### AFGHAN ALL-GIRLS ROBOTICS TEAM

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

Mrs. DAVIS of California. Mr. Speaker, I rise today to congratulate the all-girls robotics team from Afghanistan for taking home the silver medal at this weekend's FIRST Global Challenge.

I speak on behalf of my colleagues who travel on our annual bipartisan trip to Afghanistan when I say that these girls are the embodiment of our

hopes and dreams for the future of their country. We have learned on our trips that nothing is more important for global security than the development of human capital, and what better example could there be than these remarkable girls.

I want to echo the sentiments of Afghanistan's First Lady and say to the girls, "Saar Bolan demoom kar deen," literally, "You make us hold our heads up high." We are proud of you.

Mr. Speaker, it is important to remember that, when these girls were born, women were not allowed to get an education in Afghanistan. Now, because of the bravery of these girls and the tireless efforts of their teachers, the rest of the world can now see how remarkable Afghan women truly are.

Congratulations on your remarkable achievement.

CHIEF JAMES CARMODY, WYOMING, MICHIGAN POLICE DEPARTMENT, MICHIGAN POLICE CHIEF OF THE YEAR

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

Mr. HUIZENGA. Mr. Speaker, I rise today to congratulate a humble public servant and someone, frankly, I am proud to call a friend, Chief James Carmody of the Wyoming, Michigan, Police Department, who was recently named Michigan Police Chief of the Year.

Jim Carmody began his career in 1975 as a police officer in Port Huron, Michigan, where he rose to the rank of deputy chief. In 2006, Jim made the decision to join the Wyoming Police Department as chief and call west Michigan home.

Chief Carmody has led the charge to strengthen the relationship between police officers and the community that they serve, while providing the residents of Wyoming, Michigan, with top-notch law enforcement.

Chief Carmody's relentless commitment to public safety doesn't end there. He also chairs the Michigan Police Chiefs' Traffic Safety Committee and was recently appointed to serve on the Governor's Traffic Safety Commission.

Mr. Speaker, on behalf of the Second District of Michigan, I congratulate Chief Carmody on being named the top Michigan Police Chief for 2016. We thank him for his 42—and keep counting—years of service to Michigan and to our Nation.

CONGRATULATING VIRGIN ISLANDS WOMEN'S BASKETBALL TEAM, AND THANKING RAKEEM CHRISTMAS AND THE CHRISTIANSTED HILLSIDERS

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

Ms. PLASKETT. Mr. Speaker, I am happy to congratulate the Virgin Islands women's basketball team on winning the gold medal at the 2017 Centrobasket Championship and finishing the tournament with a 4-1 record. They beat out teams from Mexico, Central America, and the Caribbean.

I particularly want to congratulate Natalie Day, who was named MVP, with a tournament double-double average, 18.6 points and 11 rebounds per game.

Good luck to the Virgin Islands women's team at the FIBA Women's AmeriCup 2017 in Buenos Aires, Argentina. We are rooting for you.

I also want to congratulate another Virgin Islander, Rakeem Christmas, who, for the last 2 years, has played center for the NBA's Indiana Pacers.

I want to thank Rakeem for returning home to St. Croix repeatedly and hosting a series of youth events, and for opening a basketball court funded by his foundation for the Frederiksted Boys and Girls Club. He and other athletes will coach basketball camps on St. Thomas and St. Croix this week, with the highlight of an all-star competition on St. Croix's Educational Complex.

Finally, to the Hillsiders, who host their annual picnic this weekend, thank you so much for continuing the tradition of the Hillsiders of Christiansted. I will be there to celebrate with you as we remember culture and family, united in pride and hope.

#### RISING MEDICAL PREMIUMS

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

Mr. DUNCAN of Tennessee. Mr. Speaker, 2 days ago The Washington Times published a chart from the Department of Health and Human Services showing that medical premiums went up 116 percent last year in Arizona, 69 percent in Oklahoma, 63 percent in my home State of Tennessee, 59 percent in Minnesota, 58 percent in Alaska, and on and on and on.

President Obama promised, if we would pass his healthcare bill, that people could keep their plans, yet millions were forced onto ObamaCare because either their premiums went up too high or they lost their insurance altogether. He promised that the average family would save \$2,500 a year. It has been almost impossible to find any family that has saved that \$2,500.

ObamaCare has been great: great in making healthcare unaffordable for almost every family in America.

PROVIDING FOR CONSIDERATION OF H.R. 2910, PROMOTING INTER-AGENCY COORDINATION FOR REVIEW OF NATURAL GAS PIPELINES ACT; PROVIDING FOR CONSIDERATION OF H.R. 2883, PROMOTING CROSS-BORDER ENERGY INFRASTRUCTURE ACT; PROVIDING FOR CONSIDERATION OF H.R. 218, KING COVE ROAD LAND EXCHANGE ACT; AND FOR OTHER PURPOSES

Ms. CHENEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 454 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 454

*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 consideration of the bill (H.R. 2910) to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, 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 Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-28. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments 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. 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 recommend with or without instructions.

SEC. 2. 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 consideration of the bill (H.R. 2883) to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for

the import and export of oil and natural gas and the transmission of electricity. 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 Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-29. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments 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. 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. 3. 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 consideration of the bill (H.R. 218) to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay. 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 Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-27. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part C of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the re-

port 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 amendments 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. 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. 4. It shall be in order at any time on the legislative day of July 20, 2017, for the Speaker to entertain motions that the House suspend the rules, as though under clause 1 of rule XV, relating to the bill (H.R. 2825) to amend the Homeland Security Act of 2002 to make certain improvements in the laws administered by the Secretary of Homeland Security, and for other purposes.

SEC. 5. The Committee on Appropriations may, at any time before 5 p.m. on Friday, July 21, 2017, file privileged reports to accompany measures making appropriations for the fiscal year ending September 30, 2018.

The SPEAKER pro tempore (Mr. POE of Texas). The gentlewoman from Wyoming is recognized for 1 hour.

Ms. CHENEY. 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

Ms. CHENEY. 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 gentlewoman from Wyoming?

There was no objection.

Ms. CHENEY. Mr. Speaker, I rise in support of House Resolution 454, which provides a structured rule for the consideration of H.R. 2910, the Promoting Interagency Coordination for Review of Natural Gas Pipelines Act; H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act; and H.R. 218, the King Cove Road Land Exchange Act.

Mr. Speaker, our domestic energy industry has suffered greatly over the last 8 years under outdated regulations and burdensome bureaucratic red tape that have prohibited growth and innovation. Today's rule allows for consideration of two very important bills that will provide clear and transparent policies for our pipeline permitting processes, making them more efficient and effective so that we can fully realize the North American energy boom; create American jobs; grow our economy; and strengthen our relations with our largest energy trading partners, Canada and Mexico.

The first bill, H.R. 2910, the Promoting Interagency Coordination for

Review of Natural Gas Pipelines Act, is sponsored by my colleague, Mr. FLORES of Texas.

□ 1245

This bill reinforces the Federal Energy Regulatory Commission's role as the lead agency for siting interstate natural gas pipelines by directing it to identify and invite all agencies considering an aspect of an application to establish a schedule for concurrent reviews, and to impose deadlines for final decisions.

Recent advancements in energy exploration have allowed companies to tap into previously inaccessible natural gas reserves, leading to a dramatic increase in domestic production. The increased supply has lowered energy costs and increased demand for natural gas.

As a result, current U.S. pipelines are now operating near capacity, making new pipelines necessary to deliver gas to consumers across the Nation, especially to those in the Northeast and Midwest, where demand for energy is high, but where they lack the infrastructure to deliver domestic natural gas. Additionally, due to its abundance and affordability, many manufacturers are beginning to rely on natural gas as a primary fuel.

Unfortunately, the permitting process for new pipelines is arduous and unnecessarily burdensome. Currently, when siting a pipeline project, multiple permits are required, including permits under the Clean Water Act, the Endangered Species Act, and the Clean Air Act, for example. According to the Government Accountability Office, the average processing time from pre-filing to certification for interstate natural gas pipelines has been 558 days. We cannot afford to wait that long, Mr. Speaker.

It is critical that we expand and modernize our Nation's pipeline infrastructure to ensure the access to affordable energy and affordable prices for consumers across the country. In order to do this, we simply must promote timely and efficient reviews as well as coordination among Federal, State, and local regulators. This bill accomplishes these goals, and I support its passage.

The rule we are discussing today also provides for consideration of H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act, sponsored by the gentleman from Oklahoma (Mr. MULLIN). This bill creates a uniform and transparent process to authorize the construction, connection, operation, and maintenance of international transfers of oil, natural gas, and electricity imports and exports.

The bill directs the Federal Energy Regulatory Commission to review cross-border oil and natural gas pipelines and the Department of Energy to review cross-border electric transmission facilities, requiring the relevant official to issue a certificate of crossing, unless it is found not to be in the public interest.

Recent advances in technology, Mr. Speaker, have dramatically increased our ability to harness our vast natural resources, but the current ad hoc permitting process has inhibited energy producers from exporting American-made energy to our international trading partners and has significantly delayed recent proposals, such as the Keystone XL pipeline.

The value of energy traded between the United States and its North American neighbors exceeded \$140 billion in 2015, with \$100 billion in U.S. energy imports, and over \$40 billion in exports. We simply cannot afford to gamble our energy security and competitiveness on an inefficient permitting process.

Today's rule, Mr. Speaker, also allows for consideration of H.R. 218, the King Cove Road Land Exchange Act, sponsored by the gentleman from Alaska (Mr. YOUNG). This bill authorizes an equal value land exchange to facilitate the construction of an 11-mile road linking the remote city of King Cove and the city of Cold Bay, which has a modern airport. The State of Alaska will transfer approximately 43,000 acres to the Department of the Interior to add to the Izembek National Wildlife Refuge in return for 206 acres of Federal lands to build the road.

This road is critical, Mr. Speaker, because harsh winter conditions make transporting individuals in the remote King Cove community of nearly 1,000 people dangerous and sometimes fatal: gale-force winds ground planes and prevent sea travel; evacuations can take days; and the hovercraft terminal and medical facility that Congress temporarily provided funds for, in lieu of land for the road, ceased operation in 2010.

The King Cove community has been denied proper hospital care and access to essential emergency services since they began fighting for this road 40 years ago, and that, Mr. Speaker, is unacceptable.

Ensuring these folks have ground transportation options for accessing the regional hub at Cold Bay, especially during harsh winters, is vital to the safety of this community in emergency situations.

Therefore, Mr. Speaker, I encourage support for the rule for these important bills, and I reserve the balance of my time.

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

Mr. Speaker, the legislation before us today would put some of our most sensitive lands at risk and limit the voices of experts, all to further construction of dangerous projects that could harm local communities.

First, H.R. 2883 undermines the National Environmental Policy Act and tips the scales in favor of massive, controversial oil and gas pipeline and electric transmission projects. Trans-boundary projects like this often travel for hundreds of miles, last for decades,

and pass through sensitive and Native lands and important aquifers. And, as we all know, pipelines leak.

That is why there is currently a rigorous Federal review process that takes into account the impact of these projects on the environment and the communities along their route.

Today, in order to construct an oil pipeline, a natural gas pipeline, or an electrical transmission line that crosses the U.S. border with Canada or Mexico, a Presidential permit must first be obtained, as well as additional approvals from the Federal Energy Regulatory Commission—FERC—the Department of Energy, or the Department of Defense, depending on the type of pipeline.

This review process helps us to understand the environmental impact of these projects and it allows communities and landowners along the route to weigh in with their concerns. All of this helps to keep communities safe from hazardous substances that, if spilled or ignited, could have catastrophic consequences. Yet the majority is proposing this measure to severely limit that rigorous review.

The bill effectively exempts these massive projects from environmental and safety review under the National Environmental Policy Act. It narrows the approval process and environmental review to just the "cross-border segment" of projects that physically cross the border with Canada or Mexico rather than, presently, the entire trans-boundary project. So inside the United States, anything goes.

Instead of requiring an agency to affirmatively find a project is in the public interest, the bill also places a burden of proof on the opponents of the project to show that it is not in the public interest. If that wasn't bad enough, the legislation would also give new life to the controversial projects that have already been denied, for very good reason, by allowing permits to be resubmitted under this sham process.

Second, H.R. 2910 would supercharge the natural gas pipeline approval process, putting private property rights in jeopardy and hindering important environmental reviews.

The bill gives the Federal Energy Regulatory Commission almost complete authority and severely limits the input of expert entities tasked with protecting the environment, our natural resources, and public health.

Mr. Speaker, I want to remind those watching today just how streamlined the natural gas pipeline approval process already is. The Federal Energy Regulatory Commission is basically a rubber-stamp entity. It almost never denies a pipeline project. On average, 88 percent of projects are approved within 1 year, and then we think about the consequences later.

In fact, FERC officials have testified that what is mostly slowing down the applications is that the applicants themselves fail to submit the necessary information to perform congressionally

mandated project reviews. So this bill is a solution in search of a problem.

Third, H.R. 218 revives an ill-advised proposal to build a road to the Izembek National Wildlife Refuge and its world-class wetlands.

This proposal has been, as pointed out for a number of decades, rejected by multiple State and Federal agencies on numerous occasions over the past 30 years. It has been exhaustively studied time and time again, and, every single time, the results have been clear. The road is not the most viable option for the residents of King Cove and would do irreparable damage to the refuge.

Yet the majority is ignoring three decades of expert analysis and public input in an effort to green light this damaging road through a congressionally designated wilderness area. More efficient and viable options exist, including the addition of a heliport and construction of a new airport, which we should be focusing on because a road is the wrong approach.

Mr. Speaker, we all know this, but I think we do need to be reminded from time to time that we are the stewards of our environment and this planet and the land only while we are alive. None of us ever really own it. We do, however, have an obligation to protect it, care for it, and make sure that it exists for future generations. These bills fail that test.

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

Ms. CHENEY. Mr. Speaker, I yield 5 minutes to the gentleman from Alaska (Mr. YOUNG), my friend and colleague, and the sponsor of H.R. 218.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, I listened to people on the other side. This is a good rule. I want to compliment the Rules Committee.

It is crucially important to recognize that this is an issue that means lives: 19 people have died out of that community of King Cove—mothers, children, husbands, brothers, uncles, and aunts—because they didn't have a road.

We passed legislation similar to this in 2009 that granted a land exchange—and was a massive land exchange—of 43,000 acres for 260 acres from the State of Alaska to construct this road. I think that is a fair exchange for an 11-mile road—single lane, gravel covered—just so they have access to save lives.

Those who speak against it have never experienced the wind that howls through that area when you try to land a plane or take off, you have a sick person with you, and you crash. Or go across the bay when waves are 30 feet high, and the evacuation of those ill people to an area that is only 11 miles away on an unfinished road and they die. Human beings, Alaskan constituents, that have medical aid only 600 miles away and stopped by 11 miles that is not allowed because supposedly there is a better way. And there is no

better way than a road in the weather condition I am speaking of.

When you think about it, I often listen to the other side of the aisle in voting against something like this, yet they will defend the right to save certain animals, but they don't want to save human life. That is wrong.

This is a good project. It should be built. I am hoping this body recognizes that lives are important and recognize the fact that this road doesn't disturb any of the wildlife. It is ironic that they will say it is going to disturb the geese that live off of eelgrass. The closest road that comes to this one bay is 11 miles away—11 miles. And the same area as this wildlife range has miles of road in it already, miles of road already in place. One of those roads already in place goes right by the lagoon where the tourists go watch the geese.

Now, why can't a tourist go by an area and watch the geese and it doesn't disturb them, but if someone is sick, dying, in a bus, ambulance, car, or truck, that is going to disturb the geese?

This is a nonsense argument by environmental communities around this Nation that want to put a stop to anything that benefits mankind and save the wildlife, say from New York or San Francisco, and don't know what they are talking about.

□ 1300

My job is to protect my people. This is not going to cost the taxpayers a nickel. This is going to be a project that is well done, and it will not disturb the wildlife they are so-called trying to protect.

So I ask my colleagues on this floor to think about humanity. Think about that person, be it your mother, your daughter, your son, your aunt, your uncle, your brother, and you would want to see them die because they are trying to protect a goose?

Shame on you. Shame on those who vote against this bill, saying: This is more important—I live in New York or California. This goose is more important than human life.

I think it is time we use a little sense in this body, a little understanding. Let's build this road. Let's pass this bill.

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

If we defeat the previous question, I will offer an amendment to the rule to bring up Representative PASCRELL of New Jersey's Bring Jobs Home Act, H.R. 685. This bill will close the tax loophole that rewards companies from moving jobs overseas, while providing a tax credit to companies that move jobs back to the United States.

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

The SPEAKER pro tempore (Mr. MITCHELL). Is there objection to the re-

quest of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Mr. Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. PASCRELL) to discuss our proposal.

Mr. PASCRELL. Mr. Speaker, I thank the ranking member and spokesman for the other side.

Before I give my remarks, I don't think this is an either/or proposition, Mr. Speaker. Some of the things that my friend from Alaska just talked about make sense. There is nothing more essential than life. But this is a bill that has been put in with other bills as well. So I rise in opposition to the rule, Mr. Speaker.

This week, the Ways and Means Subcommittee on Trade held our first hearing of the year, which was on NAFTA. You would think, from the President's rhetoric on trade, that many on the other side in Congress would be focused on creating good-paying, middle-class jobs and boosting our manufacturing base. You would think that. But, instead, we are here debating a bill, a number of bills, that are an assault on private property rights and the environment in the name of corporate profit and expediency.

Lo, what happened in 1923 that led to a change in our Tax Code when we tried to privatize public property and public resources. It was the biggest scandal of the 20th century.

Where are the jobs that were supposed to be coming back from overseas under this administration? Where are the higher middle class wages? Where are the policies coming from this Congress that support workers and their families?

The majority of Americans, Mr. Speaker, agree that keeping United States jobs from moving overseas should be a top priority. Yet, despite the empty promises made by this President, the flow of jobs overseas has not stopped by any barometer.

This administration has awarded government contracts to companies that continue to offshore our jobs. Think about that. Our tax money is still going to corporate America that sends jobs overseas to help those companies send jobs overseas. Now, if that makes any sense, I will listen to the rationale.

We don't stop companies from offshoring American jobs by holding rallies. We do it by making good policy, an exercise this administration and this majority-led Congress have refused to engage in. If they want to change that, they can start right now.

Under current law, when companies move overseas, we give them a tax break for the cost—a tax break. That is the law.

We need to stop offshoring now. The Congress can defeat the previous question and bring up the Bring Jobs Home Act. This bill eliminates this tax deduction and gives a tax credit of up to 20 percent of the cost to United States

businesses that bring jobs back to the United States of America. The companies would have to add jobs to claim the credit.

I have also introduced legislation, the Jobs and Trade Competitiveness Act, that builds on the Bring Jobs Home Act and further strengthens enforcement against countries that cheat our trade laws.

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

Ms. SLAUGHTER. I yield an additional 2 minutes to the gentleman.

Mr. PASCRELL. I encourage my colleagues to look at it.

So let's stop subsidizing companies that ship jobs overseas and start bringing jobs back to our shores. It doesn't get much simpler than that, Mr. Speaker.

This is not a new idea. President Obama and Democrats in Congress have raised this bill for years. The Republican House has blocked our bill at every turn. Senator STABENOW of Michigan leads this bill in the Senate, where it cleared a procedural vote in 2014, 93-7.

President Trump has declared this week Made In America Week. I challenge you today to stop the small talk and put your money where your mouth is. Take up and pass this bill to stand up for American manufacturing and the workers here at home who need it.

I urge a "no" vote on the previous question so we can bring up the Bring Jobs Home Act and start bringing jobs back to the United States.

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

I share my colleague's dedication to job creation, and what we know is that the kind of job creation we need in this Nation can only come with access to reliable, affordable sources of energy. Our fossil fuels in this country are a national treasure, and these bills that are being considered under this rule today are bills that would help to streamline the regulatory process.

We have been, Mr. Speaker, really facing a war on fossil fuels during the course of the last 8 years. We have seen these industries targeted, completely unfairly targeted, based on some notion that, by shutting down our fossil fuel industry, we are somehow going to be able to continue to have economic growth. We have seen the environmental officials of the previous administration even admit before this body that things like the Clean Power Plan would result, if fully implemented, in a negligible impact on the environment.

So, again, I think that it is important to recognize that it is at the center of the agenda that we are pushing forward, frankly, with historic progress in this Congress to begin to generate the kind of economic growth that we really need to get back on track.

We have been stagnant now for 8 years. We have seen overreach from the Federal Government. We have seen a situation in which companies, industry, individuals, and small businesses are strangled by regulatory red tape.



No one is suggesting that there shouldn't be oversight. No one is suggesting that there shouldn't be environmental review, but what we know is we have got to streamline it.

We cannot be in a position where bureaucrats—and, frankly, it is often unelected bureaucrats in Washington, D.C.—impose absolutely unattainable restrictions, impose rules that our industry can't meet and prevent us from being able to have access to our own energy sources. Again, it is that reliable, affordable energy that will allow our economy to grow and bring back the jobs that the gentleman says, and to which I agree, are so important for this Nation.

Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. WILLIAMS).

Mr. WILLIAMS. Mr. Speaker, I would like to take this time to speak on behalf of H.R. 2910, Promoting Interagency Coordination for Review of Natural Gas Pipelines Act, and the potential impact it could have on our Nation.

Right now, the Federal Energy Regulatory Commission, or FERC, is the lead agency for coordinating required reviews and authorizations for interstate natural gas pipelines. In order to start a pipeline project, you need multiple permits from a variety of platforms as well as coordination from Federal, State, and local governments.

As history has shown us time and time again, a multistep approval process just does not work. Mixing three different levels of government has and always will be a recipe for total disaster. It makes for unnecessary delays that are caused by too many cooks in the kitchen.

I fully support my friend and colleague Representative BILL FLORES' bill that will promote more timely and efficient reviews. We need to strengthen FERC's lead agency role that it was designed to create accountability and transparency.

Overall, this bill will encourage more timely and efficient reviews and keep energy prices affordable for all Americans. Mr. Speaker, I urge all my colleagues to support this rule and the underlying bill.

In God we trust.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, I thank the gentlewoman for yielding.

I rise in opposition to the rule and urge my colleagues to defeat the previous question so that we can take up the legislation that has just been outlined by Mr. PASCRELL.

There is no more responsibility that we have than creating good-paying jobs for the American people; and this is, after all, according to President Trump, "Make It in America" Week, which, in fact, is a centerpiece of the Democratic agenda. We have a number of bills that are designed to help rein-vigorate and strengthen American manufacturing.

It is shocking for the American people to learn that we have a Tax Code, as Mr. PASCRELL outlined, that gives a tax break to companies that ship American jobs overseas, exactly the opposite of what it should be if we are really concerned about creating good-paying jobs here in our own country. So defeating the previous question means we could take up the stop offshoring now legislation, which would get rid of this nonsensical provision in our Tax Code.

When you go out there and talk to constituents, you say: One of the reasons we can't keep good manufacturing jobs here in America is because we incentivize, we use some of your tax dollars to incentivize companies to ship those jobs overseas. It makes no sense.

So how about, during "Make It in America" Week, rather than just using that phrase, as the President has done, let's do something that will actually help promote making things in this country—I know, probably a challenging concept for the President, who does his manufacturing overseas, not in the United States.

Let's take a bold step today. Remove that provision of the Tax Code, and have a Tax Code provision that actually incentivizes creating jobs in our own country and giving tax credits to companies that create jobs in America. What a novel idea.

I urge my colleagues to defeat the previous question so that we can take this piece of legislation up, and perhaps it will then encourage my colleagues on the other side of the aisle to move forward on a number of bills that are part of the Democratic Make It in America agenda to help rebuild American manufacturing and put people back to work in good-paying jobs.

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

I understand that my colleagues on the other side of the aisle don't want to talk about energy. They don't want to talk about fossil fuels. They don't want to talk about how important these are to the economy.

I would propose, Mr. Speaker, maybe what we should do is turn out the lights in this Chamber. Maybe we ought to turn off the air conditioning, Mr. Speaker, and we could have the debate in the dark, which is where we would be, frankly, if we followed the energy policies in the approach of our colleagues on the other side of the aisle.

These bills are hugely important, Mr. Speaker, to ensure that we are able to continue to get access to the energy that we need; and it is crucially important that we not skip over the burden that has been caused by the Federal Government, by the regulatory burden we have been feeling, and that we take action, as is our responsibility, to begin to help to roll back that over-reach, to begin to help to provide some relief so that we can, in fact, get the jobs back that our colleagues say they

desire so much and that we know we need.

Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I am privileged to be recognized by the gentlewoman from Wyoming, and I rise in support of this combined rule that we have here.

I thought it was important that I speak to some of the provisions that are in the underlying bill and also the provisions that are not in the underlying bill.

□ 1315

I would characterize this rule, that is the rule for the reauthorization of the Department of Homeland Security—it is actually the authorization. It has never been authorized in that fashion before—the authorization of Homeland Security after 15 years. I think that it does a lot of good things in that it lays out a definition and frames the duties of the Department of Homeland Security broadly and pretty closely in their entirety.

There are some things that are missing from this that I would like to have plugged into this reauthorization language. However, I believe the goal was, all along, to draft a piece of reauthorization language that would be, I will say, compatible to both sides of the aisle and without particular dissent.

Therefore, we have a piece of legislation that isn't as impactful as I would like, and yet it is here on the floor under suspension with the idea that we can move this along and frame the Department of Homeland Security's duties in the fashion that is here.

I don't object to the provisions that are in the authorization language that exists, but I would point out that it sets the stage, and now there is an agreement that has been reached through a number of entities, including the White House, the DOJ, the DHS, and I understand from our leadership and others, that soon there will be the piece of legislation that we refer to as Davis-Oliver.

In Davis-Oliver, we actually have the enforcement provisions that are necessary to restore the respect for the rule of law, and especially the domestic enforcement of our immigration laws.

We are setting the stage for that and clearing the path for that with this rule on the legislation that will pass, I believe, under suspension.

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

Ms. CHENEY. I yield an additional 1 minute to the gentleman.

Mr. KING of Iowa. The provisions that are necessary that I would point out to the body, Mr. Speaker, are this:

The number one most important is this: We only have 5,000 ICE agents for 50 States and territories. They are spread so thin they can't possibly enforce immigration law. We need that number tripled. That is 10,000 ICE agents. That is the most important component of this to have the officers to bring that enforcement.



Second thing is we need to make sure that the ICE detainer language is there and in Davis-Oliver. That is something that had been neutralized by an action of the Obama administration, and they need to be certain that they have the full authority to carry firearms.

Mr. Speaker, I make these points so that the body can anticipate what is coming down the pike. I intend to support the rule and the underlying bills, and I intend to be here on the floor advocating all of the components of Davis-Oliver, also including the components I have articulated here today.

Mr. Speaker, I appreciate the opportunity to address the House.

Ms. SLAUGHTER. Mr. Speaker, the American people may be scratching their heads wondering why, with everything going on in the world, we are prioritizing bills that put our environment at risk—bills the Senate may never take up.

Let me remind them that the majority is just doing the bidding of an administration that has shown a complete disregard for air, water, and land. The administration has already proposed a budget that would slash the Environmental Protection Agency by 32 percent. This would harm not only conservation and climate efforts, but thousands of jobs nationwide.

As a microbiologist, I know firsthand the importance of science in our legislative process, yet the majority has refused to give science and facts their rightful place in policy debates that we have.

From drastically reducing funding for the Environmental Protection Agency, and by discrediting climate change, to attempting to eliminate safeguards for our genetic privacy, the majority and this administration have worked hand in hand to ruthlessly roll back the scientific advancements that we have made.

It is shameful that we are here today considering bills that would silence experts and risk the health and safety of our communities.

Mr. Speaker, I urge a “no” vote on the previous question on the rule and the bills, and I yield back the balance of my time.

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

I am proud to be here, and I am proud of the agenda that we have taken up under the Republican leadership in this Congress. We are indeed doing the important work that the people sent us here to do.

So far, just a list of some of the things that we have done in the first few months of this Congress: We have taken the first step in our obligation to repeal and replace ObamaCare, a system that is absolutely failing, that is causing rising premiums. It is causing people to lose their insurance all across the Nation, a system that will collapse if we don't fix it. We, the House Republicans, have taken important steps in order to begin the repeal and replace process of ObamaCare.

Also, Mr. Speaker, we have passed a bill to repeal and replace Dodd-Frank, legislation that was strangling our local community banks across the country. We have taken a step to begin to fix that and provide relief.

We have also dealt with important immigration issues and taken important action in terms of passing legislation to end human trafficking.

I am very proud, as a member of the Armed Services Committee, of the work that we have done to pass the National Defense Authorization Act to begin to rebuild our military and get the military the resources it needs so that it can defend us against a growing array of threats and a very complex array of enemies across the Nation.

We have also, Mr. Speaker, taken important steps using the congressional review action process to repeal regulations put in place over the last 8 years that have been damaging to our industry, to individuals, to small businesses all across the Nation.

We have been historically productive, and it may be that our colleagues on the other side of the aisle don't agree with the steps that we have taken, but it is simply not accurate to say we aren't focusing on what is important. We are focusing on those issues that matter most to the men and women across this Nation that will begin to make sure we can keep everybody safe, begin to make sure we can defend ourselves, begin the process of reforming our outdated and burdensome tax code, as well, Mr. Speaker, as ensuring we bring back the kind of economic growth we know we need and fixing our healthcare system.

These bills that we are debating today, the rule for these bills, are part of that process. I want to thank my colleagues, Mr. FLORES, Mr. MULLIN, and Mr. YOUNG, for their hard work on this legislation.

In Wyoming, which is one of our Nation's largest energy-producing States, we know how important it is that we work to develop our domestic energy resources. We know the technology that has been available that has helped us do that, that has helped us begin to, for the first time ever, have energy independence that has really helped us begin to have the kind of economic growth we need.

We cannot depend just on that technology. We also have got to improve the permitting process, Mr. Speaker. Improving the pipeline permitting process by promoting the kind of timely review, supporting interagency coordination, and creating a new and streamlined system for safety that will help us to transport our energy exports and imports are all crucial steps in our ability to ensure affordable energy and economic growth.

The other bill that we are considering under this rule, Mr. Speaker, H.R. 218, will provide a desperately needed road, as you heard my colleague Mr. YOUNG explain, to improve the safety and well-being of the residents

of King Cove, Alaska, and save lives, Mr. Speaker.

Therefore, I urge adoption of both the rule and the underlying bills.

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

AN AMENDMENT TO H. RES. 454 OFFERED BY  
MS. SLAUGHTER

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

SEC. 6. 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. 685) to amend the Internal Revenue Code of 1986 to encourage domestic insourcing and discourage foreign outsourcing. 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 Ways and Means. 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. 7. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 685.

#### 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.

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

The SPEAKER pro tempore (Mr. MITCHELL). The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

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

#### RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. CICILLINE. Mr. Speaker, I rise to a question of the privileges of the House and offer the resolution that was previously noticed.

The SPEAKER pro tempore (Mr. COLLINS of Georgia). The Clerk will report the resolution.

The Clerk read as follows:

Expressing the sense of the House of Representatives that the President shall immediately disclose his tax return information to the House of Representatives and the American people.

Whereas, according to the Tax History Project, every President since Gerald Ford has disclosed his tax return information to the public;

Whereas, the chairmen of the Committee on Ways and Means, Joint Committee on

Taxation, and the Committee on Finance have the authority to request the President's tax returns under section 6103 of the Internal Revenue Code of 1986;

Whereas, pursuant to Article I, section 7, clause 1 of the Constitution, often referred to as the Origination Clause, the House of Representatives has the sole authority to initiate legislation that raises revenue for the national government, and the Committee on Ways and Means is considering a comprehensive reform of the Tax Code;

Whereas, President Donald J. Trump holds interests as the sole or principal owner in approximately 500 separate business entities, and the President's tax plan proposes to cut the corporate tax from 35 percent to 15 percent, applicable to many of these entities;

Whereas, against the advice of ethics attorneys and the nonpartisan Office of Government Ethics, the President has refused to divest his ownership stake in his businesses, has instead placed his assets in a trust which is run by his adult children, and the President can withdraw profits from his trust at any time of his choosing from any of the companies he owns;

Whereas, the Director of the Office of Government Ethics, Walter Shaub, resigned on July 6, 2017, stating that "There isn't much more I could accomplish at the Office of Government Ethics, given the current situation. O.G.E.'s recent experiences have made it clear that the ethics program needs to be strengthened";

Whereas, according to media reports analyzing President Trump's leaked 2005 tax return, had his own tax plan been in place, he would have paid an estimated 3.48 percent rate instead of a 24 percent rate, saving him \$31.3 million in that year alone;

Whereas, without access to the President's tax returns, the American people cannot determine how much he will personally benefit from proposed changes to the Tax Code or from policy decisions he makes, nor can the American people fully understand the financial interests and motivations of the President;

Whereas, in June 2017, President Trump filed an updated financial disclosure with the Office of Government Ethics which showed that the President reported \$37.2 million income from the Mar-a-Lago resort between January 2016 and April 2017 where he hosted the President of China and from where he ordered missile strikes against Syria;

Whereas, during the same time period, President Trump reported \$288 million in income from all his golf courses, including \$19.7 million from his course in Bedminster, New Jersey;

Whereas, over the weekend of July 14, President Trump sent out eight tweets promoting the U.S. Women's Open Golf Tournament which took place at his Bedminster club;

Whereas, Mar-a-Lago doubled its new member fees to \$200,000 immediately following the 2016 election, and President Trump personally benefits from such new member fees;

Whereas, disclosure of the President's tax returns would help those investigating Russian interference in the 2016 election and assist them in better understanding the President's financial ties to the Russian Federation, Russian businesses, and Russian individuals;

Whereas, in 2013, President Trump said, "Well, I've done a lot of business with the Russians. They're smart and they're tough," and President Trump's son, Donald Trump, Jr., told a news outlet in 2008 that "Russians make up a pretty disproportionate cross-section of a lot of our assets";

Whereas, President Trump fired Federal Bureau of Investigation Director James

Comey, who was overseeing an investigation into ties and any collusion between the Russian Government and President Trump's campaign;

Whereas, former Director Comey testified before the Senate Intelligence Committee that President Trump asked him to "let go" of an investigation into former National Security Advisor Michael Flynn's business ties to Russia;

Whereas, President Trump stated on May 11, 2017, that he had decided that he was going to fire Comey because of "this Russia thing";

Whereas, at the G-20 Hamburg summit on July 7, 2017, President Trump took a more than 2 hour closed-door meeting with President Vladimir Putin, after which he claimed that he "strongly pressed" President Putin on Russian interference in U.S. elections and that it is "time to move forward";

Whereas, on June 9, 2016, then-Candidate Trump's son, Donald Trump, Jr., then-Trump campaign chairman Paul Manafort, and Trump son-in-law and current White House adviser Jared Kushner met with a person described as "a Russian government attorney," and a former Russian military intelligence officer who promised to offer incriminating information about Hillary Clinton which had been collected as part of a Russian Government effort to assist President Trump in his campaign for President;

Whereas, the Committee on Ways and Means has in the past used the authority under section 6103 of the Internal Revenue Code of 1986 in 2014 to make public the confidential tax information of 51 taxpayers;

Whereas, the Committee on Ways and Means has now voted three times along party lines to continue to conceal President Trump's tax returns;

Whereas, the House of Representatives has now refused ten times to act on President Trump's tax returns;

Whereas, the Committee on the Judiciary has failed to conduct even basic oversight on the connections between the Russian Government and the Trump campaign;

Whereas, the Committee on the Judiciary has now voted twice along party lines to decline to request documents detailing the Trump administration's ties with Russian officials;

Whereas, the House of Representatives undermines its dignity and the integrity of its proceedings by continuing the cover-up of President Trump's tax returns: Now, therefore, be it

*Resolved*, That the House of Representatives shall—

1. Immediately request the tax return and return information of Donald J. Trump for tax years 2006 through 2015, as provided under section 6103 of the Internal Revenue Code of 1986, as well as the tax return, and return information with respect to the President's businesses, of each business entity disclosed by Donald J. Trump on his Office of Government Ethics Form 278e, specifically each corporation and each partnership, within the meaning of subchapter K of chapter 1 of the Internal Revenue Code of 1986, where he is listed as an officer, director, or equivalent, or exercises working control; and

2. Postpone consideration of tax reform legislation until the elected Representatives of the American people in this House have obtained President Trump's tax returns and return information to ascertain how any changes to the Tax Code might financially benefit the President.

□ 1330

The SPEAKER pro tempore. Does the gentleman from Rhode Island wish to present argument on the parliamentary question of whether the resolution

presents a question of the privileges of the House?

Mr. CICILLINE. Yes.

The SPEAKER pro tempore. The gentleman is recognized on the question of order.

Mr. CICILLINE. Mr. Speaker, this resolution raises the question of the privilege of the House pursuant to rule IX, clause 1, as it affects, “the rights of the House collectively, its dignity, and the integrity of its proceedings,” insofar as it raises the House’s failure to undertake its constitutional responsibility of oversight and the obligation of all elected officials to ensure decisions are made free of conflicts and with the public interest in mind.

In particular, matters related to the House’s constitutionally granted powers have been recognized as valid questions of the privileges of the House. The Origination Clause that requires that revenue bills originate in the House includes the issues related to revenues generated by our Tax Code.

Clearly, the issues raised by this resolution cover these matters contemplated by the Origination Clause. There is nothing more of a threat to the integrity of the House than ignoring our duty to provide a check and balance to the executive branch.

To restore the dignity of the House, we must use our authority to request President Trump’s tax returns and give the American people the transparency they deserve.

The stunning conflicts of interest are piling up as the President, his family, and his friends profit in their personal business endeavors while serving in public office. President Trump has not divested himself from his businesses as was recommended.

The SPEAKER pro tempore. The gentleman’s remarks must be confined to the question of order.

Mr. CICILLINE. I understand, Mr. Speaker. My point is, in order to rule on this, it is important for the Chair to understand that the severity of the questions with respect to the integrity of our proceedings are undermined because of the potential conflicts of interest and the lack of information about the tax returns and related materials of the President.

So you can’t make an argument about the rights of the House collectively, its dignity, and the integrity of the proceedings without understanding the presence, the evidence of the conflicts of interest, of the potential foreign entanglements, of the self-dealing that tax returns would reveal and help illuminate.

You also can’t protect the integrity of our responsibilities as a check on the executive branch without understanding that we have a responsibility to examine these financial interactions, the influence of the Russians, and interfering with our elections, the firing of Director Comey, the secret meetings between the President’s campaign.

The SPEAKER pro tempore. The gentleman is again reminded to keep his

remarks confined to the question of order.

Mr. CICILLINE. Mr. Speaker, I understand the ruling of the Chair with respect to confining my remarks. These remarks, in fact, relate directly to whether or not this resolution, which seeks the production of the President’s tax returns, relate to “the rights of the House collectively, its dignity, and the integrity of the proceedings.”

What I am suggesting, Mr. Speaker, is that in order for the House to fulfill its responsibilities, its constitutional responsibilities of oversight, and check and balance on the executive branch and to faithfully honor our responsibilities under the Origination Clause that says the House is the place that revenue generation must begin—and we are contemplating a reform of the Tax Code—in order to do that, free from the potential conflicts of interest, the House and the American people have a right to know what are the real interests of President Trump, where are his investments, what are the tax policies, will they benefit him, or will they benefit the American people.

The SPEAKER pro tempore. The Chair reminds the gentleman to confine his remarks to the question of order. The Chair is prepared to rule.

The gentleman from Rhode Island seeks to offer a resolution as a question of the privileges of the House under rule IX.

In evaluating the resolution under rule IX, the Chair must determine whether the resolution affects “the rights of the House collectively, its safety, dignity, and the integrity of its proceedings.”

The first resolving clause of the resolution offered by the gentleman from Rhode Island seeks tax returns and tax return information of the President and certain of his business entities.

Section 702 of the House Rules and Manual states that “rule IX is concerned not with the privileges of the Congress, as a legislative branch, but only with the privileges of the House, as a House.”

As the Chair most recently ruled on June 21, 2017, a resolution offered under rule IX seeking information from actors entirely extramural to the House—such as the President and certain business entities in which the President may be involved—is not uniquely concerned with the privileges of the House, as a House.

Accordingly, the resolution offered by the gentleman from Rhode Island does not constitute a question of privilege under rule IX.

Mr. CICILLINE. Mr. Speaker, I appeal the ruling of the Chair.

The SPEAKER pro tempore. The question is, Shall the decision of the Chair stand as the judgment of the House?

#### MOTION TO TABLE

Ms. CHENEY. Mr. Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Ms. Cheney moves that the appeal be laid on the table.

The SPEAKER pro tempore. The question is on the motion to table.

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

Mr. CICILLINE. 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 table will be followed by 5-minute votes on:

Ordering the previous question on House Resolution 454;

Adopting House Resolution 454, if ordered; and

Agreeing to the Speaker’s approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 235, nays 190, answered “present” 1, not voting 7, as follows:

[Roll No. 392]

#### YEAS—235

Abraham	Farenthold	LoBiondo
Aderholt	Faso	Long
Allen	Ferguson	Loudermilk
Amash	Fitzpatrick	Love
Amodel	Fleischmann	Lucas
Arrington	Flores	Luetkemeyer
Babin	Fortenberry	MacArthur
Bacon	Fox	Marchant
Banks (IN)	Franks (AZ)	Marino
Barletta	Frelinghuysen	Marshall
Barr	Gaetz	Massie
Barton	Gallagher	Mast
Bergman	Garrett	McCarthy
Biggs	Gianforte	McCaul
Bilirakis	Gibbs	McClintock
Bishop (MI)	Gohmert	McHenry
Bishop (UT)	Goodlatte	McKinley
Black	Gosar	McMorris
Blackburn	Gowdy	Rodgers
Blum	Granger	McSally
Bost	Graves (GA)	Meadows
Brady (TX)	Graves (LA)	Meehan
Brat	Graves (MO)	Messer
Bridenstine	Griffith	Mitchell
Brooks (AL)	Grothman	Moolenaar
Brooks (IN)	Guthrie	Mooney (WV)
Buchanan	Handel	Mullin
Buck	Harper	Murphy (PA)
Bucshon	Harris	Newhouse
Budd	Hartzler	Noem
Burgess	Hensarling	Norman
Byrne	Herrera Beutler	Nunes
Calvert	Hice, Jody B.	Olson
Carter (GA)	Higgins (LA)	Palazzo
Carter (TX)	Hill	Palmer
Chabot	Holding	Paulsen
Cheney	Hollingsworth	Pearce
Coffman	Hudson	Perry
Cole	Huizenga	Pittenger
Collins (GA)	Hultgren	Poe (TX)
Collins (NY)	Hunter	Poliquin
Comer	Hurd	Posey
Comstock	Issa	Ratcliffe
Conaway	Jenkins (KS)	Reed
Cook	Jenkins (WV)	Reichert
Costello (PA)	Johnson (LA)	Renacci
Cramer	Johnson (OH)	Rice (SC)
Crawford	Johnson, Sam	Roby
Culberson	Jordan	Roe (TN)
Curbelo (FL)	Joyce (OH)	Rogers (AL)
Davidson	Katko	Rogers (KY)
Davis, Rodney	Kelly (MS)	Rohrabacher
Denham	Kelly (PA)	Rokita
Dent	King (IA)	Rooney, Francis
DeSantis	King (NY)	Rooney, Thomas
DesJarlais	Kinzing	J.
Diaz-Balart	Knight	Ros-Lehtinen
Donovan	Kustoff (TN)	Roskam
Duffy	LaHood	Ross
Duncan (SC)	LaMalfa	Rothfus
Duncan (TN)	Lamborn	Rouzer
Dunn	Lance	Royce (CA)
Emmer	Latta	Russell
Estes (KS)	Lewis (MN)	Rutherford

Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski

## NAYS—190

Adams  
Aguilar  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Correa  
Costa  
Courtney  
Crist  
Crowley  
Cuellar  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Ellison  
Engel  
Eshoo  
Españillat  
Esty (CT)  
Evans  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Gonzalez (TX)  
Gottheimer  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Kuster (NH)  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lieu, Ted  
Lipinski  
Loebach  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham,  
M.  
Luján, Ben Ray  
Lynch  
Maloney,  
Carolyn B.  
Maloney, Sean  
Matsui  
McCollum  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Neal  
Nolan  
Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascarelli  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree

Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

A motion to reconsider was laid on the table.

# PROVIDING FOR CONSIDERATION OF H.R. 2910, PROMOTING INTER-AGENCY COORDINATION FOR REVIEW OF NATURAL GAS PIPELINES ACT; PROVIDING FOR CONSIDERATION OF H.R. 2883, PROMOTING CROSS-BORDER ENERGY INFRASTRUCTURE ACT; PROVIDING FOR CONSIDERATION OF H.R. 218, KING COVE ROAD LAND EXCHANGE ACT; AND FOR OTHER PURPOSES

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 454) providing for consideration of the bill (H.R. 2910) to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes; providing for consideration of the bill (H.R. 2883) to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity; providing for consideration of the bill (H.R. 218) to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay; and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 236, nays 192, not voting 5, as follows:

[Roll No. 393]

## YEAS—236

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barton  
Bergman  
Biggs  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Costello (PA)  
Cramer  
Crawford  
Culberson  
Curbelo (FL)  
Davidson  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Emmer  
Estes (KS)  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Foxy  
Franks (AZ)  
Frelinghuysen  
Gaetz  
Gallagher  
Garrett  
Gianforte  
Gibbs  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Griffith  
Grothman  
Guthrie  
Handel  
Harper  
Harris

Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hollingsworth  
Hudson  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kustoff (TN)  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
Lewis (MN)  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
MacArthur  
Marchant  
Marino  
Marshall  
Massie  
Mast  
McCarthy  
McCaul

McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Murphy (PA)  
Newhouse  
Noem  
Norman  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Pittenger  
Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell

Rutherford  
Sanford  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

## NAYS—192

Adams  
Aguilar  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Correa  
Costa  
Courtney  
Crist  
Crowley  
Cuellar  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Ellison  
Engel  
Eshoo  
Españillat  
Esty (CT)  
Evans  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Gomez  
Gonzalez (TX)  
Gottheimer  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Jones  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Kuster (NH)  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lieu, Ted  
Lipinski  
Loebach  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham,  
M.  
Luján, Ben Ray  
Lynch  
Maloney,  
Carolyn B.  
Maloney, Sean  
Matsui  
McCollum  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Neal  
Nolan  
Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascarelli  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree

## ANSWERED "PRESENT"—1

Sanford

## NOT VOTING—7

Cummings  
Gomez  
Huffman  
Labrador  
McEachin  
Napolitano  
Scalise

□ 1401

Ms. KAPTUR, Messrs. WELCH and PETERSON changed their vote from "yea" to "nay."

So the motion to table was agreed to. The result of the vote was announced as above recorded.

Pocan	Schrader	Titus
Polis	Scott (VA)	Tonko
Price (NC)	Scott, David	Torres
Quigley	Serrano	Tsongas
Raskin	Sewell (AL)	Vargas
Rice (NY)	Shea-Porter	Veasey
Richmond	Sherman	Vela
Rosen	Sinema	Velázquez
Roybal-Allard	Sires	Visclosky
Ruiz	Slaughter	Walz
Ruppersberger	Smith (WA)	Wasserman
Rush	Soto	Schultz
Ryan (OH)	Speier	Waters, Maxine
Sánchez	Suozzi	Watson Coleman
Sarbanes	Swallow (CA)	Welch
Schakowsky	Takano	Wilson (FL)
Schiff	Thompson (CA)	Yarmuth
Schneider	Thompson (MS)	

## NOT VOTING—5

Cummings	McEachin	Scalise
Labrador	Napolitano	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1410

So the previous question was ordered. The result of the vote was announced as above recorded.

(By unanimous consent, Mr. DUNCAN of Tennessee was allowed to speak out of order.)

## CONGRESSIONAL GOLF TOURNAMENT

Mr. DUNCAN of Tennessee. Mr. Speaker, this is the fourth year I have had the privilege of chairing the Members and former Members golf tournament to benefit Warfighters Sports and Tee It Up for the Troops, two charities that work with the most severely wounded warriors. This year, we had our biggest turnout ever. We had well over 200 participants, including 35 severely wounded golfers.

When I play golf, sometimes people ask me how I did. I tell them, “Unbelievable.” It could be either way. But the most unbelievable thing happened in this tournament. Finally, after many years of losses, we Republicans decided to let the Democrats win one year. The Democrats won by 4 points, and that is out of a several-thousand point system. So it was a very close match.

I want to offer my congratulations to my co-chairman, GENE GREEN, and thank every Member and former Member who participated. We had a great turnout.

Mr. Speaker, I yield to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Speaker, I thank my colleague from Tennessee for yielding.

We are proud to accept the Speaker's trophy for winning the golf tournament. The most important thing—and you said it—is that we raised \$144,000 to go to wounded warrior and warfighter programs. Over the last 10 years, Members of Congress, on a bipartisan basis, raised over \$1 million.

JIMMY, I am just glad we were able to take this trophy home. We will see you next year.

## PARLIAMENTARY INQUIRY

Ms. LEE. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state her parliamentary inquiry.

Ms. LEE. Mr. Speaker, it is my understanding that the Rules Committee has posted a Rules Committee print of the Defense appropriations bill and that this committee version does not include the language added during the Defense appropriations markup on a bipartisan basis in committee that would repeal the 2001 authorization to use force and give 8 months for Congress to do what our Constitution requires, and that is to debate and to come up with a new vote and to decide what we are going to do on behalf of our country.

Further inquiry. Members don't really quite understand this. I can't explain to Members how in the heck this body can prevent this amendment from being undemocratically stripped from this bill.

Can the Chair explain that, please.

The SPEAKER pro tempore. The Chair appreciates the gentlewoman's inquiry but also states to the gentlewoman that it does not relate to a pending question or matter at this time.

Without objection, 5-minute voting will continue.

There was no objection.

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

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 234, nays 194, not voting 5, as follows:

[Roll No. 394]

YEAS—234

Abraham	Comstock	Granger
Aderholt	Conaway	Graves (GA)
Allen	Cook	Graves (LA)
Amodei	Costello (PA)	Graves (MO)
Arrington	Cramer	Griffith
Babin	Crawford	Grothman
Bacon	Culberson	Guthrie
Banks (IN)	Curbelo (FL)	Handel
Barletta	Davidson	Harper
Barr	Davis, Rodney	Harris
Barton	Denham	Hartzler
Bergman	Dent	Hensarling
Biggs	DeSantis	Herrera Beutler
Bilirakis	DesJarlais	Hice, Jody B.
Bishop (MI)	Diaz-Balart	Higgins (LA)
Bishop (UT)	Donovan	Hill
Black	Duffy	Holding
Blackburn	Duncan (SC)	Hollingsworth
Blum	Duncan (TN)	Hudson
Bost	Dunn	Huizenga
Brady (TX)	Emmer	Hultgren
Brat	Estes (KS)	Hunter
Bridenstine	Farenthold	Hurd
Brooks (AL)	Faso	Issa
Brooks (IN)	Ferguson	Jenkins (KS)
Buchanan	Fitzpatrick	Jenkins (WV)
Buck	Fleischmann	Johnson (LA)
Bucshon	Flores	Johnson (OH)
Budd	Fortenberry	Johnson, Sam
Burgess	Fox	Jones
Byrne	Franks (AZ)	Jordan
Calvert	Frelinghuysen	Joyce (OH)
Carter (GA)	Gaetz	Katko
Carter (TX)	Gallagher	Kelly (MS)
Chabot	Garrett	Kelly (PA)
Cheney	Gianforte	King (IA)
Coffman	Gibbs	King (NY)
Cole	Gohmert	Kinzinger
Collins (GA)	Goodlatte	Knight
Collins (NY)	Gosar	Kustoff (TN)
Comer	Gowdy	LaHood

LaMalfa	Palmer	Smith (MO)
Lamborn	Paulsen	Smith (NE)
Lance	Pearce	Smith (NJ)
Latta	Perry	Smith (TX)
Lewis (MN)	Pittenger	Smucker
LoBiondo	Poe (TX)	Stefanik
Long	Poliquin	Stewart
Loudermilk	Posey	Stivers
Love	Ratcliffe	Taylor
Lucas	Reed	Tenney
Luetkemeyer	Reichert	Thompson (PA)
MacArthur	Renacci	Thornberry
Marchant	Rice (SC)	Tiberi
Marino	Roby	Tipton
Marshall	Roe (TN)	Trott
Mast	Rogers (AL)	Upton
McCarthy	Rogers (KY)	Valadao
McCaul	Rohrabacher	Wagner
McClintock	Rokita	Walberg
McHenry	Rooney, Francis	Walden
McKinley	Rooney, Thomas	Walker
McMorris	J.	Walorski
Rodgers	Ros-Lehtinen	Walters, Mimi
McSally	Roskam	Weber (TX)
Meadows	Ross	Webster (FL)
Meehan	Rothfus	Wenstrup
Messer	Rouzer	Westerman
Mitchell	Royce (CA)	Williams
Moolenaar	Russell	Wilson (SC)
Mooney (WV)	Rutherford	Wittman
Mullin	Sanford	Womack
Murphy (PA)	Schweikert	Woodall
Newhouse	Scott, Austin	Yoder
Noem	Sensenbrenner	Yoho
Norman	Sessions	Young (AK)
Nunes	Shimkus	Young (IA)
Olson	Shuster	Zeldin
Palazzo	Simpson	

## NAYS—194

Adams	Eshoo	Maloney,
Aguilar	Españillat	Carolyn B.
Amash	Esty (CT)	Maloney, Sean
Barragán	Evans	Massie
Bass	Foster	Matsui
Beatty	Frankel (FL)	McCollum
Bera	Fudge	McEachin
Beyer	Gabbard	McGovern
Bishop (GA)	Gallego	McNerney
Blumenauer	Garamendi	Meeks
Blunt Rochester	Gomez	Meng
Bonamici	Gonzalez (TX)	Moore
Boyle, Brendan	Gottheimer	Moulton
F.	Green, Al	Murphy (FL)
Brady (PA)	Green, Gene	Nadler
Brown (MD)	Grijalva	Neal
Brownley (CA)	Gutiérrez	Nolan
Bustos	Hanabusa	Norcross
Butterfield	Hastings	O'Halleran
Capuano	Heck	O'Rourke
Carbajal	Higgins (NY)	Pallone
Cárdenas	Himes	Panetta
Carson (IN)	Hoyer	Pascrell
Cartwright	Huffman	Payne
Castor (FL)	Jackson Lee	Pelosi
Castro (TX)	Jayapal	Perlmutter
Chu, Judy	Jeffries	Peters
Ciilline	Johnson (GA)	Peterson
Clark (MA)	Johnson, E. B.	Pingree
Clarke (NY)	Kaptur	Pocan
Clay	Keating	Polis
Cleaver	Kelly (IL)	Price (NC)
Clyburn	Kennedy	Quigley
Cohen	Khanna	Raskin
Connolly	Kihuen	Rice (NY)
Conyers	Kilmer	Richmond
Cooper	Kildee	Rosen
Correa	Kilmer	Roybal-Allard
Costa	Kind	Ruiz
Courtney	Krishnamoorthi	Ruppersberger
Crist	Kuster (NH)	Rush
Crowley	Langevin	Ryan (OH)
Cuellar	Larsen (WA)	Sánchez
Davis (CA)	Larson (CT)	Sarbanes
Davis, Danny	Lawrence	Schakowsky
DeFazio	Lawson (FL)	Schiff
DeGette	Lee	Schneider
Delaney	Levin	Schrader
DeLauro	Lewis (GA)	Scott (VA)
DelBene	Lieu, Ted	Scott, David
Demings	Lipinski	Serrano
DeSaulnier	Loebach	Sewell (AL)
Deutch	Lofgren	Shea-Porter
Dingell	Lowenthal	Sherman
Doggett	Lowe	Sinema
Doyle, Michael	Lujan Grisham,	Sires
F.	M.	Slaughter
Ellison	Luján, Ben Ray	Smith (WA)
Engel	Lynch	Soto



Speier	Torres	Wasserman
Suozi	Tsongas	Schultz
Swalwell (CA)	Vargas	Waters, Maxine
Takano	Veasey	Watson Coleman
Thompson (CA)	Vela	Welch
Thompson (MS)	Velázquez	Wilson (FL)
Titus	Visclosky	Yarmuth
Tonko	Walz	

## NOT VOTING—5

Cummings	Napolitano	Turner
Labrador	Scalise	

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1422

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.

## 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.

## CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO TRANSNATIONAL CRIMINAL ORGANIZATIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 115-55)

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

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days of the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to significant transnational criminal organizations declared in Executive Order 13581 of July 24, 2011, is to continue in effect beyond July 24, 2017.

Significant transnational criminal organizations continue to threaten the safety of the United States and its citizens through the scope and gravity of their actions. Such organizations derive revenue through widespread illegal conduct and overwhelmingly demonstrate a blatant disregard for human life through acts of violence and abuse. These organizations often facilitate and aggravate violent civil conflicts

and increasingly facilitate the activities of other dangerous persons. As the sophistication of these organizations increases, they pose an increasing threat to the United States.

The activities of significant transnational criminal organizations continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13581 with respect to transnational criminal organizations.

DONALD J. TRUMP.  
THE WHITE HOUSE, July 19, 2017.

## PROMOTING INTERAGENCY COORDINATION FOR REVIEW OF NATURAL GAS PIPELINES ACT

## GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill, H.R. 2910.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 454 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2910.

The Chair appoints the gentleman from Tennessee (Mr. DUNCAN) to preside over the Committee of the Whole.

□ 1426

## 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 consideration of the bill (H.R. 2910) to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes, with Mr. DUNCAN of Tennessee in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. UPTON) and the gentlewoman from Florida (Ms. CASTOR) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. UPTON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of H.R. 2910, the Promoting Interagency Coordination for Review of Natural Gas Pipelines Act, introduced by my colleague and friend from Texas (Mr. FLORES).

I want to congratulate him for his work on this very important piece of legislation that, in fact, will streamline the permit process for the building of energy infrastructure, which will strengthen our economy, create the jobs that we want, and, in fact, in-

crease our energy security. Very important.

This bill is going to address the critical need to expand and modernize the Nation's natural gas pipeline infrastructure by promoting a more timely and efficient review.

Mr. Chairman, by establishing FERC as the lead agency, this bill is going to bring greater certainty, accountability, and transparency to the siting process for interstate natural gas pipelines. Unfortunately, many important projects have been delayed unnecessarily while waiting for permits from participating agencies, and when siting a pipeline project, multiple permits are always required, permits under the Clean Water Act, the Endangered Species Act, the Clean Air Act.

So FERC often coordinates with a variety of Federal, State, and local governments and Indian Tribes to balance a wide range of issues, including the potential impacts on environmental and wildlife resources, land use, and, of course, property rights.

This bill is going to improve the permitting process by strengthening the lead agency role of FERC in further defining the process for participating in Federal and State agencies, and the intent of these provisions is to involve stakeholders sooner so that they can be involved in the setting of the schedule and identify issues of concern earlier in the process.

Further, the legislation requires that agencies conduct their respective reviews concurrently and in conjunction with the project-related review conducted by FERC in compliance with NEPA—in compliance with NEPA.

□ 1430

To be clear, we are not skipping steps, we are just saying that one part of the process shouldn't hold up the entire project if progress can be made on other required permits.

So this bill is going to encourage more timely and efficient reviews, a more robust and reliable energy pipeline system, more affordable energy prices for every American.

Mr. Chair, I congratulate the gentleman from Texas, who has brought this bill before us through the committee process.

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

Ms. CASTOR of Florida. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise in opposition to H.R. 2910. The bill shortcuts the important review process for interstate natural gas pipeline projects, a process which already boasts one of the quickest review periods for any type of major energy project. The bill is unnecessary.

To my colleague from the Energy and Commerce Committee's point when he says that too many of these projects are being delayed; to the contrary. The Federal Energy Regulatory Commission testified in front of our committee

that almost 90 percent of interstate natural gas pipeline projects are approved within 1 year. This is a dangerous bill because of what it does to short-circuit safety and environmental review processes.

Now, I want to say, at the outset, pipelines can be a safe and practical way to transport natural gas. Natural gas pipelines are part of a modern energy infrastructure system—I would say that almost all Democrats agree with that—but what this bill does is it shortcuts, it overrides safety, private property rights, environmental concerns.

This is a problem, because when you look at the long list of serious accidents involving natural gas pipelines, the fatalities, the accidents, the injuries, it is just inappropriate and very poor public policy to give those natural gas pipelines a pass.

Mr. Chair, I yield as much time as he may consume to the gentleman from Illinois (Mr. RUSH), the ranking member of the Energy and Commerce's Subcommittee on Energy.

Mr. RUSH. Mr. Chair, I want to thank the gentlewoman from Florida (Ms. CASTOR), a wonderful colleague and a Member who has really shown extraordinary leadership on this matter and other matters that appear before this Congress and the Energy and Commerce Committee.

Mr. Chair, I strongly oppose H.R. 2910 because it is a bill that offers a solution in search of a problem.

As FERC testified before the Energy Subcommittee just this past May, a whopping 88 percent of natural gas pipeline applications are currently processed within a year, and the number one reason for the delays in the approval process was due to applicants submitting incomplete paperwork.

Mr. Chair, H.R. 2910 does nothing to actually address the reason behind the delays, but instead will allow incomplete applications to be considered, will allow incomplete data from aerial surveys to be considered, and would minimize the input of States and agencies responsible for protecting the environment, sensitive lands, and other natural resources.

However, that said, one of the most egregious aspects of this bill is that it would actually make it easier for private pipeline companies to claim eminent domain and seize private property of hardworking American citizens.

Mr. Chair, as we have seen in the past and continue to witness today, the issue of constructing these major pipelines through aquifers, private property, cultural sites, and other sensitive lands is a topic that causes great public consternation and great public concern.

Congress should be taking into account the sensitive nature of this extremely divisive issue by listening to our own constituents, the American people, and giving them more of a voice in these very difficult decisions, rather than trying to limit their input.

Mr. Chair, to address this critical issue, both Ranking Member PALLONE, as well as my colleague, Congresswoman WATSON COLEMAN of New Jersey, and I offered amendments to deny private companies the right to claim eminent domain unless constructing a pipeline was found to be in the public interest, and not solely as a way for companies to turn a profit.

Mr. Chair, even though this amendment was brought up and voted down by my Republican colleagues in the Energy and Commerce Committee, it was ruled nongermane to today's discussion for some very odd, but also for some very obvious reason.

In other words, Mr. Chair, the majority party has determined that although they are pushing a bill that would make it easier for private companies to seize lands from private citizens for financial gain, Members of Congress are not allowed to take up an up-or-down vote on that issue on the floor here today.

This Congress is telling the American people: Hell, no, you won't have a voice in this. We are here operating solely in the interests of private companies for their private profit.

Mr. Chair, I can assure you that the American people will not agree with this decision to place the interests of private natural gas companies above the rights and interests of private landowners.

Congress should not make it easier for private companies to claim eminent domain and potentially negatively impact historical sites, reservoirs, farms, and other private properties while at the same time limiting the ability for States, Tribes, and local communities to provide input into the process.

Mr. Chair, why are we allowing these private companies to have eminent domain over the private property, over the land of American citizens, without any input from States on this particular matter?

Mr. Chair, for these reasons, I strongly oppose this bill, and I urge all my colleagues to oppose it as well.

Mr. UPTON. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, there is a reason why the parliamentarians ruled that the amendments on eminent domain are not applicable here: because they are not germane. Eminent domain is not part of this bill. In fact, the underlying natural gas act requires that eminent domain proceedings, "shall conform as nearly as may be with the practice and procedure in similar action or proceedings in the courts of the State where the property is situated."

This doesn't change that, and that is why those eminent domain amendments were not made in order.

Mr. Chair, I yield 3 minutes to the gentleman from Texas (Mr. FLORES), the sponsor of the bill.

Mr. FLORES. Mr. Chairman, I thank Chairman UPTON for yielding me time in his effort to bring this bill to the floor today.

Mr. Chairman, I rise today to urge my colleagues to support H.R. 2910. Thanks to the shale revolution, America is a top global producer of natural gas, and in the past several years, natural gas has become the top fuel choice for generating electricity in our Nation.

My constituents in Texas have seen the dramatic benefits of the shale revolution and pay some of the lowest electricity costs in the Nation. For example, last April, the residential price for electricity was just over 11 cents per kilowatt-hour. However, the average price in Massachusetts was almost 21 cents per kilowatt-hour.

America's domestic energy outlook has completely flipped from scarcity to abundance, yet why do some parts of the country, primarily in the northeast, pay twice as much for electricity? There is one clear reason: some areas lack the needed pipeline infrastructure to bring natural gas to consumers.

The reason for this is that some State and Federal agencies are failing to make timely decisions on the necessary pipeline permits to deliver natural gas to consumers.

We can and we should modernize our pipeline infrastructure to match our abundant natural gas resources. Making the permitting process more efficient enables and encourages a more robust and reliable pipeline infrastructure system; that way, all parts of the country can realize the benefits of clean, affordable, and abundant natural gas.

My bill, the Promoting Interagency Coordination for Review of Natural Gas Pipelines Act, builds on important permit reforms under the Energy Policy Act of 2005 by bringing greater accountability, predictability, and transparency to the process to approve interstate natural gas pipelines.

This bill requires early notification to all participating agencies, States, and Indian Tribes, and it reinforces FERC's status as the lead agency for coordination.

It further establishes a clear process for consultation and concurrent reviews among Federal and State agencies and Indian Tribes, and sets deadlines for final decisions.

Mr. Chairman, these are common-sense reforms that reduce interagency bureaucracy, and I think that we can all agree that permitting should be more transparent and more accountable.

H.R. 2910 enhances certainty for pipeline applicants, but it is important to note that this bill does not guarantee an outcome, it does not guarantee an approval on any application, and it does not change any existing environmental laws. So all the rhetoric we just heard over the last few minutes about it changing the environment is absolutely 100 percent false.

It does not change any eminent domain laws or adversely affect private property rights. So all that argument we heard a few minutes ago is false. So



we could conclude this debate pretty quickly if the other side will acknowledge the fact of what this bill really does do and what it doesn't do.

It does, however, ensure that involved agencies do their job and that they act on appropriate projects in a timely manner.

The CHAIR. The time of the gentleman has expired.

Mr. UPTON. Mr. Chair, I yield an additional 1 minute to the gentleman from Texas.

Mr. FLORES. Similar provisions have passed the House as stand-alone legislation and were also included in the comprehensive energy bill that passed the House last Congress. Additionally, H.R. 2910 passed out of the Energy and Commerce Committee on a bipartisan vote.

My bill enables more reliable infrastructure to deliver affordable, environmentally friendly natural gas to consumers.

This American energy resource serves as an important energy source for hardworking families and powers our economy.

Mr. Chair, I urge my colleagues to support H.R. 2910.

Ms. CASTOR of Florida. Mr. Chair, I think the point on eminent domain is the fact that this bill will trample on the rights of landowners, because my colleague is correct, current law gives natural gas pipeline companies access to Federal eminent domain authority, allowing these corporations to take private property to build their pipelines. But what the bill does, it would further narrow the already few opportunities that landowners and stakeholders have for review of safety and important environmental protections.

It also would allow surveying while circumventing local permitting and without property owner consent, and that is a very significant change, because it would allow Federal and State agencies to accept aerial survey data and provides that the agencies may grant conditional approvals based on that data, and that can be unwise and unsafe. So we wanted to highlight that as a very significant concern for those Members who are concerned about eminent domain and private property rights.

Mr. Chair, I yield 5 minutes to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN).

Mrs. WATSON COLEMAN. Mr. Chair, I would like to take this opportunity to thank my colleague from Florida for yielding me some time to speak on what I consider to be a very important issue.

Mr. Chair, I rise to strongly oppose H.R. 2910, the Promoting Interagency Coordination for Review of Natural Gas Pipelines Act.

□ 1445

This industry-backed bill provides FERC with unnecessary authorities that put the interest of companies over that of the people and the environment.

The current process that FERC uses to approve pipelines is inherently flawed, genuinely threatens our green spaces, water resources, and public and private lands.

By allowing this bill to pass, we are permitting FERC to exclude the input of those who would be directly impacted in exchange for benefiting the fossil fuel industry. We need to have a more comprehensive process that considers the effects these pipelines will have on local communities, which is why I introduced H.R. 2649, the Safer Pipelines Act of 2017.

My legislation is about inclusiveness, ensuring that the voice of communities impacted by a proposed pipeline are heard loud and clear.

I have seen this problem up close.

One project before FERC is a proposed PennEast pipeline, which would run through my congressional district. The PennEast plan has been fraught by community concerns on issues ranging from potential contamination of drinking water and destruction of environmentally sensitive areas.

Despite these issues, FERC's final environmental impact statement erroneously concluded that the project would have minimal impact.

Just last month, the New Jersey Department of Environmental Protection rejected the construction permits due to PennEast's continuous refusal to provide simple environmental surveys and information requested by the State.

Not only does this bill severely threaten clean water in environmentally sensitive areas, it also tramples on the rights of private property owners and communities.

Jacqueline Evans of New Jersey has shared this story with us:

The farm I built with my children would be completely destroyed by the 36-inch pipe built to the weakest standards allowable.

The pipeline route is less than 200 feet from my children's bedrooms, putting them in a designated "incineration zone."

Our well, that provides water for our family and our livestock, is threatened.

PennEast has threatened me by insisting I sign a "deal" of less than 4 percent of the value of our home, or lose it through eminent domain.

PennEast's intimidation tactics include telling us that FERC will approve the pipeline with or without surveys and environmental studies that are required.

Mr. Chairman, this is unacceptable.

I offered two amendments to this bill that the Rules Committee refused to allow on the floor. One would have limited the use of eminent domain for gas pipeline projects, and the other would have limited the use of area remote surveys.

We cannot prioritize the wishes of private pipeline companies at the expense of clean drinking water, our environment and natural resources, and the rights of private owners.

So I stand here today begging my colleagues to vote for the people and to reject this bill by voting against it.

Mr. UPTON. Mr. Chairman, I yield 2 minutes to the gentlewoman from Ten-

nessee (Mrs. BLACKBURN), a member of the Energy and Commerce Committee.

Mrs. BLACKBURN. Mr. Chairman, I thank Chairman UPTON and Mr. FLORES for the work that they have done on this piece of legislation. Mr. FLORES spoke of the need to do this and why it is so important for us to begin to simplify and clean up the rules and the regulation process so that we do provide certainty not only for our constituents, but also for industry.

In addition to that, Mr. Chairman, what we do is to provide hope to millions of workers who work in the energy sector.

I want to read from a letter of support. This is from the International Union of Operating Engineers. They sent a letter in support of Mr. FLORES' bill, and it gets right to the heart of the issue.

"Domestic energy production provides good-paying jobs for members of the IUOE and other construction craftworkers and continues to employ thousands of our members. Uncertainty and delay during environmental reviews, however, hinder the growth of jobs related to the Nation's energy infrastructure. Congress should give FERC additional tools to keep Federal agencies accountable and maximum coordination in the permitting process."

Mr. Chairman, this is from individuals who work in this energy sector, who understand the vital importance of having a secure, safe, and stable energy supply. They are individuals who want to see growth in this industry. They also want to make certain that we do this in the appropriate way—as we have done, as H.R. 2910 does—to respect individual and private property works.

The CHAIR. The time of the gentleman has expired.

Mr. UPTON. Mr. Chairman, I yield an additional 1 minute to the gentlewoman.

Mrs. BLACKBURN. Giving FERC the authority that they need to go in and consolidate and simplify this environmental process for these interstate gas projects is the right thing to do.

Many times, what slows these projects down and causes the situation that the International Union of Operating Engineers speaks to is the fact that you have multiple permits that are required, and they are from multiple agencies and multiple levels of government. Any time you are going through that, there are more opportunities for mistakes and it is going to be more costly.

So I congratulate my colleague for a job well done, and I encourage my colleagues to vote for and support H.R. 2910.

Ms. CASTOR of Florida. Mr. Chairman, I want to make it clear: I heard the comments of my colleague from Tennessee, and the Democrats do support natural gas pipelines, a very important part of our energy infrastructure.

And, as a reminder, the Federal Energy Regulatory Commission approves

almost 90 percent of all pipeline applications within 1 year. And if there is any holdup recently, it is because the Republican-led Senate has not confirmed an additional FERC appointee. That is holding up the process of approving more natural gas pipelines.

What we don't approve of, however, is a spill that attempts to short-circuit very important safety and environmental review processes and take private property rights away from landowners.

Mr. Chairman, I yield 4 minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. Mr. Chairman, I thank the gentlewoman from Florida for yielding.

I rise in opposition to H.R. 2910, the Promoting Interagency Coordination for Review of Natural Gas Pipelines Act.

This bill is a solution in search of a problem.

We heard from FERC that 88 percent of projects are certified within 1 year following a completed application. It is clear that, under the existing process, these projects are moving forward without significant delays.

We have not seen good evidence that we need to further tilt the process in favor of pipeline companies, which is what the bill before us today would do.

While I am concerned about a number of provisions in this bill, I specifically want to highlight the section that would require Federal and State agencies to accept aerial survey data, such as data collected by drones, and allow these agencies to grant conditional approvals based on that data.

Aerial data have limitations and can be insufficient. These data may not account for historic sites, endangered species, or wetlands. But, under this bill, agencies would be required to consider the project.

Granting conditional permits based on inadequate data will ultimately not speed up the process, but what it does instead is circumvent the rights of landowners.

We also should be more thoughtful about changing this process, given the implications that will impact private landowners' rights.

Under the law, pipeline companies are able to use eminent domain authority, allowing these corporations to take private property to build their pipelines. This bill would further restrict the already limited opportunities that private landowners and concerned citizens have to weigh in on proposed projects.

Streamlining is fine, but we are considering expediting a process that can result in the use of eminent domain. The bar for seizing private property should be high, and lowering that bar is to the detriment of private landowners.

Historically, when considering the use of eminent domain, the question has been: Is it in the public's interest?

But this bill is forcing the question to shift to: Is it in the company's interest?

That is not acceptable to me, and it certainly isn't acceptable to the general public.

If we continue to expedite and rubber stamp these projects, consumers will be on the hook for unviable and, eventually, stranded assets.

We need to look at our energy infrastructure based on holistic, regional needs that take into account how many projects are under consideration and how it would impact existing infrastructure.

Mr. Chairman, I ask my colleagues to oppose this bill.

Mr. UPTON. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Chairman, I rise today in strong support of H.R. 2910, legislation sponsored by my friend and Western Caucus member, BILL FLORES.

One area of wide bipartisan agreement is the need to support critical infrastructure in the United States. This bill presents an important opportunity to deliver on our commitment to modernize infrastructure, grow the economy, and support safe, reliable American-made energy.

By improving agency and industry coordination, we can provide more certainty regarding the timeframe and procedures of the pipeline review process. By making these improvements, we will ensure that the energy we produce right here in America can be transported in the safest possible manner.

If my colleagues are truly serious about protecting the environment, we should be promoting American-made energy, where we know it will be produced in adherence to the highest environmental and safety standards.

This bill does exactly that by making the improvements necessary to modernize our pipeline approval process. These improvements are necessary to match the advancements in shale gas technology and increased demand for safe, reliable, and domestically-sourced energy.

While roads and bridges often get the most attention when we talk about the need for updated infrastructure, modern pipelines and other energy infrastructure are sorely needed to support our economy and power our homes and businesses.

Promoting efficient and comprehensive cooperation within our regulatory process is an effort that is not only bipartisan, but plain common sense.

Mr. Chairman, I thank the gentleman from Texas for sponsoring this much-needed legislation, and I urge my colleagues to vote in support of this commonsense bill.

Ms. CASTOR of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, when we had a hearing earlier in the year in the Energy and Commerce Committee, I assumed there was a major backlog of unreviewed applications that spurred my colleagues on the other side of the

aisle to draft this bill. But then we heard from experts from the Federal Energy Regulatory Commission about this, and they testified that nearly 90 percent of these major infrastructure projects are approved in less than a year.

Many companies working to have other interstate energy projects approved can only dream of a Federal review occurring in less than a year. So this is already a very efficient process.

I would say this bill is unnecessary, it is duplicative, and it is wasteful. And I know many in the Congress here are looking for ways to eliminate government waste and duplication.

The Congress has already taken action to streamline the Federal environmental permitting review process for major infrastructure projects. Sometimes our memories are short, but it was just last Congress where Congress adopted the major Transportation and Infrastructure bill, the FAST Act. It passed in a bipartisan manner and was signed into law.

The FAST Act authorized the Federal Permitting Improvement Steering Council, or FPISC, to improve the timeliness, predictability, and transparency of Federal environmental review processes for these major infrastructure projects.

Now, FPISC is already getting underway. It has set up this enhanced coordination and transparency by establishing a lead agency for the project, recommends performance schedules, and public project timetables. Many of the provisions in this bill, however, seem to be largely duplicative of the activities of FPISC and what they are already doing.

FPISC is already overseeing and coordinating permitting processes for 32 major infrastructure projects, including seven interstate natural gas pipelines—just to highlight that this is an unnecessary power grab that really is short-circuiting very important safety and environmental review processes.

□ 1500

There is no problem across this country right now with getting your natural gas pipeline approved unless there is a real problem in the details of the application.

Now, I used to practice environmental law in a previous lifetime, and what I learned is, when you provide for these short-circuited processes that keep the public out, that keep other stakeholders out, what you are going to do on the back end, you are going to cause more lawsuits, more delays, rather than just adhering to the proper process, answering questions as you go along, pressing ahead, altering the route when it needs to be rerouted.

So this is a very important issue. The details really matter here.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I yield myself 30 seconds.

I include in the RECORD three letters in support. The National Electrical

Contractors Association has a letter of support. The National Taxpayers Union has a letter of support, as well as the National Association of Manufacturers.

NATIONAL ELECTRICAL  
CONTRACTORS ASSOCIATION,  
Bethesda, MD, July 18, 2017.

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

DEAR SPEAKER RYAN: On behalf of the National Electrical Contractors Association (NECA), I am writing in strong support of H.R. 2883, Promoting Cross-Border Energy Infrastructure Act which would establish a more uniform and transparent approval process for the construction, connection, operation, or maintenance of oil or natural gas pipelines or electric transmission facilities for the import or export of oil, natural gas, or electricity. NECA also supports H.R. 2910, Promoting Interagency Coordination for Review of Natural Gas Pipelines Act, which would help address the need to modernize the nation's natural gas pipeline infrastructure by promoting more timely and efficient reviews by the Federal Energy Regulatory Commission (FERC). NECA believes these critical pieces of legislation will facilitate construction projects along the United States' borders and encourage energy independence.

NECA is the nationally recognized voice of the \$130 billion electrical construction industry that brings power, light, and communication technology to buildings and communities across the U.S. NECA's national office and its 119 local chapters are dedicated to enhancing the industry through continuing education, labor relations, safety codes, standards development, and government relations. NECA is committed to advocating for a comprehensive energy policy that addresses all available opportunities for energy exploration and independence.

By establishing a more concrete process for the approval of construction projects to import oil, natural gas, and electricity, this legislation would create more jobs in the construction industry while working towards America's energy independence. Construction along the U.S. border to import oil, natural gas, and electricity will greatly enhance our nation's energy security and promote energy independence. It is clear Congress plays a critical role in streamlining the approval process and enacting policies that support approval and construction of energy infrastructure projects. The benefits of these projects are clear: job creation, energy security, energy independence, and economic growth; such construction is in the national interest. NECA strongly endorses H.R. 2883 and H.R. 2910 and believes that these bills will deliver many benefits to our nation.

Sincerely,

MARCO A. GIAMBERARDINO, MPA,  
Executive Director, Government Affairs.

NATIONAL TAXPAYERS UNION,  
Washington, DC, July 18, 2017.

NATIONAL TAXPAYERS UNION VOTE ALERT

NTU urges all Representatives to vote "YES" on the following bills that would reduce regulatory burdens and promote economic growth.

H.R. 806, "Ozone Standards Implementation Act of 2017": This legislation would extend the timeframe for compliance with the 2008 and 2015 ozone standards and put in place process reforms going forward. The bungled 2008/2015 revisions have created an implementation headache for many states, now tasked with simultaneously working to enact dual standards. The costs are high for states and localities—regardless of whether

they achieve attainment. Nonattainment means lost funds for highways and other essential infrastructure projects. On the other hand, reaching attainment could require limits on new construction and manufacturing production, expensive retrofitting, and oppressive new rules. Either way, jobs and investment will go elsewhere without the more feasible, predictable reforms in H.R. 806.

H.R. 2883, "Promoting Cross-Border Energy Infrastructure Act": This legislation would streamline the archaic cross-border permitting process for energy facilities that stretch across the borders we share with Mexico and Canada. The current Presidential Permit regime is far from clear and can leave projects in regulatory limbo for years on end. Creating a consolidated and standardized approval process would increase the Congressional accountability provided for in Article 1, Section 8 of the Constitution, granting Congress the authority to "regulate Commerce with foreign Nations," while eliminating costly regulatory hurdles that stand between consumers and low-cost energy options.

H.R. 2910, "Promoting Interagency Coordination for Review of Natural Gas Pipelines Act": This legislation would facilitate the timely review of natural gas pipeline permitting by clearly designating the Federal Energy Regulatory Commission as the lead agency responsible for interstate natural gas pipeline site permitting. This, along with other measures to increase efficiency such as providing for concurrent reviews and commonsense timetables, would help avoid duplication and other unnecessary delays. In addition, H.R. 2910 would increase transparency in the permitting process through more public disclosure, as well as create new opportunities for public input.

In general, markets crave certainty in order to anticipate where resources should be allocated. This is doubly true for the giant infrastructure and manufacturing projects these bills address. Planning, personnel, and capital all depend on a transparent, predictable, consistent regulatory process. Together, these reforms would result in increased investment in our energy infrastructure, spurring job-growth in an essential and lucrative sector of our economy, and enhancing low-cost energy options for consumers.

Roll call votes on H.R. 806, H.R. 2883, and H.R. 2910 will be included in our annual Rating of Congress and a "YES" vote will be considered the pro-taxpayer position.

If you have any questions, please contact NTU Federal Affairs Manager.

NATIONAL ASSOCIATION  
OF MANUFACTURERS,  
July 19, 2017.

DEAR REPRESENTATIVES: The National Association of Manufacturers (NAM), the largest manufacturing association in the United States representing manufacturers in every industrial sector and in all 50 states, urges you to support H.R. 2910, the Promoting Interagency Coordination for Review of Natural Gas Pipelines Act, introduced by Rep. Bill Flores (R-TX).

Domestic natural gas has transformed the U.S. economy, made our companies more competitive, created jobs and put money back in the pockets of working Americans. Manufacturers use natural gas as a fuel for direct process uses, such as drying, melting, process cooling, machine drive and refrigeration; as a fuel for direct non-process uses in manufacturing establishments, such as heating, ventilation, HVAC and lighting; as a fuel for indirect purposes, such as boilers used to produce electricity and steam; and as a feedstock in refining, chemicals and pri-

mary metals sectors. Over the next decade, total demand for natural gas is projected to increase by 40 percent. Domestic manufacturing is poised to be a key driver of this growth. Consequently, major investments in new pipeline infrastructure are required to ensure manufacturers have a steady, reliable stream of natural gas.

Unfortunately, permitting these infrastructure projects remains a lengthy process. Permitting should follow a comprehensive process that ensures timely and predictable decision-making, but federal and state permitting agencies can create roadblocks and delays when coordination is inadequate. Strengthening the Federal Energy Regulatory Commission's (FERC's) coordination of interagency processes is critical to the permitting of natural gas infrastructure and ensuring manufacturers have access to this affordable resource.

H.R. 2910 would reinforce FERC's role as the lead agency for siting interstate natural gas pipelines by directing FERC to identify and invite all agencies considering an aspect of an application to establish a schedule for concurrent reviews, and to impose deadlines for final decisions. H.R. 2910 would ensure projects undergo a robust agency review while completing that review in a timely and predictable manner.

The NAM's Key Vote Advisory Committee has indicated that votes on H.R. 2910, including procedural motions, may be considered for designation as Key Manufacturing Votes in the 115th Congress.

Thank you for your consideration.

Sincerely,

ARIC NEWHOUSE,  
Senior Vice President,  
Policy and Government Relations.

Mr. UPTON. Mr. Chairman, might I inquire if the gentlewoman has any further speakers.

Ms. CASTOR of Florida. Mr. Chairman, I have one additional speaker and some submissions for the RECORD.

Mr. UPTON. Mr. Chairman, I have no more speakers at this point, so I reserve the balance of my time.

Ms. CASTOR of Florida. Mr. Chairman, I yield myself such time as I may consume.

I include in the RECORD some information on pipeline incidents from the U.S. Government, just to highlight the fact that it is vitally important that these pipelines undergo safety and environmental reviews. These are the pipeline incident reports from 1997–2016 for all States. I will just read a few of these statistics here.

In 2016, you had 16 fatalities from natural gas pipeline incidents, 83 injuries, total cost of property damage, over \$300 million. In 2015, 10 fatalities, 49 injuries, over 328 incidents. There is a 3-year average from 2014–2016 of 312 incidents. The 5-year average across the country is 299 incidents; 10-year average, 286 incidents.

For fatalities, the 3-year average, 15 fatalities; the 5-year average, 13; the 10-year average, 13; the 20-year average, 16.

And for injuries, the 3-year average, 75 injuries; the 5-year average, 64 injuries; the 10-year average, 64 injuries; the 20-year average, 65 injuries. And the property damage report, just the 3-year average is about \$315 million.

## PHMSA PIPELINE INCIDENTS: MULTI-YEAR AVERAGES (1997-2016)

Incident Type: Significant, System Type: All, State: All.

Incident count:

3 Year Average, (2014-2016), 312; 5 Year Average, (2012-2016), 299; 10 Year Average, (2007-2016), 286; 20 Year Average, (1997-2016), 284.

Fatalities:

3 Year Average, 15; 5 Year Average, 13; 10 Year Average, 13; 20 Year Average, 16.

Injuries:

3 Year Average, 75; 5 Year Average, 64; 10 Year Average, 64; 20 Year Average, 65.

Total cost:

3 Year Average, \$315,138,727; 5 Year Average, \$306,888,604; 10 Year Average, \$475,607,772; 20 Year Average, \$389,601,666.

2017 Year-to-date:

Incidents, 118; Fatalities, 1; Injuries, 16; Total Cost, \$49,385,394.

Calendar year, Number, Fatalities, Injuries, Total cost current year dollars:

1997, 267, 10, 77, \$110,377,793; 1998, 295, 21, 81, \$174,516,797; 1999, 275, 22, 108, \$178,313,209; 2000, 290, 38, 81, \$257,659,464; 2001, 233, 7, 61, \$79,086,596; 2002, 258, 12, 49, \$124,067,949; 2003, 297, 12, 71, \$163,459,897; 2004, 309, 23, 56, \$314,362,210; 2005, 336, 16, 46, \$1,476,994,582; 2006, 257, 19, 34, \$157,117,098; 2007, 265, 15, 46, \$147,800,810; 2008, 278, 8, 54, \$592,290,867; 2009, 275, 13, 62, \$180,360,208; 2010, 264, 19, 103, \$1,854,123,037; 2011, 287, 12, 51, \$447,059,777; 2012, 254, 10, 54, \$233,813,285; 2013, 304, 8, 42, \$355,213,552; 2014, 301, 19, 94, \$305,253,746; 2015, 328, 10, 49, \$338,297,940; 2016, 308, 16, 83, \$301,864,494; Grand Total, 5,681, 310, 1,302, \$7,792,033,312.

Ms. CASTOR of Florida. Mr. Chairman, I would just say that it is inappropriate to short-circuit the very important safety and environmental review processes for our interstate natural gas pipelines. This is a solution in search of a problem.

We know that FERC approves these gas pipeline applications at about 90 percent. The only reason a little delay has fallen off recently is because the Senate has not approved the new FERC appointee over a matter of 5 months. If they would do that, I think they could get back on track as well.

The ones that are not approved are undergoing very significant review. Even in the case for the major projects now, we have a new system, a coordinated effort through the FPISC, the new council that is overseeing interstate natural gas pipeline, so it is duplicative as well.

It is inappropriate for a process that already grants eminent domain rights through pipeline companies to go through private property now to short-circuit the environmental and safety reviews. That is just really going too far for corporations and their profits, where landowners and other stakeholders have to have the ability to weigh in. Otherwise, you are going to cause more lawsuits and more delays at the very end of the process and, I think, do exactly the opposite of what the author of the legislation intends to do.

So at this point, based upon all of the evidence that has been presented, I urge my colleagues to vote "no" on this bill. Don't elevate corporate profits over the interests of the public.

I yield back the balance of my time.

Mr. UPTON. Mr. Chairman, I yield myself such time as I may consume.

I would urge my colleagues to support this legislation. Again, this streamlines the process. There are still no shortcuts that are here. We require that the agencies work concurrently with each other. At the end of the day, we know that pipelines are literally the safest way to transport whatever it is, oil, gas, to the consumers, and at a lower cost. It is safer and, obviously, helps the most vulnerable with lower costs.

We have literally millions of miles of pipelines. And I would note that we passed major, major bipartisan legislation in several Congresses—it was bipartisan—it was overwhelmingly bipartisan—that President Obama signed into law increasing the safety standards and fines for any new pipelines that are built. Those laws, obviously, stay on the books.

Again, I would urge my colleagues to vote for the bill. I look forward to the debate on a couple of the amendments.

I yield back the balance of my time. The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-28. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 2910

*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 "Promoting Interagency Coordination for Review of Natural Gas Pipelines Act".*

#### SEC. 2. FERC PROCESS COORDINATION FOR NATURAL GAS PIPELINE PROJECTS.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term "Commission" means the Federal Energy Regulatory Commission.

(2) FEDERAL AUTHORIZATION.—The term "Federal authorization" has the meaning given that term in section 15(a) of the Natural Gas Act (15 U.S.C. 717n(a)).

(3) NEPA REVIEW.—The term "NEPA review" means the process of reviewing a proposed Federal action under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332).

(4) PROJECT-RELATED NEPA REVIEW.—The term "project-related NEPA review" means any NEPA review required to be conducted with respect to the issuance of an authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act.

(b) COMMISSION NEPA REVIEW RESPONSIBILITIES.—In acting as the lead agency under section 15(b)(1) of the Natural Gas Act for the purposes of complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to an authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of

such Act, the Commission shall, in accordance with this section and other applicable Federal law—

(1) be the only lead agency;

(2) coordinate as early as practicable with each agency designated as a participating agency under subsection (d)(3) to ensure that the Commission develops information in conducting its project-related NEPA review that is usable by the participating agency in considering an aspect of an application for a Federal authorization for which the agency is responsible; and

(3) take such actions as are necessary and proper to facilitate the expeditious resolution of its project-related NEPA review.

(c) DEFERENCE TO COMMISSION.—In making a decision with respect to a Federal authorization required with respect to an application for authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act, each agency shall give deference, to the maximum extent authorized by law, to the scope of the project-related NEPA review that the Commission determines to be appropriate.

(d) PARTICIPATING AGENCIES.—

(1) IDENTIFICATION.—The Commission shall identify, as early as practicable after it is notified by a person applying for an authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act, any Federal or State agency, local government, or Indian Tribe that may issue a Federal authorization or is required by Federal law to consult with the Commission in conjunction with the issuance of a Federal authorization required for such authorization or certificate.

(2) INVITATION.—

(A) IN GENERAL.—The Commission shall invite any agency identified under paragraph (1) to participate in the review process for the applicable Federal authorization.

(B) DEADLINE.—An invitation issued under subparagraph (A) shall establish a deadline by which a response to the invitation shall be submitted to the Commission, which may be extended by the Commission for good cause.

(3) DESIGNATION AS PARTICIPATING AGENCIES.—The Commission shall designate an agency identified under paragraph (1) as a participating agency with respect to an application for authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act unless the agency informs the Commission, in writing, by the deadline established pursuant to paragraph (2)(B), that the agency—

(A) has no jurisdiction or authority with respect to the applicable Federal authorization;

(B) has no special expertise or information relevant to any project-related NEPA review; or

(C) does not intend to submit comments for the record for the project-related NEPA review conducted by the Commission.

(4) EFFECT OF NON-DESIGNATION.—

(A) EFFECT ON AGENCY.—Any agency that is not designated as a participating agency under paragraph (3) with respect to an application for an authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act may not request or conduct a NEPA review that is supplemental to the project-related NEPA review conducted by the Commission, unless the agency—

(i) demonstrates that such review is legally necessary for the agency to carry out responsibilities in considering an aspect of an application for a Federal authorization; and

(ii) requires information that could not have been obtained during the project-related NEPA review conducted by the Commission.

(B) COMMENTS; RECORD.—The Commission shall not, with respect to an agency that is not designated as a participating agency under paragraph (3) with respect to an application for an authorization under section 3 of the Natural

Gas Act or a certificate of public convenience and necessity under section 7 of such Act—

(i) consider any comments or other information submitted by such agency for the project-related NEPA review conducted by the Commission; or

(ii) include any such comments or other information in the record for such project-related NEPA review.

(e) SCHEDULE.—

(1) DEADLINE FOR FEDERAL AUTHORIZATIONS.—A deadline for a Federal authorization required with respect to an application for authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act set by the Commission under section 15(c)(1) of such Act shall be not later than 90 days after the Commission completes its project-related NEPA review, unless an applicable schedule is otherwise established by Federal law.

(2) CONCURRENT REVIEWS.—Each Federal and State agency—

(A) that may consider an application for a Federal authorization required with respect to an application for authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act shall formulate and implement a plan for administrative, policy, and procedural mechanisms to enable the agency to ensure completion of Federal authorizations in compliance with schedules established by the Commission under section 15(c)(1) of such Act; and

(B) in considering an aspect of an application for a Federal authorization required with respect to an application for authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act, shall—

(i) formulate and implement a plan to enable the agency to comply with the schedule established by the Commission under section 15(c)(1) of such Act;

(ii) carry out the obligations of that agency under applicable law concurrently, and in conjunction with, the project-related NEPA review conducted by the Commission, and in compliance with the schedule established by the Commission under section 15(c)(1) of such Act, unless the agency notifies the Commission in writing that doing so would impair the ability of the agency to conduct needed analysis or otherwise carry out such obligations;

(iii) transmit to the Commission a statement—

(I) acknowledging receipt of the schedule established by the Commission under section 15(c)(1) of the Natural Gas Act; and

(II) setting forth the plan formulated under clause (i) of this subparagraph;

(iv) not later than 30 days after the agency receives such application for a Federal authorization, transmit to the applicant a notice—

(I) indicating whether such application is ready for processing; and

(II) if such application is not ready for processing, that includes a comprehensive description of the information needed for the agency to determine that the application is ready for processing;

(v) determine that such application for a Federal authorization is ready for processing for purposes of clause (iv) if such application is sufficiently complete for the purposes of commencing consideration, regardless of whether supplemental information is necessary to enable the agency to complete the consideration required by law with respect to such application; and

(vi) not less often than once every 90 days, transmit to the Commission a report describing the progress made in considering such application for a Federal authorization.

(3) FAILURE TO MEET DEADLINE.—If a Federal or State agency, including the Commission, fails to meet a deadline for a Federal authorization set forth in the schedule established by the Commission under section 15(c)(1) of the Natural

Gas Act, not later than 5 days after such deadline, the head of the relevant Federal agency (including, in the case of a failure by a State agency, the Federal agency overseeing the delegated authority) shall notify Congress and the Commission of such failure and set forth a recommended implementation plan to ensure completion of the action to which such deadline applied.

(f) CONSIDERATION OF APPLICATIONS FOR FEDERAL AUTHORIZATION.—

(1) ISSUE IDENTIFICATION AND RESOLUTION.—

(A) IDENTIFICATION.—Federal and State agencies that may consider an aspect of an application for a Federal authorization shall identify, as early as possible, any issues of concern that may delay or prevent an agency from working with the Commission to resolve such issues and granting such authorization.

(B) ISSUE RESOLUTION.—The Commission may forward any issue of concern identified under subparagraph (A) to the heads of the relevant agencies (including, in the case of an issue of concern that is a failure by a State agency, the Federal agency overseeing the delegated authority, if applicable) for resolution.

(2) REMOTE SURVEYS.—If a Federal or State agency considering an aspect of an application for a Federal authorization requires the person applying for such authorization to submit data, the agency shall consider any such data gathered by aerial or other remote means that the person submits. The agency may grant a conditional approval for the Federal authorization based on data gathered by aerial or remote means, conditioned on the verification of such data by subsequent onsite inspection.

(3) APPLICATION PROCESSING.—The Commission, and Federal and State agencies, may allow a person applying for a Federal authorization to fund a third-party contractor to assist in reviewing the application for such authorization.

(g) ACCOUNTABILITY, TRANSPARENCY, EFFICIENCY.—For an application for an authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act that requires multiple Federal authorizations, the Commission, with input from any Federal or State agency considering an aspect of the application, shall track and make available to the public on the Commission's website information related to the actions required to complete the Federal authorizations. Such information shall include the following:

(1) The schedule established by the Commission under section 15(c)(1) of the Natural Gas Act.

(2) A list of all the actions required by each applicable agency to complete permitting, reviews, and other actions necessary to obtain a final decision on the application.

(3) The expected completion date for each such action.

(4) A point of contact at the agency responsible for each such action.

(5) In the event that an action is still pending as of the expected date of completion, a brief explanation of the reasons for the delay.

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of House Report 115–235. Each such amendment may be offered only in the order printed in the report, 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 MS. TSONGAS

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 115–235.

Ms. TSONGAS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, after line 9, add the following:

(h) LIMITATION ON APPLICATION.—This section shall not apply to any application for an authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act with respect to which any part of a pipeline facility that is a subject of the application is to be located on lands required under Federal, State, or local law to be managed for purposes of natural resource conservation or recreation.

The CHAIR. Pursuant to House Resolution 454, the gentleman from Massachusetts (Ms. TSONGAS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Ms. TSONGAS. Mr. Chairman, my amendment protects a robust public review process for any proposed pipeline that seeks to cross protected conservation and recreation lands. The legislation before us today, with its short-circuited environmental reviews, puts treasured public lands at risk.

My home State of Massachusetts, like many areas around the country, faces real energy challenges. We need careful and strategic long-term planning in order to lower energy prices and maintain reliability and resiliency. Over the past several years, we have seen proposals for new natural gas pipelines that would stretch hundreds of miles and cross many different communities.

We must work to identify ways to lower energy prices for our homes and businesses, and increasing the supply of lower cost natural gas may be one way to achieve that objective while we transition to cleaner, more affordable, and sustainable alternatives. However, we cannot, in the long run, afford to be careless about our other environmental interests as we make that transition.

These major infrastructure proposals in New England and elsewhere around the country deserve close and careful scrutiny given the potential environmental impacts and the costs borne by ratepayers.

Regrettably, this legislation moves us in the wrong direction. This bill would force FERC to rush decision-making, including environmental reviews necessary to determine if pipelines will have negative impacts on State forests, parks, wildlife management areas, and wetlands, lands expressly put aside as a result of a public decision to protect them.

Our Nation has a longstanding history of preserving natural habitats and protecting open spaces for the public benefit, and we have invested enormous public resources toward these goals. These lands and the decisions behind them deserve to be honored.

In my district, we recently went through the public review process for a

proposed natural gas pipeline. Hundreds of my constituents expressed their concerns about the project. Construction of the pipeline could have jeopardized local wildlife and impacted both State and federally designated conservation land, as well as Massachusetts' scarce farmland.

Thanks to a robust review process, the public had numerous opportunities to question the project and express these legitimate concerns, and their views were able to be fully considered.

While I believe we must protect that review process for all infrastructure projects, my amendment focuses on pipelines that cross protected conservation and recreation lands.

I urge my colleagues to support my amendment and protect investments by Federal taxpayers, States, and local communities in preserving their natural and historic resources.

I reserve the balance of my time.

Mr. UPTON. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Mr. Chairman, I would just note that all current reviews that we do now for pipeline siting, they all remain in place. None of it goes away. Those same reviews take place.

The gentlewoman's amendment, in our view, is unnecessary because nothing in this legislation would limit environmental protections or affect laws that govern the multiple use of our public lands.

Pipelines, we know, as I said earlier, are the safest, most efficient way to transport energy supplies. The overwhelming majority of Americans strongly support modernizing our infrastructure, including pipelines, to ensure stable, affordable supplies. And I would note, we have millions of miles of pipelines across the country.

So what is the alternative if you don't have a pipeline?

Well, it is going to be more expensive and, frankly, the accident record is not perfect either. It includes rail or truck, often at a higher cost, which then is passed along to those consumers, impacting the most vulnerable the most.

Infrastructure modernization and job growth go hand in hand with environmental and natural resource protection. Investing in our infrastructure is a smart investment for energy security, job growth, manufacturing, and creating the jobs that we want.

Maintaining and expanding these economywide benefits is dependent on a transparent and a predictable regulatory approval of infrastructure projects. That is what the underlying bill does.

This amendment, however, we would view as a step backward. I would urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Ms. TSONGAS. Mr. Chairman, I would like to say, first, that energy infrastructure is critical to our economy; yet we cannot simply give the fossil

fuel industry carte blanche to build pipelines without robust public reviews.

I yield 1½ minutes to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. Mr. Chairman, I am proud to co-lead this amendment with my colleagues, Ms. TSONGAS and Mr. MCGOVERN.

FERC, as it is currently structured, is not adequately protecting our most valued public lands designed for recreation and conservation, and this bill will only make this particular mismanagement worse. We are witnessing this firsthand in my Virginia.

At stake is one of our Nation's treasured landscapes, the Appalachian National Scenic Trail, the A.T., and the surrounding national parkland and national forestlands. The A.T. was congressionally dedicated as a national scenic trail nearly 50 years ago, and it is one of the most significant land features in the Eastern United States. It is famous around the world.

Its cultural heritage, its recreational options, its natural resources all serve crucial roles in the lives and communities of the Appalachian region, but it is at risk.

The proposed Mountain Valley Pipeline route impacts 19 prominent views over nearly 100 miles of the Appalachian Trail. Tinker Cliffs, the Dragon's Tooth, even the totally iconic McAfee Knob all will be corrupted by this pipeline.

I am not anti-pipeline. I am not anti-energy. I am an avid Appalachian Trail hiker. I have crossed almost all of the 60 pipeline crossings that exist on the trail. But the Mountain Valley's proposal route doesn't take the least impactful route. It doesn't cross the trail. It runs alongside it for almost 100 miles.

□ 1515

You will be able to see the impact day after day after day. It doesn't sound like the developers thought about minimizing their impact on this important cultural icon.

It has also become clear that the proposed route would require an amendment to the Jefferson National Forest management plan, which was carefully constructed and well balanced.

Mr. Chair, I urge my colleagues to support this amendment and protect one of America's most treasured natural places.

Ms. TSONGAS. Mr. Chair, I yield back the balance of my time.

Mr. UPTON. Mr. Chairman, I again remind my colleagues to oppose the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. TSONGAS. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Massachusetts will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. LYNCH

The CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 115-235.

Mr. LYNCH. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, after line 9, add the following:

#### SEC. 3. PIPELINE SECURITY.

In considering an application for an authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act, the Federal Energy Regulatory Commission shall consult with the Administrator of the Transportation Security Administration regarding the applicant's compliance with security guidance and best practice recommendations of the Administration regarding pipeline infrastructure security, pipeline cybersecurity, pipeline personnel security, and other pipeline security measures.

The CHAIR. Pursuant to House Resolution 454, the gentleman from Massachusetts (Mr. LYNCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. LYNCH. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, at the outset, I would like to thank Chairman UPTON and Ms. CASTOR, the ranking member from Florida, for their articulate debate this afternoon on this important issue.

I would also like to thank Chairman SESSIONS, Ranking Member SLAUGHTER, and all of the members of the Rules Committee for making this amendment in order.

This commonsense amendment will simply ensure that the Transportation Security Administration, the Federal agency with the primary jurisdiction over pipeline security on behalf of the American people, will retain a meaningful seat at the table when it comes to determinations made by the Federal Energy Regulatory Commission, FERC, on whether to approve a pipeline construction permit.

In particular, this amendment provides that, in considering a pipeline permit application, FERC must simply consult with TSA administrators as to whether a pipeline developer is compliant with existing TSA guidelines and best practice recommendations governing pipeline security. That includes an examination of facility security, cybersecurity, and other critical measures that are designed to safeguard the American people against the threat of terrorists and cyber attacks perpetrated on the U.S. pipeline system.

While H.R. 2910 seeks to expedite the FERC review process for pipeline construction projects in the name of efficiency, we also know that recent terrorist and cyber attacks launched against pipeline facilities nationwide



have more than demonstrated that we cannot place expediency above national security and public safety.

In 2015, a domestic terrorist received a maximum 20-year sentence after pleading guilty to Federal charges relating to his use of a highly volatile explosive device to damage a natural pipeline in Texas. Four years earlier than that, a similar attack was perpetrated in Oklahoma by an individual armed with a homemade improvised explosive device.

In addition, the 2017 series on “Pipelines in Peril,” published by Energy and Environment News, reported that advanced cyber threats targeting U.S. pipelines have only increased and evolved over the past 5 years, following a so-called pipeline hacking spree undertaken by members of the Chinese military. The theft of sensitive data from at least 23 separate U.S. pipeline companies in 2011 and 2012 constitute the sort of cyber breach that the Congressional Research Service has described as allowing hackers the ability to “disrupt pipeline service and cause spills, explosions, and fires all from remote locations.”

I would also like to express my concern regarding an issue that was the subject of an amendment of mine which was not ruled in order, and that is the issuance of pipeline construction permits by FERC in areas where a project site and its surrounding community is already experiencing pre-existing unsafe levels of air pollutants.

In my own congressional district in Massachusetts, FERC recently approved a proposal for a natural gas compressor station in the beautiful town of Weymouth, Massachusetts, and as evidenced by the certificate of independent and quality testing conducted by Dr. Curt Nordgaard and other community stakeholders, the air quality in Weymouth is already at toxic levels of so-called criteria air pollutants such as benzene.

My amendment would have suspended the certificate issued by FERC for the Weymouth compressor station and other projects that the commission approves for construction and communities that have unsafe air quality levels.

In addition to my concerns around air quality, I have to highlight the public safety issues surrounding the route of a natural gas pipeline that FERC approved in West Roxbury, a local neighborhood in the heart of my district. The pipeline runs through a densely populated neighborhood. It runs right through an active blasting area in a quarry that is located next to a residential area, and I don't know how that happens if public safety and national security are considerations.

Whether a pipeline is blown up because of stupidity because FERC has located it in a blasting zone or it is because of a nefarious attempt of outside actors, the bottom line is that FERC should sit down and talk with TSA when they are looking at these siting

decisions. The bottom line is, what this amendment will accomplish, it will require that to happen, that consultation to happen between TSA and FERC.

Mr. Chair, I ask Members to vote in support of this amendment, and I yield back the balance of my time.

Mr. UPTON. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Mr. Chairman, I would like to start out by saying that we are prepared to accept the amendment. I know that all of us here take pipeline safety very seriously, and certainly since my chairmanship of the Energy and Commerce Committee, we put safety at the forefront of our efforts to modernize our pipeline infrastructure. We passed two major bills that President Obama signed, and I think there may have been maybe a single Member that opposed that legislation over the years, but we care a lot about that.

In the last Congress, we passed the PIPES Act and the FAST Act. Again, major bipartisan initiatives that Mr. PALLONE and I worked out that got to President Obama's desk. Each of these two bills took important steps to update our laws to protect against emerging physical attacks as well as cyber attacks, threats to the grid, in our energy delivery systems, including pipelines.

We know that multiple Federal and State agencies have a role to play and an opportunity to lead with that expertise. While the Department of Energy is the lead sector-specific agency for cybersecurity and for the energy sector, the Pipeline and Hazardous Materials Safety Administration, PHMSA, is responsible for administering minimum pipeline safety standards, and the TSA, the Transportation Security Administration, does monitor threats to our transportation sector. I think that is where the gentleman from Massachusetts is coming from with this amendment.

The amendment, I have got to say, appears to be consistent with current law, while a rigid consultation requirement could end up resulting in delays if the TSA is not able to consult in a timely manner, but, again, the language is “consult.” I would hope that that would happen.

The amendment also appears to address pipeline facilities, but it is not clear whether it includes LNG as an example. Given the overlapping nature of Federal and State jurisdiction over pipeline safety, we want to make sure that we are doing it right and that we have got all the tools in the toolbox to make sure that that happens and we don't wonder what would have happened without this amendment.

Mr. Chair, I appreciate the gentleman's amendment. We are ready to work with him, but certainly, at this point, ready to accept the amendment.

Mr. LYNCH. Will the gentleman yield?

Mr. UPTON. I yield to the gentleman from Massachusetts.

Mr. LYNCH. Mr. Chair, first of all, I thank the gentleman very much for accepting the amendment. I agree, there may be some other areas that are not particularly addressed, such as the LNG situation. Obviously, we want to increase the level of safety with respect to LNG as well, but I understand those questions can be answered during our debate with the Senate as well and in conference.

But the bottom line is I thank him for accepting the amendment.

Mr. UPTON. Mr. Chair, reclaiming my time, it is my understanding, I believe, that a GAO report has been requested by some of our friends on both sides of the aisle, and we welcome the completion of that report and are anxious to see the result.

Mr. Chairman, again, I am prepared to accept the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. LYNCH).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. BEYER

The CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 115-235.

Mr. BEYER. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, after line 9, add the following:

(g) SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENTS.—

(1) IN GENERAL.—In conducting a project-related NEPA review, the Commission shall prepare a supplement to a draft environmental impact statement or a final environmental impact statement if—

(A) the Commission makes a substantial change in the proposed action that is relevant to environmental concerns; or

(B) there are significant new circumstances or information relevant to environmental concerns and bearing on the application for authorization under section 3 of the Natural Gas Act or a certificate of public convenience and necessity under section 7 of such Act with respect to which the project-related NEPA review is being conducted, or its impacts.

(2) MITIGATION PLANS.—In conducting a project-related NEPA review, if a draft environmental impact statement does not include information about mitigation plans for adverse impacts that cannot reasonably be avoided, the Commission shall prepare a supplement to the draft environmental impact statement that includes such information.

The CHAIR. Pursuant to House Resolution 454, the gentleman from Virginia (Mr. BEYER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BEYER. Mr. Chairman, it is a great honor to come after this bipartisan discussion between Mr. LYNCH and Mr. UPTON. I hope a precedent has been set, Mr. Chairman.

I offered this amendment to improve the Federal Energy Regulatory Commission's public comment period and transparency process.



This amendment would require FERC to issue a supplemental environmental impact statement if there is critical new information relevant to a pipeline proposal, and to require mitigation plans for adverse impacts if not already provided.

The case of the Mountain Valley Pipeline demonstrated how the current FERC process has failed us and why this amendment is necessary.

I recently wrote a letter to FERC on this very issue, asking that they initiate a supplemental environmental impact statement before moving forward with the issuance of a Certificate of Public Convenience and Necessity.

Quite simply, the process was flawed.

In response to a September 2016 draft environmental impact statement, Mountain Valley Pipeline, LLC, had to present more information and an updated route for the pipeline proposal to FERC. Originally, Mr. Chairman, they offered 1,000 pages of updates for public comment, but then their updates extended beyond the public comment period, which ended in December 2016, and included thousands of additional pages of crucially important information—20,000 pages of crucially important information. Think about how long it would take to read 20,000 pages.

What is most egregious is that, because this document dump came after the public comment period had ended, affected stakeholders weren't able to offer their comments for FERC consideration. They had already closed the public comment period, but the pipeline company was still submitting thousands of pages.

Even more ridiculous, the developers have continued to add more documents, even after FERC issued the final environmental impact statement. So apparently it wasn't final in the eyes of the developers.

For many, FERC's recent decision to issue this final statement for the proposed Mountain Valley Pipeline is patently alarming.

The appropriate course would be to issue a supplemental environmental impact statement and allow for public comment on those 20,000 pages.

Let's fix this woefully incompetent process.

Local communities affected most by proposed energy infrastructure projects naturally have concerns regarding the projects near them.

On my extensive visits to southwest Virginia last summer, there were two kinds of signs everywhere, Mr. Chairman. There were "Make America Great Again, Donald Trump for President," and there were "No Mountain Valley Pipeline."

They deserve the opportunity to express their views fully and to participate in a robust public engagement process, especially for projects which will use eminent domain to seize their private land from homeowners and farmers.

If there are major changes offered after the public comment period is

open, let's make sure the public has the ability to weigh in with their proposals.

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

Mr. UPTON. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. UPTON. Mr. Chairman, FERC is the lead agency for siting interstate natural gas pipelines. We all know that. But there are a number of other Federal and State agencies that also have to issue associated permits for large-scale projects.

□ 1530

Through the FERC prefile process, sponsors engage with landowners, local communities, and government agencies to educate stakeholders and collect the information about the best location for siting that pipeline.

The underlying bill, H.R. 2910, brings much-needed certainty and transparency to the process by encouraging the stakeholders to participate in good faith early in the process. Unfortunately, this amendment, the way that we read it, would create more uncertainty and create more opportunities for delays.

The overwhelming majority of Americans strongly support expanding the infrastructure. Creating the jobs, the pipelines, ensures stable and affordable supplies. Flexibility, affordable, and reliable energy is important for American families and businesses to thrive.

I would note, at this point we still don't have a quorum with FERC, and we want that to change. That will be an issue that goes through the confirmation process in the Senate, but consumers really only benefit from domestic energy if we can get it to them.

Investing in infrastructure is a smart investment, so I would urge my colleagues to vote "no" on this amendment.

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

Mr. BEYER. Mr. Chairman, I yield myself such time as I may consume.

I very much agree with the lead sponsor of the bill, Mr. UPTON, that we don't want any more uncertainty, and we certainly don't want more delays.

In fact, this amendment was originally in a bipartisan bill sponsored by my Republican friend from Virginia, MORGAN GRIFFITH. I literally lifted it word for word.

What we want to do is make sure that all of the information is on the table at the beginning. It is just not fair to the people who are affected by a pipeline that an environmental impact statement is issued and they wouldn't have a chance to comment on it.

So let's make sure that the developers are putting all of the information out first. And if they put it out and the public comment period closes and then they give you the rest of the information, then, clearly, FERC has made the

decision without all that, and the public has been cheated out of the ability to comment on what is going to happen to their land and to their homes. It is just not fair.

Mr. Chair, I encourage my colleagues on both sides of the aisle to support this good, bipartisan amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. BEYER).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. BEYER. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

Mr. UPTON. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FLORES) having assumed the chair, Mr. DUNCAN of Tennessee, 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. 2910) to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes, had come to no resolution thereon.

#### PROMOTING CROSS-BORDER ENERGY INFRASTRUCTURE ACT

##### GENERAL LEAVE

Mr. UPTON. Mr. Chair, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on the bill, H.R. 2883.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution H.R. 2883 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2883.

The Chair appoints the gentleman from Tennessee (Mr. DUNCAN) to preside over the Committee of the Whole.

□ 1534

##### 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 consideration of the bill (H.R. 2883) to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity, with Mr. DUNCAN of Tennessee in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. UPTON), and the gentlewoman from Florida (Ms. CASTOR), each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. UPTON. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, I rise today in strong support of H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act.

This legislation continues the great tradition of bipartisan legislation coming out of the House Energy and Commerce Committee. Our focus has been and will continue to be building America's infrastructure, creating jobs, and strengthening our economy.

I want to congratulate my colleagues and sponsors of this bill, particularly Mr. MULLIN and Mr. GENE GREEN, Republican and Democrat, for their work on this legislation.

H.R. 2883 would establish coordinated procedures to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas, and the transmission of electricity. That is what the bill does.

The legislation would replace the requirements established under executive order that persons obtain a Presidential permit before constructing an oil and gas pipeline or electric transmission facility that crosses the border between the U.S., Mexico, and Canada.

To date, Congress has not asserted its authority to establish proceedings for permitting cross-border energy infrastructure. In the absence of a statutorily directed process, agencies have made decisions regarding cross-border energy infrastructure within the context of their interpretation of a series of executive orders dating back to the 1950s.

Recent proposals, most notably the Keystone XL pipeline, have faced significant and unnecessary delays as a result of political interference in what should have been a straightforward review. There is bipartisan agreement that we should have a free flow of energy in North America.

This bill is going to level the playing field for energy infrastructure projects located at the international border. The legislation takes important steps to bring fairness to the process and provide certainty to countries whom we already have a free trade agreement with and businesses that want to create jobs in the U.S. It is going to strengthen our effort to improve and update NAFTA and enhance our trilateral trading relationships.

It is time Congress exercised its constitutional authority to regulate commerce with foreign nations and replace the Presidential permit requirement with a more transparent, efficient, and effective review process.

Establishing the cross-border permitting process in law would lead to more objective and timely decisions, which,

in turn, is going to create the jobs, strengthen our Nation's energy security, and support affordable and reliable energy for all Americans.

Again, I want to thank my colleagues for their efforts on this important legislation, and I reserve the balance of my time.

Ms. CASTOR of Florida. Mr. Chair, I yield myself such time as I may consume.

I rise in opposition to H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act. My Republican colleagues argue that we need more bills like H.R. 2883 to extract and transport more oil and gas as quickly as possible. But building a modern energy infrastructure for the 21st century requires a lot more than drilling wells, laying more pipelines, filling more railcars with crude oil, and putting more tanker trucks on our highways.

A modern, American, 21st century energy infrastructure plan must address the threat of climate change. This is the biggest energy challenge that we face as a country. We cannot have a meaningful conversation about America's energy infrastructure without also having a conversation about the changing climate and the huge costs heaped on hardworking American families and businesses because of the change in climate.

I am proud to represent the State of Florida, but here is what my neighbors are experiencing now: higher AC bills, more extreme weather events, heat waves, higher cost for flood insurance and property insurance, and property taxes that are having to go now to repair our water and wastewater infrastructure on the coast.

We have a rapidly diminishing window to act to reduce our carbon pollution before the catastrophic impacts of climate change are irreversible. The energy infrastructure decisions that we make today will have a real impact on whether we can mitigate climate change in the future. We need to understand this risk before we lock in infrastructure that will produce carbon pollution for decades to come.

This bill's supporters don't like to be reminded of the daunting challenges of the changing climate. That is reflected in our discussion today, and, frankly, it is reflected in the glaring inaction of this Republican Congress to address climate change.

If enacted into law, H.R. 2883 would move us backwards in our fight for the clean energy economy and the jobs of the future. H.R. 2883 would rubber-stamp permits for pipelines to carry oil, natural gas, even tar sands crude into the United States.

Tar sands crude is the dirtiest fuel on the planet from a climate perspective, and this bill creates a permitting process for cross-border pipelines that make it difficult, if not impossible, for the Federal Government to say no to any of these projects.

This bill asserts that every cross-border energy project is always in the pub-

lic interest. It is up to a project's opponent to try to prove otherwise. The bill even allows the oil industry to make major modifications to its pipelines without getting any approval at all. That means, if a company wants to increase its pipeline capacity or reverse an existing pipeline to carry more oil, natural gas, or tar sands crude into the United States, the company can do just that, no questions asked.

Building new pipelines or expanding existing ones could have a profound environmental impact, but the bill allows for no meaningful environmental review for a cross-border pipeline. The bill says the Federal Government can only examine the cross-border segment of the project.

Who thought that up? That is very creative.

It is almost hard to believe that this is what the bill does, but it is true. For a pipeline spanning hundreds of miles, the environmental review will focus on only that tiny part that crosses the U.S. border. That is irresponsible. That would eliminate the possibility of any meaningful examination of the carbon pollution impacts of these pipelines.

We should be examining the carbon impact of every pipeline before we approve it. Many are very important. But to do so without important environmental reviews in this day and age is frightening.

The future will belong to the country that builds an energy infrastructure to support a cleaner, lower carbon economy, and it is our responsibility to lead the country in the clean energy future with all of the jobs, consumer savings, and economic growth that would be provided.

This bill also provides more proof of what is plain: In this Republican-led Congress, it is, unfortunately, likely to go down in history as having failed to meet one of its greatest responsibilities of this time—the challenge of the changing climate. Our children and grandchildren will be poorer for it, and they will ask us, and especially my Republican colleagues: Why didn't you act when you had the chance?

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

Mr. UPTON. Mr. Chair, I reserve the balance of my time.

Ms. CASTOR of Florida. Mr. Chair, I yield 3 minutes to the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chair, I want to thank my colleague on the Energy and Commerce Committee for yielding me the time.

I rise today in support of H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act.

The Presidential permitting process dates back through many administrations, beginning with the administration of Ulysses S. Grant. The executive branch has taken the necessary steps to ensure our cross-border infrastructure with Canada and Mexico was constructed.

These past administrations, and even the current administration, were

forced to issue executive orders because Congress failed to act. Congress has the duty to regulate the commerce of the United States, and cross-border energy infrastructure projects fall well within that space.

Opponents of this bill argue the executive permitting process has worked well in the past. It is true that in the past the process has been proven effective. Unfortunately, cross-border decisions have now fallen victim to election year-cycle politics.

We cannot build infrastructure in this country or on the continent based on who sits in the White House, whether they be Democrat or Republican. It is Congress' responsibility to create regulatory rules by which infrastructure is constructed.

□ 1545

This bill will create a regulatory process at the Federal Energy Regulatory Commission, the Department of State, and the Department of Energy to permit cross-border infrastructure. It is not different than building roads, bridges, or railways. The Department of Transportation coordinates with the Federal, State, and local agencies to ensure projects are completed and the environment is protected. We will do the same thing for pipes and wires. We need to build electric transmission lines and pipelines to move resources from where they are to where they are needed.

The bill complies with the National Environmental Policy Act and requires a full environmental review of any cross-border facility including analysis of climate change impacts. More so, the entire length of the pipeline or electric transmission line will be reviewed for environmental impacts not just for the cross-border pipeline.

While there is some confusion on this issue, opponents of the bill talk about how we will gut the NEPA process—the National Environmental Policy Act. This is simply not the case. My colleague from Texas (Mr. VEASEY) will offer a bipartisan amendment to the bill clarifying that the scope of the National Environmental Policy Act review shall not be limited in any way by this act.

The bill is about the future and how to meet energy demands for the 21st century. We should embrace the changes taking place in North America and harmonize our policies with those of our neighbors both to the north with Canada and to the south with Mexico, and this bill, if it becomes law, will do that.

Mr. MULLIN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we are here talking about how to take politics out of our infrastructure. As we just heard the gentleman from Texas (Mr. GENE GREEN), this is a bipartisan bill. We hear a lot of stuff about it damaging the environment; it doesn't. We are talking about crossing a border and taking a situation that was held up for

8 years with the Keystone pipeline and making sure it has the transparent and consistent approach on how we regulate these permits.

The United States is a powerhouse around the world. We want to keep it that way. We want our country to compete freely in the global market and continue to positively benefit our economy. My bill, H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act, supports the construction of energy infrastructure across our North America borders.

Simply put, this bill takes the politics out of energy infrastructure projects. The construction of these border-crossing facilities should be done effectively and efficiently without getting caught up in our Nation's politics. These facilities are used for importing and exporting oil, natural gas, and electricity that enhance the trade of our energy products that benefit our economy.

This bipartisan piece of legislation allows a transparent and efficient process to be followed the same way every time and for every project. Most importantly, it provides regulatory certainty to those charged with carrying out these projects. I want to thank this House for allowing such bills to come forth and the opportunity to allow this bill to be heard.

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

Ms. CASTOR of Florida. Mr. Chairman, lest anyone be left with the impression that there is a problem with cross-border pipeline approvals, the U.S. Energy Information Administration, from a December 2016 report, says that over the last 5 years, natural gas pipeline capacity between the U.S. and Mexico has grown substantially and is projected to double through 2018.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ of Texas. Mr. Chairman, I rise in support of H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act.

This bill would enact crucial reforms allowing efficient trade of energy products with our North American friends and allies. Unfortunately, the existing process has politicized vital cross-border energy infrastructure.

H.R. 2883 offers a narrowly crafted, sensible solution to this problem. The bill will create a process at the Federal Energy Regulatory Commission, State Department, and the Department of Energy to permit cross-border infrastructure projects.

This new procedure will bring regulatory certainty while ensuring these projects are environmentally sound and within public interest. These projects create jobs in my district in south Texas and across the country.

I congratulate and thank Mr. GREEN and Mr. MULLIN for this important piece of legislation. Energy security, targeted regulatory reforms, and smart infrastructure investments are things

we can all support, and we should all support.

Mr. Chairman, I urge a "yes" vote on this sensible bipartisan legislation.

Mr. MULLIN. Mr. Chairman, as you have heard, two of my colleagues from Texas have just come out, obviously, in support of this bill. There is not a lot that Texas and Oklahoma agree on, especially this time of the year when we enter football season. Other than that, we agree that Oklahoma is better at football than Texas.

Mr. GENE GREEN of Texas. Will the gentleman yield?

Mr. MULLIN. I yield to the gentleman.

Mr. GENE GREEN of Texas. Mr. Chairman, I want to thank Congressman MULLIN for partnering together.

Like he said, Texas and Oklahoma have a lot of things in common. We both are energy States. But believe me, the Red River does divide us on football.

Mr. MULLIN. Mr. Chairman, I include in the RECORD a letter from the International Union of Operating Engineers, a letter from Edison Electric Institute, a letter from the IOSA, and a letter from the Plains All American Pipeline all in support of this bill.

INTERNATIONAL UNION OF OPERATING ENGINEERS, AFFILIATED WITH THE AMERICAN FEDERATION OF LABOR AND CONGRESS OF INDUSTRIAL ORGANIZATIONS,

July 18, 2017.

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

Hon. NANCY PELOSI,  
*Minority Leader, Washington, DC.*

DEAR SPEAKER RYAN AND LEADER PELOSI: The International Union of Operating Engineers (IUOE) supports H.R. 2883, the Cross-Border Energy Infrastructure Act, legislation that provides clear congressional authority to the process of evaluating transnational pipeline projects. Further, the IUOE endorses H.R. 2910, a bill Promoting Inter-Agency Coordination for Review of Natural Gas Pipelines Act.

We respectfully request that you support both of these pieces of legislation when they come to the floor of the House of Representatives this week.

The International Union of Operating Engineers represents 400,000 working men and women in the United States and Canada, thousands of whom build and maintain the nation's energy infrastructure. We are one of four unions that are signatory to the National Pipeline Agreement. Operating Engineers perform millions of hours of work on pipeline projects around the United States every year; millions of additional hours were performed on pipeline work by IUOE members in Canada.

North America's energy network is inextricably linked. Eliminating legal and regulatory uncertainty regarding the permitting of cross-border energy facilities will promote investment and job creation in North America, and that is why the IUOE supports H.R. 2883. Removing these regulatory barriers will ultimately increase the interconnection of the North American energy network and at the same time improve reliability, security, and affordability.

Today, the process for permitting this energy infrastructure lives only through Executive Order. North America's energy future is simply too important to leave to the ambiguity and imprecision of administrative fiat.

Granting clear legislative authority and delegating responsibility to an agency experienced with the National Environmental Policy Act and permitting processes, the Federal Energy Regulatory Commission (FERC), rather than the Department of State, will increase the competency and capacity of the review of cross-border energy projects. It is a clear improvement in the administration of major project permitting.

Updating the American domestic permitting and regulatory framework for natural-gas pipelines is also essential. Several steps are necessary in this regard, and H.R. 2910 is one of them. Domestic energy production provides good-paying jobs for members of the IUOE and other construction craftworkers and continues to employ thousands of our members. Uncertainty and delay during environmental reviews, however, hinder the growth of jobs related to the nation's energy infrastructure. Congress should give FERC additional tools to keep federal agencies accountable and maximize coordination in the permitting process.

H.R. 2910 requires reporting and transparency in the review of major projects. These requirements raise the bar for regulators and provides the public with a better understanding of the environmental impacts that are receiving particular rigor and examination—or perhaps needlessly delaying the overall project-review timeline. Democrats and Republicans supported similar reporting and transparency in the FAST Act. Enactment of H.R. 2910 is a necessary step to help place the booming energy sector on a sound footing for the future.

The International Union of Operating Engineers supports both H.R. 2883 and H.R. 2910 and respectfully requests that you support the legislation this week when it comes before you.

Thank you for your consideration.

Sincerely,

JAMES T. CALLAHAN,  
General President.

EDISON ELECTRIC INSTITUTE,  
July 18, 2017.

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

Hon. NANCY PELOSI,  
Minority Leader, House of Representatives  
Washington, DC.

DEAR SPEAKER RYAN AND MINORITY LEADER PELOSI: The Edison Electric Institute supports H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act, which is scheduled for floor action this week.

Timely decisions for the siting and permitting of energy infrastructure are essential to building the smarter and more resilient infrastructure that electric companies need to deliver reliable, affordable, safe, and increasingly clean energy to Americans. H.R. 2883 would replace the need for a presidential permit for transmission lines or pipelines that cross a U.S. border with a certificate of crossing to be approved by the Department of Energy for electric transmission facilities, or the Federal Energy Regulatory Commission for oil or natural gas pipelines. The National Environmental Policy Act and other federal laws that apply to the project would not be affected.

H.R. 2883 would improve the process for decisions on cross-border projects while protecting the public's interest in such projects. We urge the House to pass H.R. 2883.

Sincerely,

THOMAS R. KUHN,  
President.

Rep. FRED UPTON,  
Chairman, Energy Subcommittee,  
Washington, DC.  
Rep. BOBBY RUSH,  
Ranking Member,  
Washington, DC.

DEAR CHAIRMAN UPTON AND RANKING MEMBER RUSH: The In Situ Oil Sands Alliance (IOSA) offers strong support for the Promoting Cross-Border Energy Infrastructure Act reintroduced by Congressman Markwayne Mullin (R-OK) and Congressman Gene Green (D-TX) and urges you to back its timely passage. IOSA is an alliance of Canadian oil sands developers dedicated to the responsible development of the resource using drilling technologies. We support this legislation as it establishes greater predictability in the process of developing additional energy transportation links between our two countries which will serve a critical role in continuing towards North American energy independence and reducing dependence on unstable overseas suppliers. These links will help to ensure that growing Canadian oil sands production remains a secure, affordable, environmentally responsible and economically beneficial source of supply for the United States.

Historically, Canada and the United States have enjoyed a mutually beneficial energy trade relationship. The Canadian oil sands provide substantial economic benefits to U.S.—for every two oil sands jobs created in Canada, one job is created in the U.S. Nearly 1,600 U.S. companies directly supply the oil sands, representing \$1.9 billion in sales in 2014 and 2015. Canada is the United States' most trusted trading partner, providing 41% of U.S. oil imports in 2016.

Canada's oil sands represent the third largest reserves in the world and are well-positioned to provide a secure and affordable supply for American refining and consumption for years to come. However, the benefits accruing to the United States from Canadian oil sands development depend on sufficient energy transportation infrastructure capacity. The Promoting Cross-Border Energy Infrastructure Act proposes four key modernizations of the cross-border infrastructure regulatory process that can ensure the timely development of projects:

Introduction of a Definitive Decision Timeline: Introducing timing and development certainty currently absent from the approval process, the Act requires a decision no later than 120 days after any applicable environmental review is complete.

Determination of National Interest: Lead agencies would be able to make national interest determination for cross border energy infrastructure projects but the assumption would be that cross border energy projects are in the national interest unless determined otherwise by that lead agency.

Agency Decision-Making: By removing the requirement for a Presidential permit, the relevant official or agency would serve as final authority, further streamlining the process while assuring that the lead agency is the Federal agency with relevant subject-matter expertise. The bill would designate FERC as the responsible official for oil and gas pipelines and the Secretary of Energy for electric transmission lines. These agencies already have responsibility for evaluating aspects affecting the national interest with respect to these types of projects. The only change from current practice is to substitute FERC for the Secretary of State as lead with respect to oil pipelines. This change is appropriate given the level of expertise at FERC for review and approval of liquid pipeline projects, including rate setting and ensuring equal access.

IOSA,  
June 19, 2017.

Streamlining of the approval process: New certificates of crossings and Presidential permits would not be required for modifications to existing border-crossing projects that are operating or for which approvals have previously been issued.

The Promoting Cross-Border Energy Infrastructure Act will serve to enhance the existing mutually beneficial Canada-U.S. energy partnership. Thank you for your consideration and support for the Act.

Sincerely,

PATRICIA NELSON,  
Vice Chair, In Situ Oil Sands Alliance.

PLAINS ALL AMERICAN  
PIPELINE, L.P.  
July 18, 2017.

Hon. MARKWAYNE MULLIN,  
Member of Congress,  
Washington, DC.

Hon. GENE GREEN,  
Member of Congress,  
Washington, DC.

DEAR CONGRESSMAN MULLIN AND CONGRESSMAN GREEN: I am writing on behalf of Plains All American Pipeline, L.P. in support of your legislation, H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act.

This legislation will provide the needed reform of the existing Presidential Permit process for liquid pipeline projects crossing international borders. As you know, there is no authorizing statute from the Congress laying out the requirements for this program. There is no guidance in the law on what should be reviewed, and what can be exempted because it is too small to make a difference. There are no laws on what criteria to use, what to examine, or a time certain for completing a review. The unfortunate result of the lack of clear guidance is uncertainty and delay. In fact, the sum total of State Department rules and procedures for this process is one single page, so almost all applications can be dealt with subjectively, which results in a lack of certainty for our business.

Plains All American experienced this uncertainty first hand when we purchased seven pipelines crossing the U.S.-Canadian border. The guidelines used by the State Department triggered our need to apply for a new presidential permit in 2012. These pipelines already had an ownership "name change" permit application that remained pending from their previous change of ownership in 2007. Plains applications for "name change" permits remained pending until 2016. So, for 4 years, the State Department had been considering whether to issue a presidential permit for something almost as simple as a name change at the top of the permit. There were no operational changes of the pipelines, no change in materials or any physical or environmental impacts.

Hopefully, having this process come under the jurisdiction of the Federal Energy Regulatory Commission will provide an objective standard with set timelines that will provide greater certainty.

Thank you for your work,  
Best,

HARRY N. PEFANIS,  
President & COO,  
Plains All American  
Pipeline.

Mr. MULLIN. Once again, I understand that there is opposition to the bill because of a fear. But the true fear is: Are we willing to hold up the infrastructure needs of this country for political gain? For the years that we had from the previous administration, that is exactly what happened. It was political.

What we are trying to do when we take it out of the State Department's hands and put it with FERC is put it with a bipartisan oversight agency that takes an approach to looking at the infrastructure needs that this country has and saying: Is this in the country's best interest?

They have been doing it, and they do it well.

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

Ms. CASTOR of Florida. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I include in the RECORD letters from a number of environmental and other organizations in opposition to the bill.

They write, in part: "On behalf of the undersigned organizations and our millions of members and supporters across the country, we write today to express our strong opposition to H.R. 2883, the 'Promoting Cross-Border Energy Infrastructure Act.' This bill represents a fourth irresponsible attempt to pass the previously titled 'North American Energy Infrastructure Act' in as many years. For the reasons below, we are opposed to the passage of this legislation and its attempt to ram through permits for new cross-border oil and gas pipelines and electric transmission lines without meaningful environmental review or public participation."

JUNE 26, 2017.

Re Please Oppose H.R. 2883, the "Promoting Cross-Border Energy Infrastructure Act".

DEAR REPRESENTATIVE: On behalf of the undersigned organizations and our millions of members and supporters across the country, we write today to express our strong opposition to H.R. 2883, the "Promoting Cross-Border Energy Infrastructure Act." This bill represents a fourth irresponsible attempt to pass the previously titled "North American Energy Infrastructure Act" in as many years. For the reasons below, we are opposed to the passage of this legislation and its attempt to ram through permits for new cross-border oil and gas pipelines and electric transmission lines without meaningful environmental review or public participation.

Our reasons for opposing H.R. 2883 are as follows:

It is unnecessary and eliminates longstanding procedure. Executive Order 13337 established a longstanding process that has been used by both Republican and Democratic administrations for decades to ensure that energy transmission projects crossing our international borders from Canada and Mexico are in the national interest.

It eliminates critical environmental and economic analysis. H.R. 2883 eliminates the current requirement that proposed oil and natural gas pipelines and electric transmission lines that cross the U.S. border with Mexico or Canada obtain a presidential permit, after an environmental review and determination that the project is in the national interest.

It irresponsibly narrows the scope of environmental review. HR 2883 replaces existing processes with one that limits environmental review to a narrow portion of the project, exempts certain types of projects from any permit requirement, and shifts the burden of proof to make it difficult to not approve a project.

It undermines the National Environmental Policy Act. The bill effectively exempts

cross-border projects from meaningful environmental review under the National Environmental Policy Act (NEPA) by dramatically narrowing the focus of that review. Under the bill, the permit requirement and NEPA review apply only to the cross-border segment of the project. Trans-boundary pipelines and transmission lines are multi-billion dollar infrastructure investments that stretch hundreds of miles, last for decades, and pose environmental risks well beyond their border crossings. However, contrary to NEPA, the bill precludes review of the project's full impacts, such as oil spills and the consequences for landowners, public safety, drinking water, climate change, and wildlife.

It eliminates the need to justify projects as in the national interest. The bill eliminates the requirement that to issue a permit, the federal permitting agency must find the project to be in the national interest. Instead, the bill requires an agency to approve the project, unless it finds that the narrow segment that crosses the border "is not in the public interest of the United States." By shifting the burden of proof to require a showing that the project is contrary to the public interest and sharply narrowing the focus of that inquiry, this provision makes it extremely difficult for an agency to ever deny a permit, and it largely eliminates the ability to approve a permit subject to protective conditions.

Large, complicated, risky projects like oil and gas pipelines and electric transmission facilities are precisely the types of activities that ought to be well-planned and reviewed before they are built. Failure to do so not only results in threats to public safety, but can also harm our economy and environment.

Instead of improving responsible siting, construction, and operation of oil and gas pipelines and electric transmission facilities, this bill goes in the opposite direction by forcing these projects through no matter what the costs may be. For these reasons, we urge you to oppose this bill.

Sincerely,

350.org; Bold Alliance; Clean Water Action; Defenders of Wildlife; Greenpeace USA; Indigenous Environmental Network; League of Conservation Voters; Natural Resources Defense Council; Oil Change International; Power Shift Network; Seeding Sovereignty; Sierra Club.

JULY 18, 2017.

Re Oppose H.R. 2910 and H.R. 2883, Dangerous Handouts to the Oil and Gas Industry.

DEAR REPRESENTATIVE: The League of Conservation Voters (LCV) works to turn environmental values into national priorities. Each year, LCV publishes the National Environmental Scorecard, which details the voting records of members of Congress on environmental legislation. The Scorecard is distributed to LCV members, concerned voters nationwide, and the media.

LCV urges you to vote NO on H.R. 2910, the Promoting Interagency Coordination for Review of Natural Gas Pipelines Act, and H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act.

H.R. 2910 sacrifices public input and thorough environmental review in favor of giving the Federal Energy Regulatory Commission (FERC) more power to fast-track approval of interstate natural gas pipelines. FERC has no accountability to the public or the environment, yet this bill would allow it to limit the participation and input of other state and federal agencies with relevant expertise in reviews required under the National Environmental Policy Act (NEPA). Additionally, H.R. 2910 would allow FERC to establish the

scope of the environmental review and conditionally approve projects with incomplete environmental impact analysis, which could result in irreversible harm to our environment and public health. Given FERC's history of rash approval of pipelines, H.R. 2910 is unnecessary, dangerous, and nothing more than a handout to the oil and gas industry at the expense of the health and safety of our communities.

H.R. 2883 would greenlight permitting of new, potentially harmful cross-border oil and gas pipelines and electric transmission lines without meaningful and thorough review and oversight. It eliminates many important longstanding procedures, undermining critical environmental and economic review by abolishing the requirement that a project obtain a presidential permit and be affirmatively determined to be in the public interest. H.R. 2883 also narrows the scope of environmental review under NEPA, exempting certain projects altogether and severely limiting the review of these massive, expensive, long-lasting infrastructure projects to only the section that crosses the border, ignoring the potential damaging impacts from the project as a whole. By only reviewing a small portion of these projects and essentially erasing the national interest requirement, this bill would make it almost impossible for an agency to ever deny a permit and could result in irreversible damage to our health, public safety, climate, environment, and economy.

Again, we urge you to REJECT H.R. 2910 and H.R. 2883, and will consider including votes on these bills in the 2017 Scorecard.

Sincerely,

GENE KARPINSKI,  
President.

JULY 18, 2017.

Re Please Oppose H.R. 2883, the "Promoting Cross-Border Energy Infrastructure Act".

DEAR REPRESENTATIVE: On behalf of the undersigned organizations and our millions of members and supporters across the country, we write today to express our strong opposition to H.R. 2883, the "Promoting Cross-Border Energy Infrastructure Act." This bill represents a fourth irresponsible attempt to pass the previously titled "North American Energy Infrastructure Act" in as many years. We are opposed to the passage of this legislation and its attempt to ram through permits for new cross-border oil and gas pipelines and electric transmission lines without meaningful environmental review or public participation.

Our reasons for opposing H.R. 2883 are as follows:

It is unnecessary and eliminates longstanding procedure. Executive Order 13337 established a longstanding process that has been used by both Republican and Democratic administrations for decades to ensure that energy transmission projects crossing our international borders from Canada and Mexico are in the national interest.

It eliminates critical environmental and economic analysis. H.R. 2883 eliminates the current requirement that proposed oil and natural gas pipelines and electric transmission lines that cross the U.S. border with Mexico or Canada obtain a presidential permit, after an environmental review and determination that the project is in the national interest.

It irresponsibly narrows the scope of environmental review. H.R. 2883 replaces existing processes with one that limits environmental review to a narrow portion of the project, exempts certain types of projects from any permit requirement, and shifts the burden of proof to make it difficult to not approve a project.

It undermines the National Environmental Policy Act. The bill effectively exempts cross-border projects from meaningful environmental review under the National Environmental Policy Act (NEPA) by dramatically narrowing the focus of that review. Under the bill, the permit requirement and NEPA review apply only to the cross-border segment of the project. Trans-boundary pipelines and transmission lines are multi-billion dollar infrastructure investments that stretch hundreds of miles, last for decades, and pose environmental risks well beyond their border crossings. However, contrary to NEPA, the bill precludes review of the project's full impacts, such as oil spills and the consequences for landowners, public safety, drinking water, climate change, and wildlife.

It eliminates the need to justify projects as in the national interest. The bill eliminates the requirement that to issue a permit, the federal permitting agency must find the project to be in the national interest. Instead, the bill requires an agency to approve the project, unless it finds that the narrow segment that crosses the border "is not in the public interest of the United States." By shifting the burden of proof to require a showing that the project is contrary to the public interest and sharply narrowing the focus of that inquiry, this provision makes it extremely difficult for an agency to ever deny a permit, and it largely eliminates the ability to approve a permit subject to protective conditions.

Large, complicated, risky projects like oil and gas pipelines and electric transmission facilities are precisely the types of activities that ought to be well-planned and reviewed before they are built. Failure to do so not only results in threats to public safety, but can also harm our economy and environment.

Instead of improving responsible siting, construction, and operation of oil and gas pipelines and electric transmission facilities, this bill goes in the opposite direction by forcing these projects through no matter what the costs may be. For these reasons, we urge you to oppose this bill.

Sincerely,

350.org; Bold Alliance; Center for Biological Diversity; Clean Water Action; Defenders of Wildlife; Earthjustice; Environment America; Greenpeace USA; Indigenous Environmental Network; League of Conservation Voters; Natural Resources Defense Council; Oil Change International; Power Shift Network; Public Citizen; Seeding Sovereignty; Sierra Club.

Ms. CASTOR of Florida. Mr. Chairman, H.R. 2883 eliminates the current requirement that proposed oil and natural gas pipelines and electric transmission lines that cross the U.S. border obtain a Presidential permit. That only happens after an environmental review and a determination that the project is in the national interest. I know this might be tempting to some of my colleagues, but I encourage you to have a closer look at what this bill really does.

The bill replaces this process with a new process that limits environmental review to a narrow portion of the project, just the portion that crosses the border. It exempts certain types of projects from any permit requirement and shifts the burden of proof to make it difficult to disapprove a project.

The bill also allows a project that is rejected under current law to reapply

under the new, weaker process and exempts all modifications to existing cross-border projects from any requirement for Federal review or approval.

In essence, it grants a get-out-of-jail-free card, or, actually, I guess it is more akin to whatever you roll, you get to pass go, and you get to collect your \$200. That is not okay for some international oil pipelines, natural gas pipelines, and electric transmission lines. These are major infrastructure projects, and we have got to maintain the ability to have a meaningful review; otherwise, we are going to suffer significant incidents, accidents, fatalities, and more.

So let me close my remarks and my portion of the debate here today. I have enjoyed this debate, but I want to highlight again that the Congress is really missing an opportunity to address one of the most significant challenges that we face, and that is the challenge of climate change.

What is particularly troubling about this bill, as well, is it keeps the public in the dark. Think about it. If you live near a major international pipeline project, shouldn't you have the right to participate and understand what such project will allow in your backyard?

The bill would allow large and long-lived cross-border energy projects to be approved with no understanding or consideration of their environmental impact or to be exempted from any permitting requirement at all. The bill assumes that these projects are always in the public interest regardless of the merits. It is an unjustifiable giveaway. It elevates corporate profits over the public interest, and it is wrong.

The public, including communities and landowners directly affected by the projects, would have little or no information and no opportunity to object or request mitigating action except to the extent provided under limited State laws.

For all of these reasons, I urge a "no" vote on the bill.

Mr. Chairman, I yield the balance of my time to the gentlewoman from New Hampshire (Ms. KUSTER).

Ms. KUSTER of New Hampshire. Mr. Chairman, I rise today in strong opposition to the bills we are considering today which would short-circuit the approval process of fossil fuel projects at the expense of our environment and private property owners.

In my home State of New Hampshire, Granite Staters are all too familiar with the problems of siting natural gas projects and the disruption this can cause for small rural towns.

In 2015, energy giant Kinder Morgan proposed a large natural gas pipeline project that would have cut through 17 New Hampshire towns in my district which are home to numerous environmentally sensitive areas that would have been negatively impacted by this project.

Throughout the review process, I heard from thousands of my constituents whose concerns were not being

heard by the Federal Energy Regulatory Commission.

Thanks to the commitment and tireless efforts of these advocates, Kinder Morgan eventually pulled the plug on the project, but there is so much more that needs to be done to give average citizens a seat at the table during FERC's review process.

The bills we are considering today would do nothing to elevate the concerns of impacted communities during the FERC proceedings, and these bills aim to jam through risky pipeline projects while constraining other agencies from concluding important environmental reviews.

We all know that FERC acts as a rubber stamp for fossil fuel projects, and the bills we are considering today further narrow the opportunities for private landowners to push back against projects and try to protect their land from eminent domain.

□ 1600

At a time when pipeline expansion has increased dramatically, we should be working on bipartisan solutions that increase public participation during FERC proceedings. That is why I have cosponsored legislation to create an Office of Public Participation within FERC that would level the playing field for average citizens and give them a seat at the table.

H.R. 2910, which we just debated, does nothing to achieve this goal and will only lead to more communities being left in the dark during FERC proceedings.

H.R. 2883 would eliminate the need for a Presidential permit for cross-border energy projects and dramatically narrow the environmental review to the narrow portion of the project that crosses the border. These cross-border projects are oftentimes hundreds of miles long. It simply makes no sense to conduct an environmental review on the small portion that crosses the border. That is just common sense.

For the good of our environment, for the good of our communities and public lands, I urge my colleagues to oppose these harmful pieces of legislation.

Ms. CASTOR of Florida. Mr. Chair, I yield back the balance of my time.

Mr. MULLIN. Mr. Chairman, I actually have a couple of more speakers.

The CHAIR. Without objection, the gentlewoman from Florida may reclaim her time.

Mr. MULLIN. Mr. Chair, I was under the impression the other side had yielded back the balance of her time.

The CHAIR. The gentleman is correct, but by unanimous consent, the gentlewoman may reclaim the time.

Mr. MULLIN. Mr. Chair, I ask unanimous consent to allow the minority to reclaim the balance of her time.

The CHAIR. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MULLIN. Mr. Chair, I yield 2 minutes to the gentleman from Kansas (Mr. MARSHALL).



Mr. MARSHALL. Mr. Chairman, I rise today in support of H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act, introduced by my friend and Great Plains colleague to the south, MARKWAYNE MULLIN.

This bill could not come at a better time. As we continue to have discussions in this country about both our future as an energy leader and our trading relationship with Mexico and Canada, it is time to review bureaucratic permitting processes that constrain new energy transportation projects. This bill does just that. It improves and streamlines the permitting process for pipelines and energy transmission equipment when they are crossing U.S. international borders.

Energy trade within North America is a nearly \$150 billion business that provides significant benefits here at home. This bill shows that we can focus on protecting our environment and being an energy leader. It maintains full environmental reviews and continues compliance with the National Environmental Policy Act.

We saw how broken our current regulatory structure was when politics and personal interests nearly ended the Keystone XL pipeline without any regard to science, facts, or the livelihoods of the people who needed those jobs. This legislation will allow American entrepreneurs to stop fighting endless red tape and uncertain timelines and get back to doing what we do best: creating jobs, innovating, and making North America a leader in energy production.

Voters have told us time and time again to get the bureaucratic morass of Big Government out of the way. They have asked us to promote an all-of-the-above energy strategy that includes oil and gas and to unleash the power of free trade and American innovation. They have asked for good jobs and more energy security.

I thank my good friend from Oklahoma for sponsoring this. I ask my colleagues to support H.R. 2838, the Promoting Cross-Border Energy Infrastructure Act.

Ms. CASTOR of Florida. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. McNERNEY).

Mr. McNERNEY. Mr. Chair, I thank the gentlewoman from Florida for yielding.

Mr. Chair, I stand up to oppose H.R. 2883.

Basically, what this bill does is preapproves border-crossing energy products by making it extremely difficult to put a stop to them on any grounds.

As a general matter, specifically for oil pipelines, within the United States, oil pipelines don't need Federal approval. No Federal reviews or permits on these projects are required. If the pipeline harms endangered species, the ESA will apply. If the construction destroys wetlands, a project permit may be needed from the Corps of Engineers. But generally, neither of these require-

ments trigger a broader evaluation of the project. Currently, the only reason to prepare an environmental assessment or impact for cross-border pipelines or transmission lines is because the existing Presidential permit requirement triggers NEPA.

Under this bill, there would be no projectwide Federal environmental assessment for all these projects. State laws don't substitute for NEPA. Many States don't have approval authority over pipelines within their States.

The CHAIR. The time of the gentleman has expired.

Ms. CASTOR of Florida. Mr. Chair, I yield the gentleman an additional 30 seconds.

Mr. McNERNEY. Even those States with some instate authority don't have the resources or expertise to develop the information provided by a Federal environmental impact statement. No State has permitting authority over the portions of a pipeline located in other States. Without NEPA, there would be no broad Federal environmental review of cross-border transmission lines.

Mr. Chair, we need these protections, and I ask my colleagues to oppose H.R. 2883.

Mr. MULLIN. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. GENE GREEN), my good friend.

Mr. GENE GREEN of Texas. Mr. Chair, there seems to be some confusion here that this bill takes away National Environmental Policy Act enforcement. That is just not true. In fact, during a committee hearing in the Energy and Commerce Committee, we produced a Congressional Research Service report that said that nothing in this bill will take away the responsibility for the NEPA process, the National Environmental Policy Act.

To make sure that every inch of those pipelines will be studied for environmental issues is not our intention. Our intention is just to move product. We will go through all the efforts.

Mr. Chair, I include in the RECORD a report from the Congressional Research Service that we got in committee.

[From the Congressional Research Service, May 2, 2017]

#### MEMORANDUM

To: The Honorable Gene Green; Attention: Justin Ackley

From: Linda Luther, Analyst in Environmental Policy, ext. 7-6852

Subject: Scope of NEPA Review Required for Federal Agency Approvals

This memorandum responds to your request asking CRS to clarify the scope of an environmental review prepared by federal agencies under the National Environmental Policy Act (NEPA). More specifically, you asked CRS to identify the scope of environmental impacts that a federal agency would be likely to evaluate before making a final decision on a request to approve certain energy infrastructure projects that would cross a United States border, such as the issuance of a "certificate of crossing" that would be required in the Promoting Cross-Border En-

ergy Infrastructure Act (discussion draft released April 25, 2017). This memorandum identifies the range of environmental impacts that federal agencies currently evaluate when demonstrating compliance with NEPA. It also discusses current agency practices, for similar projects, that generally involve the evaluation of the environmental impacts of any new facilities constructed in the United States (i.e., impacts that may occur as a result of approving a cross-border energy infrastructure project). Information in this memorandum may be used or may have been used in other CRS products.

Before a federal agency can make a final decision on a proposed federal action, NEPA requires that agency to identify the proposal's effects on the "quality of the human environment." The scope and level of review required under NEPA depends on whether those effects will be "significant." To make that determination, each agency must identify and evaluate the proposal's—

Direct effects—impacts caused by the project and occurring at the same time and place, including impacts directly associated with the construction and operation of the facilities.

Indirect effects—impacts that are later in time or farther removed in distance, but still reasonably foreseeable; and

Cumulative effects—impacts on the environment that result from the incremental impacts of the action when added to other past, present, or reasonably foreseeable future actions, regardless of what agency (federal or non-federal) or person undertakes that other action.

If an agency is authorized to approve a cross-border facility (e.g., issue a certificate of crossing for certain energy infrastructure projects as in the proposed bill), that agency's decision must be informed by appropriate environmental review required under NEPA. As federal agencies currently implement NEPA, the requirement to identify and consider direct, indirect, and cumulative impacts has meant that the agency evaluates the effects of siting, building and operating the entire structure in the United States (not just the cross-border segment they are authorized to approve). That is, if a federal agency is authorized to approve a cross-border project, that agency's existing NEPA practices would likely continue to involve analysis of impacts associated with the approval of the facility that physically crosses the border, as well as any new facilities constructed in the United States.

I hope this information is useful to you. Please feel free to contact me if you have additional questions.

Mr. GENE GREEN of Texas. Mr. Chair, the other issue, though, is we are going to do belts and suspenders. That is an old saying I heard. We already had a belt, but now we are going to deal with an amendment from Congressman VEASEY. We will make sure it is belts and suspenders and that the National Environmental Policy Act is applied to these pipelines, because that is not our intent.

So we not only have the Congressional Research Service saying it is, we are going to put language into this bill, and I understand it will be accepted by our side, to make sure that is there.

What we need to do is make sure that our closest neighbors, Canada and Mexico—right now, Mexico needs the natural gas that we are producing in Texas, Louisiana, Oklahoma, and New Mexico; but 20 years from now, our wells may be dry for natural gas, and



we will need that natural gas that Mexico will be producing when they work in northern Mexico.

So that is why we need to structuralize this, if we are really going to have a North American energy market for electric transmission like they do up in the New England States or electric transmissions even along the border in Texas. I know they do the same thing in southern California. We need to have some certainty with our closest neighbors.

We have a free trade agreement with these two countries. It is already decided it is in our national interest. Why would we set aside energy as something different? That is why this bill is so important.

Mr. Chair, I urge a “yes” vote for this legislation.

Ms. CASTOR of Florida. Mr. Chair, I reserve the balance of my time.

Mr. MULLIN. Mr. Chair, I yield 2 minutes to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Chairman, I rise today in strong support of H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act, introduced by my friend and Western Caucus member MARKWAYNE MULLIN.

H.R. 2883 streamlines the permitting process for pipelines and electricity transmission equipment that crosses the United States’ international borders.

Energy trade between the U.S., Mexico, and Canada is nearly a \$150 billion business that provides significant benefits to America. This bill will prevent another Keystone XL-like delay and takes politics out of the decision-making process.

Cross-border oil and gas pipelines and cross-border electric transmission facilities should not be held up by government bureaucracies. Without this legislation, important projects that provide benefits to our economy will continue to incur unnecessary delays and government red tape.

Edison Electric Institute supports H.R. 2883, stating:

Timely decisions for the sifting and permitting of energy infrastructure are essential to building more resilient infrastructure that electric companies need to deliver reliable, affordable, safe, and increasingly clean energy to Americans.

The National Taxpayers Union supports the bill, stating:

This legislation would streamline the archaic cross-border permitting process for energy facilities that stretch across the borders we share with Mexico and Canada.

The current Presidential permit regime is far from clear and can leave projects in regulatory limbo for years to come. Creating a consolidated and standardized approval process would increase the congressional accountability provided for in Article I, section 8 of the Constitution.

The bill requires a full environmental review and complies with NEPA. This legislation makes so much sense that even labor unions support it.

Let’s fulfill our constitutional obligations, streamline important energy infrastructure projects, and advance a true all-of-the-above energy strategy.

I thank the gentleman from Oklahoma for sponsoring this much-needed legislation, and I urge my colleagues to vote in support of this commonsense bill.

Ms. CASTOR of Florida. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I strongly urge the Members of this body to oppose this misguided bill so that the Congress can turn its attention to the most daunting challenge of our time: climate change, our clean energy future, and the clean energy economy and all of the jobs it entails.

Mr. Chair, again, I urge a “no” vote, and I yield back the balance of my time.

Mr. MULLIN. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, this bill has absolutely no effect on any environmental law. The bill expressly provides that approval of a project under this act does not affect the application of any other Federal laws that are applicable to the construction, operation, or maintenance of a project. The Congressional Research Service has reviewed the legislation and has confirmed that fact.

My point is, other than the fact that they just want to oppose this because, maybe, people oppose fossil fuels as a whole, this makes sense. This is a bill that moves forward. As we stated earlier, it takes politics out of our permitting process. It brings structure and certainty to those that are providing our infrastructure needs.

Mr. Chair, I urge my colleagues to vote “yes,” and I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-29. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

#### H.R. 2883

*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 “Promoting Cross-Border Energy Infrastructure Act”.*

#### SEC. 2. APPROVAL FOR BORDER-CROSSING FACILITIES.

(a) *AUTHORIZATION OF CERTAIN ENERGY INFRASTRUCTURE PROJECTS AT AN INTERNATIONAL BOUNDARY OF THE UNITED STATES.*—

(1) *AUTHORIZATION.*—Except as provided in paragraph (3) and subsection (e), no person may

construct, connect, operate, or maintain a border-crossing facility for the import or export of oil or natural gas, or the transmission of electricity, across an international border of the United States without obtaining a certificate of crossing for the border-crossing facility under this subsection.

#### (2) CERTIFICATE OF CROSSING.—

(A) *REQUIREMENT.*—Not later than 120 days after final action is taken, by the relevant official or agency identified under subparagraph (B), under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) with respect to a border-crossing facility for which a person requests a certificate of crossing under this subsection, the relevant official or agency, in consultation with appropriate Federal agencies, shall issue a certificate of crossing for the border-crossing facility unless the relevant official or agency finds that the construction, connection, operation, or maintenance of the border-crossing facility is not in the public interest of the United States.

(B) *RELEVANT OFFICIAL OR AGENCY.*—The relevant official or agency referred to in subparagraph (A) is—

(i) the Federal Energy Regulatory Commission with respect to border-crossing facilities consisting of oil or natural gas pipelines; and

(ii) the Secretary of Energy with respect to border-crossing facilities consisting of electric transmission facilities.

(C) *ADDITIONAL REQUIREMENT FOR ELECTRIC TRANSMISSION FACILITIES.*—In the case of a request for a certificate of crossing for a border-crossing facility consisting of an electric transmission facility, the Secretary of Energy shall require, as a condition of issuing the certificate of crossing under subparagraph (A), that the border-crossing facility be constructed, connected, operated, or maintained consistent with all applicable policies and standards of—

(i) the Electric Reliability Organization and the applicable regional entity; and

(ii) any Regional Transmission Organization or Independent System Operator with operational or functional control over the border-crossing facility.

(3) *EXCLUSIONS.*—This subsection shall not apply to any construction, connection, operation, or maintenance of a border-crossing facility for the import or export of oil or natural gas, or the transmission of electricity—

(A) if the border-crossing facility is operating for such import, export, or transmission as of the date of enactment of this Act;

(B) if a permit described in subsection (d) for the construction, connection, operation, or maintenance has been issued; or

(C) if an application for a permit described in subsection (d) for the construction, connection, operation, or maintenance is pending on the date of enactment of this Act, until the earlier of—

(i) the date on which such application is denied; or

(ii) two years after the date of enactment of this Act, if such a permit has not been issued by such date.

#### (4) EFFECT OF OTHER LAWS.—

(A) *APPLICATION TO PROJECTS.*—Nothing in this subsection or subsection (e) shall affect the application of any other Federal statute to a project for which a certificate of crossing for a border-crossing facility is requested under this subsection.

(B) *NATURAL GAS ACT.*—Nothing in this subsection or subsection (e) shall affect the requirement to obtain approval or authorization under sections 3 and 7 of the Natural Gas Act for the siting, construction, or operation of any facility to import or export natural gas.

(C) *OIL PIPELINES.*—Nothing in this subsection or subsection (e) shall affect the authority of the Federal Energy Regulatory Commission with respect to oil pipelines under section 60502 of title 49, United States Code.

(b) *IMPORTATION OR EXPORTATION OF NATURAL GAS TO CANADA AND MEXICO.*—Section 3(c)

of the Natural Gas Act (15 U.S.C. 717b(c)) is amended by adding at the end the following: "In the case of an application for the importation of natural gas from, or the exportation of natural gas to, Canada or Mexico, the Commission shall grant the application not later than 30 days after the date on which the Commission receives the complete application."

(c) TRANSMISSION OF ELECTRIC ENERGY TO CANADA AND MEXICO.—

(1) REPEAL OF REQUIREMENT TO SECURE ORDER.—Section 202(e) of the Federal Power Act (16 U.S.C. 824a(e)) is repealed.

(2) CONFORMING AMENDMENTS.—

(A) STATE REGULATIONS.—Section 202(f) of the Federal Power Act (16 U.S.C. 824a(f)) is amended by striking "insofar as such State regulation does not conflict with the exercise of the Commission's powers under or relating to subsection 202(e)".

(B) SEASONAL DIVERSITY ELECTRICITY EXCHANGE.—Section 602(b) of the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 824a-4(b)) is amended by striking "the Commission has conducted hearings and made the findings required under section 202(e) of the Federal Power Act" and all that follows through the period at the end and inserting "the Secretary has conducted hearings and finds that the proposed transmission facilities would not impair the sufficiency of electric supply within the United States or would not impede or tend to impede the coordination in the public interest of facilities subject to the jurisdiction of the Secretary."

(d) NO PRESIDENTIAL PERMIT REQUIRED.—No Presidential permit (or similar permit) required under Executive Order No. 13337 (3 U.S.C. 301 note), Executive Order No. 11423 (3 U.S.C. 301 note), section 301 of title 3, United States Code, Executive Order No. 12038, Executive Order No. 10485, or any other Executive order shall be necessary for the construction, connection, operation, or maintenance of an oil or natural gas pipeline or electric transmission facility, or any border-crossing facility thereof.

(e) MODIFICATIONS TO EXISTING PROJECTS.—No certificate of crossing under subsection (a), or permit described in subsection (d), shall be required for a modification to—

(1) an oil or natural gas pipeline or electric transmission facility that is operating for the import or export of oil or natural gas or the transmission of electricity as of the date of enactment of this Act;

(2) an oil or natural gas pipeline or electric transmission facility for which a permit described in subsection (d) has been issued; or

(3) a border-crossing facility for which a certificate of crossing has previously been issued under subsection (a).

(f) EFFECTIVE DATE; RULEMAKING DEADLINES.—

(1) EFFECTIVE DATE.—Subsections (a) through (e), and the amendments made by such subsections, shall take effect on the date that is 1 year after the date of enactment of this Act.

(2) RULEMAKING DEADLINES.—Each relevant official or agency described in subsection (a)(2)(B) shall—

(A) not later than 180 days after the date of enactment of this Act, publish in the Federal Register notice of a proposed rulemaking to carry out the applicable requirements of subsection (a); and

(B) not later than 1 year after the date of enactment of this Act, publish in the Federal Register a final rule to carry out the applicable requirements of subsection (a).

(g) DEFINITIONS.—In this section—

(1) the term "border-crossing facility" means the portion of an oil or natural gas pipeline or electric transmission facility that is located at an international boundary of the United States;

(2) the term "modification" includes a reversal of flow direction, change in ownership, change in flow volume, addition or removal of an interconnection, or an adjustment to main-

tain flow (such as a reduction or increase in the number of pump or compressor stations);

(3) the term "natural gas" has the meaning given that term in section 2 of the Natural Gas Act (15 U.S.C. 717a);

(4) the term "oil" means petroleum or a petroleum product;

(5) the terms "Electric Reliability Organization" and "regional entity" have the meanings given those terms in section 215 of the Federal Power Act (16 U.S.C. 824o); and

(6) the terms "Independent System Operator" and "Regional Transmission Organization" have the meanings given those terms in section 3 of the Federal Power Act (16 U.S.C. 796).

The CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of House Report 115-235. Each such amendment may be offered only in the order printed in the report, 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.

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AMENDMENT NO. 1 OFFERED BY MR. ENGEL

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 115-235.

Mr. ENGEL. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 2, after line 16, insert the following:

(i) the Secretary of State with respect to border-crossing facilities consisting of oil pipelines;

Page 2, line 17, strike "(i)" and insert "(ii)".

Page 2, line 19, strike "oil or".

Page 2, line 21, strike "(ii)" and insert "(iii)".

The CHAIR. Pursuant to House Resolution 454, the gentleman from New York (Mr. ENGEL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ENGEL. Mr. Chairman, since 1968, oil pipelines that cross international borders have been reviewed and authorized by the Department of State. That is nearly 50 years. This is common sense. After all, the State Department handles diplomacy, the State Department manages treaties related to our international boundaries, and the State Department is responsible for the security of pathways for our pipelines.

But the bill we are considering today would shift decisionmaking authority for those pipelines from the State Department, which is equipped to handle all aspects of this issue, to Federal Energy Regulatory Commission, which isn't equipped.

So it just doesn't make any sense to me, Mr. Chairman. It seems quite arbitrary and quite foolish and moving in the wrong direction. This is change for change's sake, and it wouldn't improve the process.

My amendment would prevent this mistake. It would simply ensure that permitting authority for cross-border oil pipelines remains with the Department of State. That is the permitting authority for cross-border oil pipelines to remain with the Department of State.

In each of the past two Congresses, my friends in the majority agreed. They passed substantially similar legislation to change the cross-border pipeline permitting process, but they kept the final approval authority where it belongs, with the Department of State.

Cross-border oil pipelines are matters of international diplomacy and national security, and oversight should remain with the State Department. The old adage, "If it ain't broke, don't fix it," I don't know what we are trying to do here. So I urge support for my amendment.

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

Mr. MULLIN. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. MULLIN. Mr. Chair, H.R. 2883 was designated the Federal Energy Regulatory Commission, the lead agency of the permitting cross-border oil pipelines.

FERC is an independent agency made up of a bipartisan commission that regulates interstate transmission of electricity, natural gas, and oil. FERC also reviews proposals to build liquefied natural gas terminals, interstate natural gas pipelines, and cross-border natural gas facilities.

FERC has a proven track record of working with a wide array of stakeholders on complex pipeline projects to balance the public interest. It is clearly the best suited agency for the job of permitting cross-border oil pipelines.

As we learned from the Keystone XL experience during the Obama administration, the State Department lacks the ability to pull out politics from our Nation's infrastructure. There is nothing in this bill that would prevent the State Department from being consulted about an application, but FERC should take the lead on cross-border oil pipelines.

H.R. 2883 would provide the permitting process with much-needed consistency and transparency. The gentleman's amendment would double down on the failures of the past and reinject bipartisan politics into the process.

Mr. Chairman, I urge a "no" on this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. ENGEL. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the

amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 2 OFFERED BY MS. TSONGAS

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 115-235.

Ms. TSONGAS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, after line 14, insert the following:

(D) ADDITIONAL REQUIREMENT FOR OIL AND NATURAL GAS PIPELINE FACILITIES.—In the case of a request for a certificate of crossing for a border-crossing facility consisting of an oil or natural gas pipeline facility, the Federal Energy Regulatory Commission may not issue a certificate of crossing under subparagraph (A) if any part of the oil or natural gas pipeline project is to be located on lands required under Federal, State, or local law to be managed for purposes of natural resource conservation or recreation.

The CHAIR. Pursuant to House Resolution 454, the gentlewoman from Massachusetts (Ms. TSONGAS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Massachusetts.

Ms. TSONGAS. Mr. Chairman, my amendment protects a robust public review process for any proposed pipeline that seeks to cross protected conservation and recreation lands, this time for pipelines that includes a crossing with Canada or Mexico. The legislation before us today, with its narrowly defined environmental reviews and limited public input, puts treasured public resources at risk.

My home State of Massachusetts, like many areas around the country, faces real energy challenges. We need careful and strategic long-term planning in order to lower energy prices and increase reliability and resiliency.

However, as with H.R. 2910 that we considered earlier this afternoon, H.R. 2883 moves us in the wrong direction. In fact, it doesn't allow any careful or strategic planning when it comes to fossil fuel pipelines.

Cross-border and natural gas pipeline interests should not be permitted to cavalierly tread on public lands, lands expressly set aside by Federal taxpayers, State and local communities for the benefit of conservation and public recreation.

Our Nation has a longstanding history of preserving natural habitats and protecting open spaces for the public benefit, and we have invested significant public resources toward these goals. These lands and the decisions behind them deserve to be honored.

The potential negative environmental impacts of an oil or natural gas pipeline are too great to risk such treasured investments by Federal taxpayers and State and local communities, and we should not quickly forego the essential public review process that has helped ensure these public treasures are available to future generations.

Mr. Chairman, I urge support for my amendment, and I reserve the balance of my time.

Mr. MULLIN. Mr. Chair, I claim the time in opposition.

The CHAIR. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. MULLIN. Mr. Chair, I reserve the balance of my time for closing.

Ms. TSONGAS. Mr. Chair, I don't have any additional speakers.

I would just like to say that energy infrastructure is critical to our economy, yet we cannot simply give the fossil fuel industry a carte blanche to build pipelines that adversely impact conservation and recreation lands.

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

Mr. MULLIN. Mr. Chair, I yield 2 minutes to my colleague from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Chair, I rise in opposition to this amendment. In the United States today, there is 150 million acres of protected land set aside in the National Wildlife Refuge System for protected designation for America's fish, wildlife, and plants.

Conservation efforts like the National Wildlife Refuge System build up America's great conservation legacy that began with Teddy Roosevelt. Ensuring that future generations of Americans have access to these great traditions must be our priority as a body going forward.

In this 150 million acres of National Wildlife Refuge System land, though, there currently stretches 1,339 miles of pipeline already. Protecting our natural resources and building much-needed infrastructure are not mutually exclusive goals.

These pipelines are already there. They are not destroying the lands or their ecosystem or prohibiting the American people from enjoying access to this public land. Companies must pay the government for use of the land for pipelines. That money, in turn, goes into acquiring more land for conservation efforts and recreational use.

The Department of Transportation's review of safety accidents conducted under President Obama's administration showed that in addition to providing a substantial cost advantage, pipelines result in fewer spillage incidents and personal injuries than either road or rail.

As coal-fired power plants continue to shut down, the demand for natural gas, a lower emission alternative, is going to keep going up. Whether the gas is produced in Canada, Alaska, North Dakota, Pennsylvania, or the Gulf of Mexico, it will be used all over the country, and we need to ensure that a regulatory framework is in place that allows us to get this supply to where it is needed.

The amendment is a backhanded way to prevent any pipelines or electrical transmission infrastructure from being built.

Mr. Chair, I urge my colleagues to vote "no" on this amendment.

Mr. MULLIN. Mr. Chair, H.R. 2883 strikes a right balance for wise management of our multiuse public lands and natural resources. The amendment would upset this careful balance.

Mr. Chair, I urge a "no" vote on this amendment, and I yield back the balance of my time.

The Acting CHAIR (Mr. WEBER of Texas). The question is on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. TSONGAS. 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 gentlewoman from Massachusetts will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. GENE GREEN OF TEXAS

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 115-235.

Mr. GENE GREEN of Texas. Mr. Chair, as the designee of Mr. VEASEY, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, after line 3, insert the following:

(D) SCOPE OF NEPA REVIEW.—Nothing in this Act, or the amendments made by this Act, shall affect the scope of any review required to be conducted under section 102 of the National Environmental Policy Act of 1969 with respect to a project for which a certificate of crossing for a border-crossing facility is requested under this subsection.

The Acting CHAIR. Pursuant to House Resolution 454, the gentleman from Texas (Mr. GENE GREEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. GENE GREEN of Texas. Mr. Chair, again, this is Congressman VEASEY's idea, and I am doing it for him because he couldn't be here.

Our intent when crafting the bill was never to reduce or limit the National Environmental Policy Act applicability when considering whether to approve a cross-border project.

Before a Federal agency can make a final determination on a proposed Federal action, the National Environmental Policy Act requires that the agency identify the proposal's effects on the quality of human environment and whether these effects will be significant.

To make this determination, Federal agencies identify and evaluate the direct and indirect cumulation of effects of the proposal. Direct effects are the impacts caused by the project occurring at the same time and place. Indirect effects are the impacts that are later in time or further removed but still reasonably foreseeable. And cumulative effects are impacts on the environment that result with incremental

impacts on the action, regardless of what person or agency undertakes that action.

The Federal agencies currently implement NEPA. The requirement to identify all three of these impacts has required the analysis of impacts to include not just the cross-border section of the project, but any new facility or structure constructed within the United States.

Our office had the bill analyzed by the experts at the Congressional Research Office, who confirmed that the underlying bill did not in any way limit the scope of future National Environmental Policy Act reviews under it. Under our language, they will continue to involve reviews of the entire project, not just that part that crosses the border section.

With that said, I have heard concerns from Members who are worried that the bill will limit the NEPA in some way. I am happy to support this bipartisan amendment with my colleague, Mr. VEASEY, which unequivocally states that nothing in this act or the amendments made by this act shall affect the scope of any review required to be conducted by the National Environmental Policy Act of 1969.

I support this good faith amendment—and like I said earlier, it is belts and suspenders, but sometimes we need them to pass legislation—and I urge my colleagues to do so as well.

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

Mr. MULLIN. Mr. Chair, I claim the time in opposition, although I do not oppose the amendment.

The Acting CHAIR. Without objection, the gentleman from Oklahoma is recognized for 5 minutes.

There was no objection.

Mr. MULLIN. Mr. Chair, I rise in support of the gentleman's amendment, which would clarify the intent of the legislation not to affect the application of any or other Federal laws that are applicable to the construction, operation, or maintenance of the project.

Despite the talking points used by some of my friends, nothing in this bill would exempt a project from complying with applicable environmental laws or restrict the scope of environmental review.

The gentleman from Texas' amendment makes this abundantly clear. H.R. 2883 would lead to a more objective and timely decision, create jobs, strengthen our Nation's energy security, and support affordable and reliable energy for all Americans.

Mr. Chair, I urge a "yes" vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. GENE GREEN).

The amendment was agreed to.

□ 1630

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments

printed in part B of House Report 115–235 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. ENGEL of New York.

Amendment No. 2 by Ms. TSONGAS of Massachusetts.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. ENGEL

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. ENGEL) on which further proceedings were postponed and on which the noes 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 182, noes 246, not voting 5, as follows:

[Roll No. 395]

AYES—182

Adams	Frankel (FL)
Aguilar	Fudge
Barragan	Gabbard
Bass	Gallego
Beatty	Garamendi
Bera	Gomez
Beyer	Green, Al
Bishop (GA)	Grijalva
Blumenauer	Gutiérrez
Blunt Rochester	Hanabusa
Bonamici	Hastings
Boyle, Brendan	Heck
F.	Higgins (NY)
Brown (MD)	Himes
Brownley (CA)	Hoyer
Bustos	Huffman
Butterfield	Jackson Lee
Capuano	Jayapal
Carbajal	Jeffries
Cárdenas	Johnson (GA)
Carson (IN)	Johnson, E. B.
Cartwright	Kaptur
Castor (FL)	Keating
Castro (TX)	Quigley
Chu, Judy	Kelly (IL)
Cicilline	Kennedy
Clark (MA)	Khanna
Clarke (NY)	Kihuen
Clay	Kildee
Cleaver	Kilmer
Clyburn	Kind
Connolly	Krishnamoorthi
Conyers	Kuster (NH)
Cooper	Langevin
Courtney	Larsen (WA)
Crist	Larson (CT)
Crowley	Lawrence
Davis (CA)	Lawson (FL)
Davis, Danny	Lee
DeFazio	Levin
DeGette	Lewis (GA)
Delaney	Lieu, Ted
DeLauro	Lipinski
DelBene	Loebbeck
Demings	Lofgren
DeSaulnier	Lowenthal
Deutch	Lowe
Dingell	Lujan Grisham,
Doggett	M.
Doyle, Michael	Lujan, Ben Ray
F.	Lynch
Ellison	Maloney,
Engel	Carolyn B.
Eshoo	Maloney, Sean
Españillat	Matsui
Esty (CT)	McCollum
Evans	McEachin
Foster	McGovern
	McNerney

Torres	Walz
Tsongas	Wasserman
Vargas	Schultz
Velázquez	Waters, Maxine
Visclosky	Watson Coleman

NOES—246

Abraham	Gibbs	Noem
Aderholt	Gohmert	Norman
Allen	Gonzalez (TX)	Nunes
Amash	Goodlatte	Olson
Amodei	Gosar	Palazzo
Arrington	Gottheimer	Palmer
Babin	Gowdy	Paulsen
Bacon	Granger	Pearce
Banks (IN)	Graves (GA)	Perry
Barletta	Graves (LA)	Peterson
Barr	Graves (MO)	Pittenger
Barton	Green, Gene	Poe (TX)
Bergman	Griffith	Poliquin
Biggs	Grothman	Posey
Bilirakis	Guthrie	Ratcliffe
Bishop (MI)	Handel	Reed
Bishop (UT)	Harper	Renacci
Black	Harris	Rice (SC)
Blackburn	Hartzler	Roby
Blum	Hensarling	Roe (TN)
Bost	Herrera Beutler	Rogers (AL)
Brady (PA)	Hice, Jody B.	Rogers (KY)
Brady (TX)	Higgins (LA)	Rohrabacher
Brat	Hill	Rokita
Bridenstine	Holding	Rooney, Francis
Brooks (AL)	Hollingsworth	Rooney, Thomas
Brooks (IN)	Hudson	J.
Buchanan	Huizenga	Ros-Lehtinen
Buck	Hultgren	Roskam
Bucshon	Hunter	Ross
Budd	Hurd	Rothfus
Burgess	Issa	Rouzer
Byrne	Jenkins (KS)	Russell
Calvert	Jenkins (WV)	Rutherford
Carter (GA)	Johnson (LA)	Sanford
Carter (TX)	Johnson (OH)	Schrader
Chabot	Johnson, Sam	Schweikert
Cheney	Jones	Scott, Austin
Coffman	Jordan	Sensenbrenner
Cohen	Joyce (OH)	Sessions
Cole	Katko	Shimkus
Collins (GA)	Kelly (MS)	Shuster
Collins (NY)	Kelly (PA)	Simpson
Comer	King (IA)	Smith (MO)
Comstock	King (NY)	Smith (NE)
Conaway	Kinzing	Smith (NJ)
Cook	Knight	Smith (TX)
Correa	Kustoff (TN)	Snucker
Costa	LaHood	Stefanik
Costello (PA)	LaMalfa	Stewart
Cramer	Lamborn	Stivers
Crawford	Lance	Taylor
Cuellar	Latta	Thompson (PA)
Culberson	Lewis (MN)	Thornberry
Curbelo (FL)	LoBiondo	Tiberi
Davidson	Long	Tipton
Davis, Rodney	Loudermilk	Trott
Denham	Love	Turner
Dent	Lucas	Upton
DeSantis	Luetkemeyer	Valadao
DesJarlais	MacArthur	Veasey
Diaz-Balart	Marchant	Vela
Donovan	Marino	Wagner
Duffy	Marshall	Walberg
Duncan (SC)	Massie	Walden
Duncan (TN)	Mast	Walker
Dunn	McCarthy	Walorski
Emmer	McCaul	Walters, Mimi
Estes (KS)	McClintock	Weber (TX)
Farenthold	McHenry	Webster (FL)
Faso	McKinley	Wenstrup
Ferguson	McMorris	Westerman
Fitzpatrick	Rodgers	Williams
Fleischmann	McSally	Wilson (SC)
Flores	Meadows	Wittman
Fortenberry	Meehan	Womack
Fox	Messer	Woodall
Franks (AZ)	Mitchell	Yoder
Frelinghuysen	Moolenaar	Yoho
Gaetz	Mooney (WV)	Young (AK)
Gallagher	Mullin	Young (IA)
Garrett	Murphy (PA)	Zeldin
Gianforte	Newhouse	

NOT VOTING—5

Cummings	Napolitano	Tenney
Labrador	Scalise	

□ 1658

Ms. STEFANIK, Messrs. VELA, GOTTHEIMER, PALAZZO, BURGESS,

VEASEY, CHABOT, CUELLAR, WALBERG, and MEADOWS changed their vote from “aye” to “no.”

Ms. FUDGE changed her vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

#### AMENDMENT NO. 2 OFFERED BY MS. TSONGAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS) on which further proceedings were postponed and on which the noes 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 179, noes 247, not voting 7, as follows:

#### [Roll No. 396]

#### AYES—179

Adams	Frankel (FL)	Meeks
Aguilar	Fudge	Meng
Barragán	Gabbard	Moore
Bass	Gallego	Moulton
Beatty	Garamendi	Murphy (FL)
Bera	Gomez	Nadler
Beyer	Gottheimer	Neal
Bishop (GA)	Green, Al	Nolan
Blumenauer	Grijalva	O'Halleran
Blunt Rochester	Gutiérrez	O'Rourke
Bonamici	Hanabusa	Pallone
Boyle, Brendan	Hastings	Panetta
F.	Heck	Pascarell
Brown (MD)	Higgins (NY)	Payne
Brownley (CA)	Himes	Pelosi
Bustos	Hoyer	Perlmutter
Butterfield	Huffman	Peters
Capuano	Jackson Lee	Pingree
Carbajal	Jayapal	Pocan
Cárdenas	Jeffries	Polis
Carson (IN)	Johnson (GA)	Price (NC)
Cartwright	Johnson, E. B.	Quigley
Castor (FL)	Kaptur	Raskin
Castro (TX)	Keating	Rice (NY)
Chu, Judy	Kelly (IL)	Richmond
Cicilline	Kennedy	Rosen
Clark (MA)	Khanna	Roybal-Allard
Clarke (NY)	Kihuen	Ruiz
Clay	Kildee	Ruppersberger
Cleaver	Kilmer	Rush
Clyburn	Kind	Ryan (OH)
Cohen	Krishnamoorthi	Sánchez
Connolly	Kuster (NH)	Sarbanes
Conyers	Langevin	Schakowsky
Cooper	Larsen (WA)	Schiff
Correa	Larson (CT)	Schneider
Courtney	Lawrence	Scott (VA)
Crist	Lee	Scott, David
Crowley	Levin	Serrano
Davis (CA)	Lewis (GA)	Sewell (AL)
Davis, Danny	Lieu, Ted	Shea-Porter
DeFazio	Lipinski	Sherman
DeGette	Loeb	Sires
Delaney	Lofgren	Slaughter
DeLauro	Lowenthal	Smith (WA)
DeBene	Lowey	Soto
Demings	Lujan Grisham,	Speier
DeSaulnier	M.	Suozi
Deutch	Luján, Ben Ray	Swalwell (CA)
Dingell	Lynch	Takano
Doggett	Maloney,	Thompson (CA)
Ellison	Carolyn B.	Thompson (MS)
Engel	Maloney, Sean	Titus
Eshoo	Matsui	Tonko
Espallat	McCollum	Torres
Esty (CT)	McEachin	Tsongas
Evans	McGovern	Vargas
Foster	McNerney	Velázquez

Visclosky  
Walz  
Wasserman  
Schultz

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Arrington  
Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barton  
Bergman  
Biggs  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Brady (PA)  
Brady (TX)  
Brat  
Bridenstine  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Costa  
Costello (PA)  
Cramer  
Crawford  
Cuellar  
Culberson  
Curbelo (FL)  
Davidson  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Donovan  
Doyle, Michael  
F.  
Duffy  
Duncan (SC)  
Duncan (TN)  
Dunn  
Emmer  
Estes (KS)  
Farenthold  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Flores  
Fortenberry  
Fox  
Franks (AZ)  
Frelinghuysen  
Gaetz  
Gallagher  
Garrett  
Gianforte  
Gibbs

Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)

#### NOES—247

Gohmert  
Gonzalez (TX)  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green, Gene  
Griffith  
Grothman  
Guthrie  
Handel  
Harper  
Harris  
Hartzer  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hollingsworth  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Jenkins (WV)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jones  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinzinger  
Knight  
Kustoff (TN)  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
Lawson (FL)  
Lewis (MN)  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas  
Luetkemeyer  
MacArthur  
Marchant  
Marino  
Marshall  
Massie  
Mast  
McCarthy  
McCaull  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Meehan  
Messer  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Murphy (PA)  
Newhouse  
Noem  
Norcross  
Norman

Yarmuth

Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Peterson  
Pittenger  
Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (SC)  
Robby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)  
Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.

Ros-Lehtinen  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Sanford  
Schrader  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shimkus  
Shuster  
Simpson  
Sinema  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Veasey  
Vela  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

The result of the vote was announced as above recorded.

Stated against:

Mr. HUDSON. Mr. Chair, I was unavoidably detained from the House floor. Had I been present, I would have voted “nay” on rollcall No. 396 (Tsongas Amendment to H.R. 2833).

The Acting CHAIR. 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. RODNEY DAVIS of Illinois) having assumed the chair, Mr. WEBER of Texas, 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. 2833) to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity, and, pursuant to House Resolution 454, 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 the 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. O'HALLERAN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. O'HALLERAN. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. O'Halleran moves to recommit the bill H.R. 2833 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith, with the following amendment:

Page 3, after line 14, insert the following:

(D) AMERICAN IRON AND STEEL.—As a condition of issuing a certificate of crossing under subparagraph (A), the relevant official or agency shall require that all of the iron and steel products used in the construction, connection, operation, and maintenance of the border-crossing facility are produced in the United States, as determined by the relevant official or agency in a manner consistent with United States obligations under international agreements.

Mr. MULLIN (during the reading). Mr. Speaker, I ask unanimous consent

#### NOT VOTING—7

Cummings  
Hudson  
Labrador

Napolitano  
Scalise  
Tenney

□ 1703

So the amendment was rejected.

to dispense with the reading of the amendment.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Arizona is recognized for 5 minutes.

Mr. O'HALLERAN. Mr. Speaker, this is the final amendment to the bill which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Mr. Speaker, hardworking families across Arizona and across our country are sick and tired of Congress putting partisan politics ahead of creating jobs at home.

As I travel across rural Arizona and speak to workers, miners, farmers, and families, I am asked the same questions: "When is Congress going to get serious about helping rural America?"

"When are you guys going to work together and create good-paying jobs?"

"When are we going to rebuild our crumbling infrastructure and roads?"

"When are we finally going to get reliable broadband?"

In my 7 months in Congress, I have seen firsthand the failure to address these problems in a truly bipartisan manner. American workers are counting on all of us, Democrats and Republicans, to focus on bringing back jobs to our country.

The underlying bill before us does not go far enough to ensure pipelines, which involve major investments and can span hundreds of miles across sensitive areas, are made with quality, reliable, American-made materials.

My commonsense amendment simply requires Federal agencies to certify that all of the iron and steel products used in any cross-border pipelines are produced in the United States before they can be approved.

Mr. Speaker, foreign steelmakers now supply half the oil and gas drilling and extraction pipes used in the United States, and it is only getting worse. The American Iron and Steel Institute estimates that imports of steel pipes for the oil and gas industry are up 237 percent in the first half of 2017 from a year earlier.

Earlier this year, President Trump signed an executive order instructing the Secretary of Commerce to develop a plan that would require any company building a pipeline within U.S. borders to use American-made materials and equipment. My amendment mirrors the spirit of that executive order by applying the same rules to any proposed cross-border pipelines.

Mr. Speaker, we need to rebuild America. We need to rebuild America's infrastructure. We need to rebuild America's energy infrastructure, but we need to rebuild America by creating American jobs.

Mr. Speaker, I can think of no better message to send during President Trump's "Made in America Week"

than by standing up for American workers and supporting this common-sense amendment. I urge my colleagues to vote "yes."

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

Mr. MULLIN. Mr. Speaker, I claim the time in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. MULLIN. Mr. Speaker, this is just a procedural motion to deny the important benefits of this legislation to the American workers, businesses, and our collective energy security. It fits a pattern of delay and obstruction that we simply cannot support. I urge my colleagues to oppose this motion to recommit and vote "yes" on final passage.

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. O'HALLERAN. 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 193, noes 232, not voting 8, as follows:

[Roll No. 397]

#### AYES—193

Adams	Courtney	Hanabusa
Aguilar	Crist	Hastings
Barragán	Crowley	Heck
Bass	Cuellar	Higgins (NY)
Beatty	Davis (CA)	Himes
Bera	Davis, Danny	Hoyer
Beyer	DeFazio	Huffman
Bishop (GA)	DeGette	Jackson Lee
Blumenauer	Delaney	Jayapal
Blunt Rochester	DeLauro	Jeffries
Bonamici	DeBene	Johnson (GA)
Boyle, Brendan	Demings	Johnson, E. B.
F.	DeSaulnier	Jones
Brady (PA)	Deutch	Kaptur
Brown (MD)	Dingell	Keating
Brownley (CA)	Doggett	Kelly (IL)
Bustos	Doyle, Michael	Kennedy
Butterfield	F.	Khanna
Capuano	Duncan (TN)	Kihuen
Carbajal	Ellison	Kildee
Cárdenas	Engel	Kilmer
Carson (IN)	Eshoo	Kind
Cartwright	Españillat	Krishnamoorthi
Castor (FL)	Esty (CT)	Kuster (NH)
Castro (TX)	Evans	Langevin
Chu, Judy	Foster	Larsen (WA)
Cicilline	Frankel (FL)	Larson (CT)
Clark (MA)	Fudge	Lawrence
Clarke (NY)	Gabbard	Lawson (FL)
Clay	Gallo	Lee
Cleaver	Garamendi	Levin
Clyburn	Gomez	Lewis (GA)
Cohen	Gonzalez (TX)	Lieu, Ted
Connolly	Gottheimer	Lipinski
Conyers	Green, Al	Loeb
Cooper	Green, Gene	Lofgren
Correa	Grijalva	Lowenthal
Costa	Gutiérrez	Lowey

Lujan Grisham, M.	Peters	Sinema
Luján, Ben Ray	Peterson	Sires
Lynch	Pingree	Slaughter
Maloney,	Pocan	Smith (WA)
Carolyn B.	Polis	Soto
Maloney, Sean	Price (NC)	Speier
Matsui	Quigley	Suozi
McCollum	Raskin	Swalwell (CA)
McEachin	Rice (NY)	Takano
McGovern	Richmond	Takano
McNerney	Rosen	Thompson (CA)
Meeks	Roybal-Allard	Thompson (MS)
Meng	Ruiz	Titus
Moore	Ruppersberger	Tonko
Moulton	Rush	Torres
Murphy (FL)	Ryan (OH)	Tsongas
Nadler	Sánchez	Vargas
Neal	Sarbanes	Veasey
Nolan	Schakowsky	Vela
Norcross	Schiff	Velázquez
O'Halleran	Schneider	Visclosky
O'Rourke	Schrader	Walz
Pallone	Scott (VA)	Wasserman
Panetta	Scott, David	Schultz
Pascrell	Serrano	Waters, Maxine
Payne	Sewell (AL)	Watson Coleman
Perlmuter	Shea-Porter	Welch
	Sherman	Wilson (FL)
		Yarmuth

#### NOES—232

Abraham	Fortenberry	Mast
Aderholt	Fox	McCarthy
Allen	Franks (AZ)	McCaul
Amash	Frelinghuysen	McClintock
Amodel	Gaetz	McHenry
Arrington	Gallagher	McKinley
Babin	Garrett	McMorris
Bacon	Gianforte	Rodgers
Banks (IN)	Gibbs	McSally
Barletta	Gohmert	Meadows
Barr	Goodlatte	Meehan
Barton	Gosar	Messer
Bergman	Gowdy	Mitchell
Biggs	Granger	Moolenaar
Bilirakis	Graves (GA)	Mooney (WV)
Bishop (MI)	Graves (LA)	Mullin
Bishop (UT)	Graves (MO)	Murphy (PA)
Black	Griffith	Newhouse
Blackburn	Grothman	Noem
Blum	Guthrie	Norman
Bost	Handel	Nunes
Brady (TX)	Harper	Olson
Brat	Harris	Palazzo
Bridenstine	Hartzler	Palmer
Brooks (AL)	Hensarling	Paulsen
Brooks (IN)	Herrera Beutler	Pearce
Buchanan	Hice, Jody B.	Perry
Buck	Higgins (LA)	Pittenger
Bucshon	Hill	Poe (TX)
Budd	Holding	Poliquin
Burgess	Hollingsworth	Posey
Byrne	Hudson	Ratcliffe
Calvert	Huizenga	Reichert
Carter (GA)	Hultgren	Renacci
Carter (TX)	Hunter	Rice (SC)
Chabot	Hurd	Roby
Cheney	Issa	Roe (TN)
Coffman	Jenkins (KS)	Rogers (AL)
Cole	Jenkins (WV)	Rohrabacher
Collins (GA)	Johnson (LA)	Rokita
Collins (NY)	Johnson (OH)	Rooney, Francis
Comer	Johnson, Sam	Rooney, Thomas
Comstock	Jordan	J.
Conaway	Joyce (OH)	Ros-Lehtinen
Cook	Katko	Roskam
Costello (PA)	Kelly (MS)	Ross
Cramer	Kelly (PA)	Rothfus
Crawford	King (IA)	Rouzer
Culberson	King (NY)	Royce (CA)
Curbelo (FL)	Kinzing	Russell
Davidson	Knight	Rutherford
Davis, Rodney	Kustoff (TN)	Sanford
Denham	LaHood	Schweikert
Dent	LaMalfa	Scott, Austin
DeSantis	Lamborn	Sensenbrenner
DesJarlais	Lance	Sessions
Diaz-Balart	Latta	Shimkus
Donovan	Lewis (MN)	Shuster
Duffy	LoBiondo	Simpson
Duncan (SC)	Long	Smith (MO)
Dunn	Loudermilk	Smith (NE)
Emmer	Love	Smith (NJ)
Estes (KS)	Lucas	Smith (TX)
Farenthold	Luetkemeyer	Smucker
Faso	MacArthur	Stefanik
Ferguson	Marchant	Stewart
Fitzpatrick	Marino	Stivers
Fleischmann	Marshall	Taylor
Flores	Massie	Tenney



Thompson (PA) Walden Wilson (SC)  
 Thornberry Walker Wittman  
 Tiberi Walorski Womack  
 Tipton Walters, Mimi Woodall  
 Trott Weber (TX) Yoder  
 Turner Webster (FL) Yoho  
 Upton Webster Young (AK)  
 Wagner Westerman Young (IA)  
 Walberg Williams Zeldin

## NOT VOTING—8

Cummings Pelosi Scalise  
 Labrador Reed Valadao  
 Napolitano Rogers (KY)

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1718

Ms. JACKSON LEE changed her vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. REED. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “nay” on rollcall No. 397.

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.

Ms. CASTOR of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 254, nays 175, not voting 4, as follows:

[Roll No. 398]

## YEAS—254

Abraham Comstock Gosar  
 Aderholt Conaway Gottheimer  
 Allen Conyers Gowdy  
 Amash Cook Granger  
 Amodei Correa Graves (GA)  
 Arrington Costa Graves (LA)  
 Babin Costello (PA) Graves (MO)  
 Bacon Cramer Green, Gene  
 Banks (IN) Crawford Griffith  
 Barletta Cuellar Grothman  
 Barr Culberson Guthrie  
 Barton Curbelo (FL) Handel  
 Bergman Davidson Harper  
 Biggs Davis, Rodney Harris  
 Bilirakis Denham Hartzler  
 Bishop (GA) Dent Hensarling  
 Bishop (MI) DeSantis Herrera Beutler  
 Bishop (UT) DesJarlais Hice, Jody B.  
 Black Diaz-Balart Higgins (LA)  
 Blackburn Donovan Hill  
 Blum Duffy Holding  
 Bost Duncan (SC) Hollingsworth  
 Brady (PA) Duncan (TN) Hudson  
 Brady (TX) Dunn Huizenga  
 Brat Emmer Hultgren  
 Bridenstine Estes (KS) Hunter  
 Brooks (AL) Farenthold Hurd  
 Brooks (IN) Faso Issa  
 Buchanan Ferguson Jackson Lee  
 Buck Fitzpatrick Jenkins (KS)  
 Bucshon Fleischmann Jenkins (WV)  
 Budd Flores Johnson (LA)  
 Burgess Fortenberry Johnson (OH)  
 Byrne Foxx Johnson, Sam  
 Calvert Franks (AZ) Jones  
 Carter (GA) Frelinghuysen Jordan  
 Carter (TX) Gaetz Joyce (OH)  
 Chabot Gallagher Katko  
 Cheney Garrett Kelly (MS)  
 Coffman Gianforte Kelly (PA)  
 Cole Gibbs King (IA)  
 Collins (GA) Gohmert King (NY)  
 Collins (NY) Gonzalez (TX) Kinzinger  
 Comer Goodlatte Knight

Kustoff (TN) Palazzo  
 LaHood Palmer  
 LaMalfa Paulsen  
 Lamborn Pearce  
 Lance Perry  
 Larsen (WA) Peterson  
 Latta Pittenger  
 Lewis (MN) Poe (TX)  
 LoBiondo Poliquin  
 Long Ratcliffe  
 Loudermilk Reed  
 Love Reichert  
 Lucas Renacci  
 Luetkemeyer MacArthur  
 Marchant Rice (SC)  
 Marino Richmond  
 Marshall Roby  
 Massie Roe (TN)  
 Mast Rogers (AL)  
 McCarthy Rogers (KY)  
 McCaul Rohrabacher  
 McClintock Rokita  
 McHenry Rooney, Francis  
 McKinley Rooney, Thomas  
 McMorris J.  
 Rodgers Ros-Lehtinen  
 McSally Roskam  
 Meadows Rothfus  
 Meehan Rouzer  
 Messer Royce (CA)  
 Mitchell Russell  
 Moolenaar Rutherford  
 Mooney (WV) Sanford  
 Mullin Schrader  
 Murphy (PA) Schweikert  
 Newhouse Scott, Austin  
 Noem Sensenbrenner  
 Norcross Sessions  
 Norman Shimkus  
 Nunes Shuster  
 Olson Simpson

## NAYS—175

Adams Evans  
 Aguilar Foster  
 Barragán Frankel (FL)  
 Bass Fudge  
 Beatty Gabbard  
 Bera Gallego  
 Beyer Garamendi  
 Blumenauer Gomez  
 Blunt Rochester Green, Al  
 Bonamici Grijalva  
 Boyle, Brendan Gutiérrez  
 F. Hanabusa  
 Brown (MD) Hastings  
 Brownley (CA) Heck  
 Bustos Higgins (NY)  
 Butterfield Himes  
 Capuano Hoyer  
 Carbajal Huffman  
 Cárdenas Jayapal  
 Carson (IN) Jeffries  
 Cartwright Johnson (GA)  
 Castor (FL) Johnson, E. B.  
 Castro (TX) Kaptur  
 Chu, Judy Keating  
 Cicilline Kelly (IL)  
 Clark (MA) Kennedy  
 Clarke (NY) Khanna  
 Clay Kihuen  
 Cleaver Kildee  
 Clyburn Kilmer  
 Cohen Kind  
 Connolly Krishnamoorthi  
 Cooper Kuster (NH)  
 Courtney Langevin  
 Crist Larson (CT)  
 Crowley Lawrence  
 Davis (CA) Lawson (FL)  
 Davis, Danny Lee  
 DeFazio Levin  
 DeGette Lewis (GA)  
 Delaney Lieu, Ted  
 DeLauro Lipinski  
 DelBene Loeb sack  
 Demings Lofgren  
 DeSaulnier Lowenthal  
 Deutsch Lowey  
 Dingell Lujan Grisham,  
 Doggett M.  
 Doyle, Michael Luján, Ben Ray  
 F. Lynch  
 Ellison Maloney,  
 Engel Carolyn B.  
 Eshoo Maloney, Sean  
 Espallat Matsui  
 Esty (CT) McCollum

Titus Velázquez Waters, Maxine  
 Tonko Visclosky Watson Coleman  
 Torres Walz Welch  
 Tsongas Wasserman Wilson (FL)  
 Vargas Schultz Yarmuth

## NOT VOTING—4

Cummings Napolitano  
 Labrador Scalise

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1724

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PROMOTING INTERAGENCY COORDINATION FOR REVIEW OF NATURAL GAS PIPELINES ACT

The SPEAKER pro tempore. Pursuant to House Resolution 454 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. 2910.

Will the gentleman from Texas (Mr. WEBER) kindly take the chair.

□ 1725

## 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. 2910) to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes, with Mr. WEBER of Texas (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, a request for a recorded vote on amendment No. 3 printed in part A of House Report 115-235 offered by the gentleman from Virginia (Mr. BEYER) had been 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 part A of House Report 115-235 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. TSONGAS of Massachusetts.

Amendment No. 3 by Mr. BEYER of Virginia.

The Chair will reduce to 2 minutes the minimum time for any electronic vote in this series.

## AMENDMENT NO. 1 OFFERED BY MS. TSONGAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS) on which further proceedings were postponed and on which the noes 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 180, noes 249, not voting 4, as follows:

[Roll No. 399]

## AYES—180

Adams	Gallego	Neal
Aguilar	Garamendi	Nolan
Barragán	Gomez	O'Halleran
Bass	Gottheimer	O'Rourke
Beatty	Green, Al	Pallone
Bera	Grijalva	Panetta
Beyer	Gutiérrez	Pascarell
Bishop (GA)	Hanabusa	Payne
Blumenauer	Hastings	Pelosi
Blunt Rochester	Heck	Perlmutter
Bonamici	Higgins (NY)	Peters
Brown (MD)	Himes	Pingree
Brownley (CA)	Hoyer	Pocan
Bustos	Huffman	Polis
Butterfield	Jackson Lee	Price (NC)
Capuano	Jayapal	Quigley
Carbajal	Jeffries	Raskin
Cárdenas	Johnson (GA)	Rice (NY)
Carson (IN)	Johnson, E. B.	Richmond
Cartwright	Kaptur	Rosen
Castor (FL)	Keating	Roybal-Allard
Castro (TX)	Kelly (IL)	Ruiz
Chu, Judy	Kennedy	Ruppersberger
Cicilline	Khanna	Rush
Clark (MA)	Kihuen	Sánchez
Clarke (NY)	Kildee	Sarbanes
Clay	Kilmer	Schakowsky
Cleaver	Kind	Schiff
Clyburn	Krishnamoorthi	Schneider
Cohen	Kuster (NH)	Scott (VA)
Connolly	Langevin	Scott, David
Conyers	Larsen (WA)	Serrano
Cooper	Larson (CT)	Sewell (AL)
Correa	Lawrence	Shea-Porter
Courtney	Lawson (FL)	Sherman
Crist	Lee	Sires
Crowley	Levin	Slaughter
Davis (CA)	Lewis (GA)	Smith (WA)
Davis, Danny	Lieu, Ted	Soto
DeFazio	Lipinski	Speier
DeGette	Loeback	Suozi
Delaney	Lofgren	Swalwell (CA)
DeLauro	Lowenthal	Takano
DelBene	Lowe	Thompson (CA)
Demings	Lujan Grisham,	Thompson (MS)
DeSaulnier	M.	Titus
Deutch	Luján, Ben Ray	Tonko
Dingell	Lynch	Torres
Doggett	Maloney,	Tsongas
Doyle, Michael	Maloney, Sean	Vargas
F.	Matsui	Velázquez
Ellison	McCollum	Visclosky
Engel	McEachin	Walz
Eshoo	McGovern	Wasserman
Españillat	McNerney	Schultz
Esty (CT)	Meeks	Waters, Maxine
Evans	Meng	Watson Coleman
Fitzpatrick	Moore	Welch
Foster	Moulton	Wilson (FL)
Frankel (FL)	Murphy (FL)	Yarmuth
Fudge	Nadler	
Gabbard		

## NOES—249

Abraham	Bost	Coffman
Aderholt	Boyle, Brendan	Cole
Allen	F.	Collins (GA)
Amash	Brady (PA)	Collins (NY)
Amodei	Brady (TX)	Comer
Arrington	Brat	Comstock
Babin	Bridenstine	Conaway
Bacon	Brooks (AL)	Cook
Banks (IN)	Brooks (IN)	Costa
Barletta	Buchanan	Costello (PA)
Barr	Buck	Cramer
Barton	Bucshon	Crawford
Bergman	Budd	Cuellar
Biggs	Burgess	Culberson
Billirakis	Byrne	Curbelo (FL)
Bishop (MI)	Calvert	Davidson
Bishop (UT)	Carter (GA)	Davis, Rodney
Black	Carter (TX)	Denham
Blackburn	Chabot	Dent
Blum	Cheney	DeSantis

DesJarlais	King (IA)	Rohrabacher
Diaz-Balart	King (NY)	Rokita
Donovan	Kinzinger	Rooney, Francis
Duffy	Knight	Rooney, Thomas
Duncan (SC)	Kustoff (TN)	J.
Duncan (TN)	LaHood	Ros-Lehtinen
Dunn	LaMalfa	Roskam
Emmer	Lamborn	Ross
Estes (KS)	Lance	Rothfus
Farenthold	Latta	Rouzer
Faso	Lewis (MN)	Royce (CA)
Ferguson	LoBiondo	Russell
Fleischmann	Long	Rutherford
Flores	Loudermilk	Ryan (OH)
Fortenberry	Love	Sanford
Fox	Lucas	Schrader
Franks (AZ)	Luetkemeyer	Schweikert
Frelinghuysen	MacArthur	Scott, Austin
Gaetz	Marchant	Sensenbrenner
Gallagher	Marino	Sessions
Garrett	Marshall	Shimkus
Gianforte	Massie	Shuster
Gibbs	Mast	Simpson
Gohmert	McCarthy	Sinema
Gonzalez (TX)	McCaul	Smith (MO)
Goodlatte	McClintock	Smith (NE)
Gosar	McHenry	Smith (NJ)
Gowdy	McKinley	Smith (TX)
Granger	McMorris	Smucker
Graves (GA)	Rodgers	Stefanik
Graves (LA)	McSally	Stewart
Graves (MO)	Meadows	Stivers
Green, Gene	Meehan	Taylor
Griffith	Messer	Tenney
Grothman	Mitchell	Thompson (PA)
Guthrie	Moolenaar	Thornberry
Handel	Mooney (WV)	Tiberi
Harper	Mullin	Tipton
Harris	Murphy (PA)	Trott
Hartzler	Newhouse	Turner
Hensarling	Noem	Upton
Herrera Beutler	Norcross	Valadao
Hice, Jody B.	Norcross	Veasey
Higgins (LA)	Nunes	Vela
Hill	Olson	Wagner
Holding	Palazzo	Walberg
Hollingsworth	Palmer	Walden
Hudson	Paulsen	Walker
Huizenga	Pearce	Walorski
Hultgren	Perry	Walters, Mimi
Hunter	Peterson	Weber (TX)
Hurd	Pittenger	Webster (FL)
Issa	Poe (TX)	Wenstrup
Jenkins (KS)	Poliquin	Westerman
Jenkins (WV)	Posey	Williams
Johnson (LA)	Ratcliffe	Wilson (SC)
Johnson (OH)	Reed	Wittman
Johnson, Sam	Reichert	Womack
Jones	Renacci	Woodall
Jordan	Rice (SC)	Yoder
Joyce (OH)	Roby	Yoho
Katko	Roe (TN)	Young (AK)
Kelly (MS)	Rogers (AL)	Young (IA)
Kelly (PA)	Rogers (KY)	Zeldin

## NOT VOTING—4

Cummings	Napolitano
Labrador	Scalise

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1730

So the amendment was rejected.

The result of the vote was announced as above recorded.

## AMENDMENT NO. 3 OFFERED BY MR. BEYER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. BEYER) on which further proceedings were postponed and on which the noes 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 192, noes 236, not voting 5, as follows:

[Roll No. 400]

## AYES—192

Adams	Garamendi	Nolan
Aguilar	Gomez	Norcross
Barragán	Gonzalez (TX)	O'Halleran
Bass	Goodlatte	O'Rourke
Beatty	Green, Al	Pallone
Bera	Green, Gene	Panetta
Beyer	Griffith	Pascarell
Bishop (GA)	Grijalva	Payne
Blumenauer	Gutiérrez	Pelosi
Blunt Rochester	Hanabusa	Perlmutter
Bonamici	Harris	Peters
Boyle, Brendan	Hastings	Pingree
F.	Heck	Pocan
Brady (PA)	Higgins (NY)	Polis
Brown (MD)	Himes	Price (NC)
Brownley (CA)	Hoyer	Quigley
Bustos	Huffman	Raskin
Butterfield	Jackson Lee	Rice (NY)
Capuano	Jayapal	Richmond
Carbajal	Jeffries	Rosen
Cárdenas	Johnson (GA)	Roybal-Allard
Carson (IN)	Johnson, E. B.	Ruiz
Cartwright	Kaptur	Ruppersberger
Castor (FL)	Keating	Rush
Castro (TX)	Kelly (IL)	Ryan (OH)
Chu, Judy	Kennedy	Sánchez
Cicilline	Khanna	Sarbanes
Clark (MA)	Kihuen	Schakowsky
Clarke (NY)	Kildee	Schiff
Clay	Kilmer	Schneider
Cleaver	Kind	Schrader
Clyburn	Krishnamoorthi	Scott (VA)
Cohen	Kuster (NH)	Scott, David
Connolly	Langevin	Serrano
Conyers	Larsen (WA)	Sewell (AL)
Cooper	Larson (CT)	Shea-Porter
Correa	Lawrence	Sherman
Courtney	Lawson (FL)	Sinema
Crist	Lee	Sires
Crowley	Levin	Slaughter
Cuellar	Lewis (GA)	Smith (WA)
Davis (CA)	Lieu, Ted	Soto
Davis, Danny	Lipinski	Speier
DeFazio	Loeback	Suozi
DeGette	Lofgren	Swalwell (CA)
Delaney	Lowenthal	Takano
DeLauro	Lowe	Thompson (CA)
DelBene	Lujan Grisham,	Thompson (MS)
Demings	M.	Titus
DeSaulnier	Luján, Ben Ray	Tonko
Deutch	Lynch	Torres
Dingell	Maloney,	Tsongas
Doggett	Carolyn B.	Vargas
Doyle, Michael	Maloney, Sean	Veasey
F.	Matsui	Vela
Ellison	McCollum	Velázquez
Engel	McEachin	Visclosky
Eshoo	McGovern	Walz
Españillat	McNerney	Wasserman
Esty (CT)	Meeks	Schultz
Evans	Meng	Waters, Maxine
Foster	Moore	Watson Coleman
Frankel (FL)	Moulton	Welch
Fudge	Murphy (FL)	Wilson (FL)
Gabbard	Nadler	Yarmuth
Gallego	Neal	

## NOES—236

Abraham	Brady (TX)	Conaway
Aderholt	Brat	Cook
Allen	Bridenstine	Costa
Amash	Brooks (AL)	Costello (PA)
Amodei	Brooks (IN)	Cramer
Arrington	Buchanan	Crawford
Babin	Buck	Culberson
Bacon	Bucshon	Curbelo (FL)
Banks (IN)	Budd	Davidson
Barletta	Burgess	Davis, Rodney
Barr	Byrne	Denham
Barton	Carter (GA)	Dent
Bergman	Carter (TX)	DeSantis
Biggs	Chabot	DesJarlais
Bilirakis	Cheney	Diaz-Balart
Bishop (MI)	Coffman	Donovan
Bishop (UT)	Cole	Duffy
Black	Collins (GA)	Duncan (SC)
Blackburn	Collins (NY)	Duncan (TN)
Blum	Comer	Dunn
Bost	Comstock	Emmer

Estes (KS)	LaMalfa	Rooney, Francis
Farenthold	Lamborn	Rooney, Thomas
Faso	Lance	J.
Ferguson	Latta	Ros-Lehtinen
Fitzpatrick	Lewis (MN)	Roskam
Fleischmann	LoBiondo	Ross
Flores	Long	Rothfus
Fortenberry	Loudermilk	Rouzer
Fox	Love	Royce (CA)
Franks (AZ)	Lucas	Russell
Frelinghuysen	Luetkemeyer	Rutherford
Gaetz	MacArthur	Sanford
Gallagher	Marchant	Schweikert
Garrett	Marino	Scott, Austin
Gianforte	Marshall	Sensenbrenner
Gibbs	Massie	Sessions
Gohmert	Mast	Shimkus
Gosar	McCarthy	Shuster
Gottheimer	McCauley	Simpson
Gowdy	McClintock	Smith (MO)
Granger	McHenry	Smith (NE)
Graves (GA)	McKinley	Smith (NJ)
Graves (LA)	McMorris	Smith (TX)
Graves (MO)	Rodgers	Smucker
Grothman	McSally	Stefanik
Guthrie	Meadows	Stewart
Handel	Meehan	Stivers
Harper	Messer	Taylor
Hartzer	Mitchell	Tenney
Hensarling	Moolenaar	Thompson (PA)
Herrera Beutler	Mooney (WV)	Thornberry
Hice, Jody B.	Mullin	Tiberi
Higgins (LA)	Murphy (PA)	Tipton
Hill	Newhouse	Trott
Holding	Noem	Turner
Hollingsworth	Norman	Upton
Hudson	Nunes	Valadao
Huizenga	Olson	Wagner
Hultgren	Palazzo	Walberg
Hunter	Palmer	Walden
Hurd	Paulsen	Walker
Issa	Pearce	Walorski
Jenkins (KS)	Perry	Walters, Mimi
Jenkins (WV)	Peterson	Weber (TX)
Johnson (LA)	Pittenger	Webster (FL)
Johnson (OH)	Poe (TX)	Wenstrup
Johnson, Sam	Poliquin	Westerman
Jones	Posey	Williams
Jordan	Ratcliffe	Wilson (SC)
Joyce (OH)	Reed	Wittman
Katko	Reichert	Womack
Kelly (MS)	Renacci	Woodall
Kelly (PA)	Rice (SC)	Yoder
King (IA)	Roby	Yoho
King (NY)	Roe (TN)	Young (AK)
Kinzinger	Rogers (AL)	Young (IA)
Knight	Rogers (KY)	Zeldin
Kustoff (TN)	Rohrabacher	
LaHood	Rokita	

## NOT VOTING—5

Calvert	Labrador	Scalise
Cummings	Napolitano	

## ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1735

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. 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. RODNEY DAVIS of Illinois) having assumed the chair, Mr. WEBER of Texas, 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. 2910) to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes, and, pursuant to House Resolution 454, 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 the 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

Mrs. WATSON COLEMAN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mrs. WATSON COLEMAN. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Watson Coleman moves to recommit the bill H.R. 2910 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith, with the following amendment:

At the end, add the following:

**SEC. 3. NO EMINENT DOMAIN.**

An application for a certificate of public convenience and necessity under section 7 of the Natural Gas Act may not be approved unless the applicant agrees not to exercise eminent domain authority under section 7(h) of such Act.

Mr. FLORES (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading of the motion.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for 5 minutes.

Mrs. WATSON COLEMAN. Mr. Speaker, I have a motion to recommit the bill with instructions to add language prohibiting the use, really the abuse, of Federal eminent domain authority by large gas pipeline companies.

Currently, the law allows pipeline companies—given authorization by FERC—to circumvent landowner opposition and exercise the right of eminent domain to acquire land necessary for pipeline construction, which is privately owned, so that the pipeline construction can operate and maintain—meaning for-profit pipeline companies can seize private land from owners who are unwilling to sell.

More often than not, compensation provided to the property owner is far from fair or just and the negotiations are rarely conducted in good faith. In the event that fair compensation is paid, no one should be forced to sell against their will.

The bottom line is simple: too often eminent domain authority is exercised without the determination of a true public benefit. Certificate holders can manipulate this authority to take whatever land they deem necessary for their gas pipeline projects.

With the recent boom in domestic gas production, this is happening all across the United States and harming property owners in many of our districts. This practice is wrong, and it must be stopped.

In my home State of New Jersey, residents, including my own constituents, are very concerned about the pending PennEast Pipeline Project—a proposed 118-mile, 36-inch gas pipeline stretching from northeast Pennsylvania to my district.

Their proposal crosses the property of more than 500 landowners, many of whom have strongly objected to this project going forward.

My constituents and our neighbors who are affected by this project will receive little, if any, local benefits from the project, because most of the natural gas transported through the pipeline is likely destined for markets outside of New Jersey, including for export overseas.

PennEast would cut through districts represented by both Republicans and Democrats, and it is opposed by my colleagues in this body on both sides of the aisle.

Democrats and Republicans alike can agree that one of the most important rights for all Americans is the right to own private property. But today, the growth in gas pipeline projects threatens this right for many Americans.

Everyone deserves a good place to live and a safe place to raise their children. No one should have to worry about losing their hard-earned property, through no fault of their own, just to pad private company coffers.

Preventing these private for-profit companies from having access to the eminent domain authority in section 7(h) of the Natural Gas Act would not only make this law better by halting abuse of that authority by private gas pipeline companies, but also place public interests over private profit.

This motion presents an opportunity to send a clear message to our constituents who have worked hard to own their property and a piece of the American Dream.

Their choice is clear, and it is yours, but I urge all of my colleagues to vote “yes” on the motion to recommit and stand with landowners over land takers.

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

Mr. FLORES. Mr. Speaker, I claim the time in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. FLORES. Mr. Speaker, I urge all of my colleagues to oppose the motion to recommit and to vote “yes” on final passage.

I am going to make everybody happy because I am going to be really quick about this. This MTR is just a rehash of an amendment that the other side of the aisle tried to introduce during the original bill. That amendment was not germane, and the reason it wasn't germane is because this bill does not affect eminent domain in any way whatsoever.

So the bottom line is, that this is just another procedural motion to deny the important benefits of this legislation to American workers, to American businesses, and to our collective energy security. It fits a pattern of delay and obstruction that we simply cannot support.

Mr. Speaker, I urge our Members to oppose this procedural motion, and 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

Mrs. WATSON COLEMAN. 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 189, noes 239, not voting 5, as follows: (vote result)

[Roll No. 401]

#### AYES—189

Adams	Cuellar	Jackson Lee
Aguilar	Davis (CA)	Jayapal
Barragán	Davis, Danny	Jeffries
Bass	DeFazio	Johnson (GA)
Beatty	DeGette	Johnson, E. B.
Bera	Delaney	Jones
Beyer	DeLauro	Kaptur
Bishop (GA)	DeBene	Keating
Blumenauer	Demings	Kelly (IL)
Blunt Rochester	DeSaulnier	Kennedy
Bonamici	Deutch	Khanna
Boyle, Brendan	Dingell	Kihuen
F.	Doggett	Kildee
Brady (PA)	Doyle, Michael	Kilmer
Brown (MD)	F.	Kind
Brownley (CA)	Ellison	Krishnamoorthi
Bustos	Engel	Kuster (NH)
Butterfield	Eshoo	Langevin
Capuano	Españillat	Larsen (WA)
Carbajal	Esty (CT)	Larson (CT)
Cárdenas	Evans	Lawrence
Carson (IN)	Foster	Lawson (FL)
Cartwright	Frankel (FL)	Lee
Castor (FL)	Fudge	Levin
Castro (TX)	Gabbard	Lewis (GA)
Chu, Judy	Gallego	Lieu, Ted
Ciçilline	Garamendi	Lipinski
Clark (MA)	Gomez	Loeb sack
Clarke (NY)	Gonzalez (TX)	Lofgren
Clay	Gottheimer	Lowenthal
Cleaver	Green, Al	Lowe y
Clyburn	Grijalva	Lujan Grisham,
Cohen	Gutiérrez	M.
Connolly	Hanabusa	Luján, Ben Ray
Conyers	Hastings	Lynch
Cooper	Heck	Maloney,
Correa	Higgins (NY)	Carolyn B.
Courtney	Himes	Maloney, Sean
Crist	Hoyer	Matsui
Crowley	Huffman	McCollum

McEachin	Quigley	Soto	Tiberi	Walorski	Womack
McGovern	Raskin	Speier	Tipton	Walters, Mimi	Woodall
McNerney	Rice (NY)	Suo zzi	Trott	Weber (TX)	Yoder
Meeks	Richmond	Swalwell (CA)	Turner	Webster (FL)	Yoho
Meng	Rosen	Takano	Upton	Wenstrup	Young (AK)
Moore	Roybal-Allard	Thompson (CA)	Wagner	Westerman	Young (IA)
Moulton	Ruiz	Thompson (MS)	Walberg	Williams	Zeldin
Murphy (FL)	Ruppersberger	Titus	Walden	Wilson (SC)	
Nadler	Rush	Tonko	Walker	Wittman	
Neal	Ryan (OH)	Torres			
Nolan	Sánchez	Tsongas			
Norcross	Sarbanes	Vargas			
O'Halleran	Schakowsky	Veasey			
O'Rourke	Schiff	Vela			
Pallone	Schneider	Velázquez			
Panetta	Scott (VA)	Visclosky			
Pascarell	Scott, David	Walz			
Payne	Serrano	Wasserman			
Pelosi	Sewell (AL)	Schultz			
Perlmutter	Shea-Porter	Waters, Maxine			
Peters	Sherman	Watson Coleman			
Pingree	Sinema	Welch			
Pocan	Sires	Wilson (FL)			
Polis	Slaughter	Yarmuth			
Price (NC)	Smith (WA)				

#### NOES—239

Abraham	Foxx	McClintock
Aderholt	Franks (AZ)	McHenry
Allen	Frelinghuysen	McKinley
Amash	Gaetz	McMorris
Amodei	Gallagher	Rodgers
Arrington	Garrett	McSally
Babin	Gianforte	Meadows
Bacon	Gibbs	Meehan
Banks (IN)	Gohmert	Messer
Barletta	Goodlatte	Mitchell
Barr	Gosar	Moolenaar
Barton	Gowdy	Mooney (WV)
Bergman	Granger	Mullin
Biggs	Graves (GA)	Murphy (PA)
Bilirakis	Graves (LA)	Newhouse
Bishop (MI)	Graves (MO)	Noem
Bishop (UT)	Green, Gene	Norman
Black	Griffith	Nunes
Blackburn	Grothman	Olson
Blum	Guthrie	Palazzo
Bost	Handel	Palmer
Brady (TX)	Harper	Paulsen
Brat	Harris	Pearce
Bridenstine	Hartzler	Perry
Brooks (AL)	Hensarling	Peterson
Brooks (IN)	Herrera Beutler	Pittenger
Buchanan	Hice, Jody B.	Poe (TX)
Buck	Higgins (LA)	Poliquin
Bucshon	Hill	Posey
Budd	Holding	Ratcliffe
Burgess	Hollingsworth	Reed
Byrne	Hudson	Reichert
Calvert	Huizenga	Renacci
Carter (GA)	Hultgren	Rice (SC)
Carter (TX)	Hunter	Roby
Chabot	Hurd	Roe (TN)
Cheney	Issa	Rogers (AL)
Coffman	Jenkins (KS)	Rogers (KY)
Cole	Jenkins (WV)	Rohrabacher
Collins (GA)	Johnson (LA)	Rokita
Collins (NY)	Johnson (OH)	Rooney, Francis
Comer	Johnson, Sam	Rooney, Thomas
Comstock	Jordan	J.
Conaway	Joyce (OH)	Ros-Lehtinen
Cook	Katko	Roskam
Costa	Kelly (MS)	Ross
Costello (PA)	Kelly (PA)	Rothfus
Cramer	King (IA)	Rouzer
Crawford	King (NY)	Royce (CA)
Culberson	Kinzing er	Russell
Curbelo (FL)	Knight	Rutherford
Davidson	Kustoff (TN)	Sanford
DeSantis	LaHood	Schrader
DesJarlais	LaMalfa	Schweikert
Diaz-Balart	Lamborn	Scott, Austin
Donovan	Lamborn	Sensenbrenner
Duffy	Lance	Sessions
Duncan (SC)	DesJarlais	Shimkus
Duncan (TN)	Latta	Shuster
Dunn	Lewis (MN)	Simpson
Emmer	LoBiondo	Smith (MO)
Estes (KS)	Long	Smith (NE)
Farenthold	Loudermilk	Smith (NJ)
Faso	Love	Smith (TX)
Ferguson	Lucas	Smucker
Fitzpatrick	Luetkemeyer	Stefanik
Fleischmann	MacArthur	Stewart
Flores	Marchant	Stivers
Fortenberry	Marino	Taylor
	Marshall	Tenney
	Massie	Thompson (PA)
	Mast	Thornberry
	McCarthy	
	McCaul	

#### NOT VOTING—5

Cummings	Napolitano	Valadao
Labrador	Scalise	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1749

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.

Ms. CASTOR of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 248, nays 179, not voting 6, as follows:

[Roll No. 402]

#### YEAS—248

Abraham	Cuellar	Hill
Aderholt	Culberson	Holding
Allen	Curbelo (FL)	Hollingsworth
Amash	Davidson	Hudson
Amodei	Davis, Rodney	Huizenga
Arrington	Denham	Hultgren
Babin	Dent	Hunter
Bacon	DeSantis	Hurd
Banks (IN)	DesJarlais	Issa
Barletta	Diaz-Balart	Jenkins (KS)
Barr	Donovan	Jenkins (WV)
Barton	Duffy	Johnson (LA)
Bergman	Duncan (SC)	Johnson (OH)
Biggs	Duncan (TN)	Johnson, Sam
Bilirakis	Dunn	Jones
Bishop (MI)	Emmer	Jordan
Bishop (UT)	Estes (KS)	Joyce (OH)
Black	Farenthold	Katko
Blackburn	Faso	Kelly (MS)
Blum	Ferguson	Kelly (PA)
Bost	Fitzpatrick	King (IA)
Boyle, Brendan	Fleischmann	King (NY)
F.	Flores	Kinzing er
Brady (PA)	Fortenberry	Knight
Brady (TX)	Foxx	Kustoff (TN)
Brat	Franks (AZ)	LaHood
Bridenstine	Frelinghuysen	LaMalfa
Brooks (AL)	Gaetz	Lamborn
Brooks (IN)	Gallagher	Latta
Buchanan	Garrett	Lewis (MN)
Buck	Gianforte	LoBiondo
Bucshon	Gibbs	Long
Budd	Gohmert	Loudermilk
Burgess	Gonzalez (TX)	Love
Byrne	Goodlatte	Lucas
Calvert	Gosar	Luetkemeyer
Carter (GA)	Gowdy	MacArthur
Carter (TX)	Granger	Marchant
Chabot	Graves (GA)	Marino
Cheney	Graves (LA)	Marshall
Coffman	Graves (MO)	Massie
Cole	Green, Gene	Mast
Collins (GA)	Griffith	McCarthy
Collins (NY)	Grothman	McCaul
Comer	Guthrie	McClintock
Comstock	Handel	McHenry
Conaway	Harper	McKinley
Cook	Harris	McMorris
Correa	Hartzler	Rodgers
Costa	Hensarling	McSally
Costello (PA)	Herrera Beutler	Meadows
Cramer	Hice, Jody B.	Meehan
Crawford	Higgins (LA)	Messer

Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Murphy (PA)  
Newhouse  
Noem  
Norcross  
Norman  
Nunes  
O'Halleran  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Peterson  
Pittenger  
Poe (TX)  
Poliquin  
Posey  
Ratcliffe  
Reed  
Reichert  
Renacci  
Rice (SC)  
Roby  
Roe (TN)  
Rogers (AL)  
Rogers (KY)

Rohrabacher  
Rokita  
Rooney, Francis  
Rooney, Thomas  
J.  
Roskam  
Ross  
Rothfus  
Rouzer  
Royce (CA)  
Russell  
Rutherford  
Sanford  
Schradler  
Schweikert  
Scott, Austin  
Sensenbrenner  
Sessions  
Shinkus  
Shuster  
Simpson  
Sinema  
Smith (MO)  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Taylor

Tenney  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Vela  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

□ 1756

Mr. MESSER changed his vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mrs. NAPOLITANO. Mr. Speaker, I was absent during roll call votes No. 395, No. 396, No. 397, No. 398, No. 399, No. 400, No. 401, and No. 402 due to my spouse's health situation in California. Had I been present, I would have voted “yea” on the Engel Amendment. I would have also voted “yea” on the Tsongas/McGovern/Beyer Amendment. I would have also voted “yea” on the Democratic Motion to Recommit H.R. 2883. I would have also voted “nay” on the Final Passage of H.R. 2883—Promoting Cross-Border Energy Infrastructure Act. I would have also voted “yea” on the Tsongas/McGovern/Beyer Amendment. I would have also voted “yea” on the Beyer Amendment. I would have also voted “yea” on the Democratic Motion to Recommit H.R. 2910. I would have also voted “nay” on the Final Passage of H.R. 2910—Promoting Interagency Coordination for Review of Natural Gas Pipelines Act.

## PERSONAL EXPLANATION

Ms. JACKSON LEE. Mr. Speaker, yesterday, on Tuesday, July 18, I was unavoidably detained on constituency business.

On rollcall vote No. 382, motion on ordering the previous question on the rule, if I had been present, I would have voted “no.”

On rollcall vote No. 383, House Resolution 451 covering H.R. 806, if I had been present, I would have voted “no.”

On rollcall vote No. 384 on H.R. 2786, if I had been present, regarding qualifying conduit hydropower facility by Mr. HUDSON, I would have voted “yes.”

## COMMEMORATING 200TH ANNIVERSARY OF ERIE CANAL

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

Ms. TENNEY. Mr. Speaker, I rise today to commemorate the 200th anniversary of the Erie Canal. Construction first began in 1817 in Rome, New York, with the first completed portion connecting two cities in the 22nd Congressional District, Rome and Utica.

The Erie Canal was transformative in establishing New York as the Empire State. The canal opened the interior of our Nation, allowing westward expansion and the free flow of goods. With a drastic 90 percent reduction in shipping costs, the canal established our region as a hub of economic activity in the early 20th century and made New York the busiest port in the entire Nation.

In addition to the vast economic impact, the Erie Canal had an important cultural effect. Nearly 80 percent of upstate New York's population lives

within 25 miles of the canal. From Albany to Buffalo, today, the Erie Canal is designated as a National Heritage Area, continuing its rich legacy.

This Saturday, a first dig celebration in Rome, New York, will recognize this historic and monumental achievement in both New York's and our Nation's history.

In the words of the famous Erie Canal song: “You'll always know your neighbor, and you'll always know your pal, if you've ever navigated on the Erie Canal.”

□ 1800

## HOMELESSNESS

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

Mr. LANGEVIN. Mr. Speaker, today, homeless advocates from Rhode Island, including from Crossroads Rhode Island and from Rhode Island Housing, came to visit my office.

Mr. Speaker, it is difficult to express in words how important their work is. These groups take care of the least among us. They provide shelter for the working poor and those affected by the opioid crisis, and they assist those not working because of age, infirmity, or disability. They help keep lives together. They help keep families together.

Mr. Speaker, we must continue to provide strong funding for these programs in our appropriations bills. We still have not fully emerged from the financial crisis and people are still trying to make ends meet. Foster youth are particularly vulnerable, with as many as 40 percent who age out of the system becoming homeless.

Mr. Speaker, social services organizations and nonprofits can only do so much on their own. They need support to keep our vulnerable brothers and sisters from falling off a cliff. We can do better and we deserve to support them.

## RECOGNIZING THE PADUCAH AREA CHAMBER OF COMMERCE

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

Mr. COMER. Mr. Speaker, I rise today to recognize the Paducah Area Chamber of Commerce for their designation as the 2017 Chamber of the Year by the Association of Chamber of Commerce Executives. This national honor was awarded at the ACCE National Convention in Nashville, Tennessee, on July 18.

This is the second win for the Paducah Area Chamber of Commerce in the last 6 years, and is national recognition of the area's national business leaders whose community contributions are unparalleled. Ranking among the top 10 percent of Chambers nationwide, their mission of promotion, advocacy, and education develops well-

## NAYS—179

Adams  
Aguilar  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay  
Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Cooper  
Courtney  
Crist  
Crowley  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Ellison  
Engel  
Eshoo  
Español  
Esty (CT)  
Evans  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallo

Garamendi  
Gomez  
Gottheimer  
Green, Al  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Kuster (NH)  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lieu, Ted  
Lipinski  
Lofgren  
Lowenthal  
Lowey  
Lujan Grisham,  
M.  
Luján, Ben Ray  
Lynch  
Maloney,  
Carolyn B.  
Maloney, Sean  
Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler

Neal  
Nolan  
O'Rourke  
Pallone  
Panetta  
Pascarella  
Payne  
Pelosi  
Perlmutter  
Peters  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Richmond  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan (OH)  
Sánchez  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sires  
Slaughter  
Smith (WA)  
Soto  
Speier  
Suozi  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)  
Titus  
Tonko  
Torres  
Tsongas  
Vargas  
Veasey  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

## NOT VOTING—6

Cummings  
Labrador  
Loebach  
Napolitano  
Ros-Lehtinen  
Scalise

rounded, lifelong business leaders with a pride and responsibility to their fellow community members.

As the largest city in the First District of Kentucky, the chamber's efforts have benefited not only the Paducah area, but positively impact communities throughout western Kentucky.

I would like to thank President Sandra Wilson and Board Chair Tammy Zimmerman, as well as the board of directors, staff, and chamber members for their unwavering dedication to the betterment of local industry. I look forward to many future accomplishments for the chamber, and I am proud to represent the thriving business leaders of Paducah.

#### NAFTA AND MADE IN AMERICA WEEK

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

Ms. KAPTUR. Mr. Speaker, I rise because President Trump has dubbed this week "Made in America Week." But one can't pretend one's way to creating jobs in the United States, even if you are President.

A key index that gives you a clue to the truth of job creation in the United States is the trade deficit: How many more products and services are country exports, rather than imports from off-shore sweatshops?

Well, for every month of the Trump administration—that is what the red line is—the jobs hole for America is growing deeper.

You see here that the May 2017 deficit on this scorecard confirms the failing Trump trade record, with a \$46 billion trade and jobs deficit for May alone—larger than last year, larger than every other month.

The President spoke endlessly about trade during the campaign and promised turning NAFTA into a good deal for Americans. Without a doubt, working people of the Midwest put him in the Presidency because he promised to renegotiate NAFTA, that bad deal. Now it is his turn to live up to the bargain.

There is an old expression, "Don't tell me what he says, show me what he does."

Well, President Trump could start by onshoring all foreign goods he makes abroad—everything from ties, suits, bracelets, and so forth.

I haven't seen any inclination to date by this President reshoring items so that he creates jobs again in this country. He contributes to a growing trade surplus, not a deficit.

[From the guardian.com, July 18, 2017]

TRUMP'S "MADE IN AMERICA" WEEK: THE PRESIDENT'S HYPOCRISY IS ON DISPLAY

(By Adam Gabbatt)

The White House celebrates US-manufactured products this week, even though Trump's vodka, menswear and even board games have been made overseas.

Donald Trump has declared this week "Made in America" week. According to the White House, it's an opportunity for the president to showcase "products that are made in America".

Unfortunately for Trump, that description would rule out many of the products he and members of his family have made and sold. From Donald J Trump Collection clothing to Trump Vodka to Trump: the Game, the president has a track record of not making things in America.

The week was scheduled to kick off at the White House on Monday, with Trump walking around some tables looking at products made in all 50 states. So in honour of the president's communist-dictator-esque photo opportunity, here's a look at some not-made-in-America Trump gear.

#### ALCOHOL

Trump Vodka ("The finish is disappointingly harsh"—InternetWines.com) was an ill-fated attempt by Trump to branch into the spirits world. The vodka ("No discernable flavor"—Chicagoist) was manufactured in the Netherlands by a company called Wanders Distillery and launched in the US in 2006.

But the beverage ("My taste buds unfortunately associate the flavor with the smell of paint"—VodkaBuzz) failed to sell. The trademark was abandoned in 2008, according to Rolling Stone. By 2011, Trump Vodka was "out of circulation".

"We don't need Chinese products," Trump told Fox News in 2010. "The stuff that's been sent over from China is—it falls apart after a year and a half. It's crap."

It was an odd thing to say for a self-described master businessman offering to the American public many menswear products—featured in the Donald J Trump Signature Collection—that were made in China.

Donald J Trump eyeglasses were made in China. Donald Trump's ties were made in China. Some of the Donald J Trump suits were made in China.

To be fair, Trump is an equal opportunity overseas manufacturer. His dress shirts have been manufactured in Bangladesh, Honduras and Vietnam. And China.

It turned out Trump was right about people not needing Chinese products. In 2015, the Donald J Trump Signature Collection was jettisoned by Macy's. His famous red hats, meanwhile, actually are made in the US. It's the unofficial ones that aren't.

#### EDUCATION

Trump University ("A fraud from beginning to end"—New York attorney general Eric Schneiderman) was a US business.

But the university, which was not actually an accredited university, encouraged students to outsource jobs overseas.

"We hear terrible things about outsourcing jobs—how sending work outside of our companies is contributing to the demise of American businesses," Trump wrote on the Trump University blog in 2005. "But in this instance I have to take the unpopular stance that it is not always a terrible thing."

In November 2016, Trump settled three fraud lawsuits relating to the university for \$25m.

#### HOMEWARE

"Several Trump Home items are listed as made in China or imported from China the Washington Post reported in 2016.

According to the Post, foreign-made items in Trump's furniture collection include mirrors, ceramic vases, wall decorations, kitchen items and lighting fixtures. They were all made in China. Some Trump Home picture frames were manufactured in India.

Earlier this year, Peter York, who wrote a 2006 book about the homes of autocrats, in-

cluding Saddam Hussein and Nicolae Ceaușescu, wrote about the similarities between their tastes and Trump's interior decor preferences.

"The best aesthetic descriptor of Trump's look, I'd argue, is dictator style," York said.

#### BOARD GAMES

Trump: the Game ("I loathed every miserable second of it"—Ars Technica) was launched in 1989, then pushed out again in 2004 after Trump became host of The Apprentice.

The game ("Bizarre"—Business Insider) was manufactured in the US by Milton Bradley Company. But the dice, according to this photo of the Trump: the Game packaging, were made in China.

It is difficult to tell if the dice were "crap" and fell apart after a year and a half, because Trump: the Game sold poorly. In 2011, Time magazine listed the game as one of Trump's top 10 business failures.

#### IVANKA TRUMP CLOTHING

It's not just Donald Trump who has a track record of overseas manufacturing. In December, the New York Times, citing two trade databases, reported that "almost all" of Ivanka Trump's clothing line is made overseas.

In May, New York-based activists were arrested in China while investigating the making of Ivanka Trump shoes. In July, the Washington Post traced Ivanka Trump products to Bangladesh, China, India, Indonesia and Vietnam.

More than 20 stores have dropped Ivanka Trump's products since her father started his run for president.

#### POLL MISREPRESENTS THE ELECTORATE

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

Mr. SMITH of Texas. Mr. Speaker, a recent Washington Post-ABC News poll states that only 36 percent of Americans approve the job President Trump is doing. But the results of this poll are flawed because it did not use a representative sample of Republican and Democratic participants.

This Washington Post-ABC News poll used a population sample that was 35 percent Democratic and only 23 percent Republican, underrepresenting Republican voters by about 10 percent.

As noted by strategist Jim McLaughlin, "If the poll reflected the actual electorate, Trump would be in mid-40s, which is what his favorability rating was on election day when he won an overwhelming electoral college victory."

The same Washington Post pollsters gave Hillary Clinton a four-point advantage over Donald Trump on the eve of the election. They consistently predicted a significant Clinton victory, only to be proved wrong. Their credibility is questionable.

#### SUPPORT NATIONAL CLINICIANS HIV/AIDS TESTING AND AWARENESS DAY

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



Mr. PAYNE. Mr. Speaker, I rise today to recognize this Friday as the 10th annual National Clinicians HIV/AIDS Testing and Awareness Day.

It is a harsh reality that HIV/AIDS touches every community across the country. Although we made great progress in treating the disease, it is imperative to continue striving for prevention, effective treatments, and a cure.

This is particularly important in my home State of New Jersey. In 2013 alone, over 2,000 adults and adolescents were diagnosed with HIV, making New Jersey the sixth highest in the country of new diagnoses. In ages 13 to 24, diagnoses have increased from 10 to 18 percent, and in the African-American community, rates are above the national average.

We must remain vigilant to combat this epidemic that continues to plague communities across our Nation, especially in light of the continued efforts to repeal the Affordable Care Act and remove insurance protections for millions. We must be vocal against all efforts to take away the ability to receive adequate care and do our part to fight HIV/AIDS. Encourage your loved ones to get tested.

#### PRESIDENT DONALD TRUMP'S ACHIEVEMENTS

(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, tomorrow marks President Donald Trump's first 6 months in office, and I appreciate his many successes for the American people.

His leadership for jobs has inspired record highs today for the Dow, S&P 500, and NASDAQ. President Trump has advanced a decisive foreign policy positively addressing the Muslim world, upholding the United States commitment to NATO, and working with our allies for peace through strength. Additionally, the President has taken firm action against rogue regimes.

In Syria, President Trump was clear that America will not tolerate chemical weapons attacks by the Assad regime against his citizens. In North Korea, the President has made clear that he will challenge the continued provocation by the communist, totalitarian regime; and that the U.S. will expose Iran for their ballistic missile testing and human rights abuses.

As of June 30, the House has passed 269 bills, the most of the last five administrations, with 37 laws signed to date, the most of the last five administrations.

I look forward to continuing to work with President Donald Trump and Vice President MIKE PENCE for positive achievements to promote American families.

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

#### RECOGNIZING CAROLYN WHITAKER-TANDY

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

Mr. YARMUTH. Mr. Speaker, 11 years ago, I set off on a long-shot campaign run by a talented and passionate but also overworked and inexperienced staff, many of whom were learning on the job. Yet everything went pretty smoothly—smoothly enough, obviously.

A big reason for this was an unpaid volunteer who just seemed to know how to do everything. She would show up with a warm, ever-present smile, eager to tackle the smallest task or take on the most challenging responsibility. Whatever was needed, Carolyn Whitaker-Tandy made everything easier. When it was time to hire a district director, Carolyn made that decision easy, too.

I am fortunate to have had my friend Carolyn running my Louisville office since day one. Though I will miss her leadership, I am proud that she is moving on to new opportunities. I know the people of Louisville are better off because of her service. I saw it firsthand every day for more than a decade.

For all she accomplished, her commitment, and her continued friendship, I am forever grateful. I expect great things from Carolyn and her amazing family, and I wish them nothing but the best going forward.

#### TURKISH TYRANT NOT WELCOME IN UNITED STATES

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

Mr. POE of Texas. Mr. Speaker, today I was joined by some Members of Congress, along with other Americans, in taking a stand for the First Amendment right of freedom of expression.

We stood across the street from the Turkish Embassy, where, a few weeks ago, Turkish President Erdogan was visiting. But while a peaceful protest was taking place in May, Dictator Erdogan's security detail crossed the street and assaulted and beat up U.S. citizens protesting the rogue regime.

People were injured. The outlaws escaped arrest and fled to Turkey. No apology was issued by the Turks, but, rather, the government justified the assault on Americans. Erdogan should not be welcome back into the United States until he apologizes. Also, the culprits must face justice in American courts.

The First Amendment right of freedom of expression is the First Amendment because it is the most important of all of our rights. No foreign tyrant can assault the First Amendment or assault Americans without consequences. This should never occur on our soil.

And that is just the way it is.

#### CONGRATULATING THE YOUNG GUNS AT QUAIL CREEK

(Mr. THOMAS J. ROONEY of Florida asked and was given permission to address the House for 1 minute.)

Mr. THOMAS J. ROONEY of Florida. Mr. Speaker, I rise today to congratulate the Young Guns at Quail Creek for winning the 2017 Scholastic Clay Target Program National Championship. Based out of my hometown, Okeechobee, Florida, the Young Guns have won the SCTP State championship for the past 3 years.

The Young Guns had the highest combined team score of all 38 teams competing. Specifically, one participant, Nicholas Blenker, had the highest overall score in the competition for trap, skeet, and sporting clays. Over the course of the 2-day competition, Nicholas shot 575 out of 600, only missing 25 shots.

Mr. Speaker, I congratulate the whole team on their success and for making Okeechobee proud.

#### FINI PROGRAM SHOULD BE REAUTHORIZED IN NEXT FARM BILL

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, as chairman of the Nutrition Subcommittee, I rise today to speak about an important program that gives SNAP participants access to more fruits and vegetables.

SNAP, the Supplemental Nutrition Assistance Program, helps provide low-income families with the resources they need to consume more nutritious food. The Agriculture Act of 2014 created the Food Insecurity Nutrition Incentive program, or FINI, which provided \$100 million to support produce incentive programs around the country for SNAP participants.

This means SNAP benefits could be used at farmers' markets, grocery stores, and other farmer-to-consumer retailers serving rural and urban communities.

Mr. Speaker, the FINI program is successful in achieving the established goal of encouraging SNAP households to consume fresh, healthy produce. More than 74 percent of shoppers reported that they were eating more produce.

As the Agriculture Committee works to develop the next farm bill, I know the FINI program should be reauthorized. The benefits of this program are twofold: it supports local American farmers and provides more Americans with quality food. That is what I call made in America.

□ 1815

#### RECOGNIZING OFFICER KASSIDY GROVE AND OFFICER RYAN MORRISON

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

Mr. FITZPATRICK. Mr. Speaker, I am proud to recognize Middletown Township's two newest police officers: Officer Kassidy Grove and Officer Ryan Morrison.

Officers Grove and Morrison, both 23 years old, were sworn in by the Middletown Township Board of Supervisors this week.

Kassidy Grove is a graduate of Pennsbury High School and attended Lock Haven University where she played rugby. She went on to work at the Lehigh County Sheriff's Office and for the Yardley Borough Police Department.

Ryan Morrison graduated from Neshaminy High School, after which he enlisted as a military police officer. He recently graduated from the Temple University Police Academy.

Mr. Speaker, as we celebrate Kassidy Grove and Ryan Morrison joining the police department of my hometown, Middletown Township, we recognize the larger commitment of all law enforcement to step up and serve their communities.

Mr. Speaker, I stand in solidarity with my brothers and sisters of the thin blue line, and I urge all Americans to honor their sacrifice. Together, let us recommit ourselves to the daily ideals and laws that Officers Grove and Morrison and so many others are sworn to uphold.

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#### HOOR OF MEETING ON TOMORROW

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

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#### POLICE AND CIVILIAN RELATIONS IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Maryland (Mr. RASKIN) is recognized for 60 minutes as the designee of the minority leader.

Mr. RASKIN. Mr. Speaker, I am delighted to take this time from the minority leader on behalf of the Congressional Progressive Caucus. We are doing a Special Order hour this evening on police and civilian relations.

We are joined by the very distinguished Congressman KEITH ELLISON. Before we start, though, I yield to the gentleman from California (Mr. SHERMAN).

#### HONORING THE LIFE OF NADADUR VARDHAN

Mr. SHERMAN. Mr. Speaker, I rise today to honor the life of my good friend of 30 years, Nadadur Vardhan, a leader in the Indian-American community, who passed away on July 3 of this year at age 70 in Los Angeles, surrounded by his extended family.

Nadadur Vardhan was born in India and immigrated to the United States in

1978. Arriving in America with just the clothes on his back, he poured his energy into building a career as an international tax consultant. Over four decades, he grew his Santa Monica-based accounting practice to a thriving firm.

Nadadur served as President of the Malibu Hindu Temple, one of the largest Hindu temples in the United States, and invited me to speak there and to be there on many occasions. As president of the temple, he was regularly invited to speak to political, cultural, and religious groups across the world. Nadadur also founded the Indo-American Vision Foundation, a pioneering independent think tank that empowered Indian-American political activism.

For his work in promoting the Indo-American community, he received the Ellis Island Medal of Honor. A passionate community leader, he personally met with many U.S. Presidents, Prime Ministers of India, and other elected officials. Nadadur was responsible for organizing several major cultural and political events, many of which I was honored to attend, including the World Hindu Economic Forum, forums with Indian Ambassadors to the United States, and events with a wide range of public figures.

Mr. Speaker, I ask that all of my colleagues join me in honoring his many contributions to our Nation and to extend condolences to his wife, Dr. Indubala Nadadur Vardhan; his daughters, Dr. Malini Nadadur and Anjani Nadadur; his brother, Nadadur Kumar; his sisters, Dr. Pushpa Kasturi and Alamelu Krishnamachary; his extended family; and to all whose lives he touched.

Mr. RASKIN. Mr. Speaker, I thank Mr. SHERMAN for his comments. And again, the Progressive Caucus Special-Order hour tonight is on the subject of the police power in America, and its uses, its abuses, what has been taking place in different parts of the country, and we are going to kick off with KEITH ELLISON, who has been the chair of the Progressive Caucus. And in addition to being a distinguished member of the Congress from Minnesota, he is the vice chairman of the Democratic National Committee.

Mr. Speaker, I yield to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, I do appreciate the gentleman for yielding.

Mr. Speaker, I come before the House today to talk about a tragic situation involving Justine Damond. Justine Damond was a young woman who saw what she believed to be a sexual assault outside of her home. She then made a call to the police and asked them to come to give assistance.

Ms. Damond then went outside to try to meet with the police to report what she saw, and for some reason, which no one really knows quite yet, she was shot in the abdomen and died.

Ms. Damond, 40 years old, she was due to be married in only a few weeks. She leaves behind a fiancée, her fiancée's son, her family, her parents, and here

we are again dealing with a tragic situation in which an unarmed civilian has been shot by a member of law enforcement.

Now, as I speak today, Mr. Speaker, I want to be very clear. I know many police officers personally. I know how hard they work. I know the dangers that they incur. I know that they, by and large, join the force because they want to help people, because they are courageous and brave and are willing to put themselves in harm's way in order to protect other citizens. And I myself, and many people I know, have called on the police to stop crimes from happening, to report them, and we are grateful when they report.

But it is also true, Mr. Speaker, that officer-involved shootings happen with tremendous frequency, and it is not even a matter of blaming the officer. We have to ask ourselves what is going on with the system of policing which allows us to return to this tragic scenario again and again and again.

Justine Damond, again, was reportedly in her pajamas, and she was trying to help another person, yet somehow the officer, who was on the passenger side of the squad car, shot through the door or the window, and that is not clear, and she sustained lethal injuries.

One of the most disturbing things about this particular case, Mr. Speaker, is that the officer's body cameras were not turned on. The dash cam did not capture the interaction between Justine and the officers, and the body cams were, again, as I mentioned, not on. This is despite the fact that all Minneapolis police officers have worn body cameras since the end of 2016. Why the body cameras were not on, we can only speculate.

But I urge, with everything I have, that the Minnesota Bureau of Criminal Apprehension, Minneapolis Police Department, and everyone and anyone who has jurisdictional authority investigate the reason for these tools to not be in use.

Justine is dead. Justine is not coming back. And it is true that innocent people get killed by criminals all day, and that is a sad reality of our world. It doesn't just happen in my city of Minneapolis. It happens all over the country. It happens all over the globe.

But I think that citizens expect that members of law enforcement, who are sworn to protect us, would take due care to protect life, not end it, unless there was a legal basis to do so.

Now, again, I don't know what happened here. Nobody really knows what caused the officer to somehow reach over his partner and shoot Ms. Damond in the abdomen and kill her when she is unarmed and wearing pajamas and is the reporter of a crime. The weeks and days ahead will reveal what happened. But I assure you that this will not be the last time that it happens unless, as a society, we begin to ask ourselves why these things are happening.

In our community in Minnesota, we are still trying to figure out how to

deal with it, how to cope with the death of Philando Castile. Philando Castile was shot and killed on videotape, captured on live-stream Facebook. To the credit of John Choi, who was the prosecutor, district attorney in Ramsey County, Minnesota, that officer was charged with the criminal offense of manslaughter, and after a jury trial, that officer was acquitted.

When I looked at the dash cam and saw the officer discharge his firearm into the body of Philando Castile, it was absolutely horrifying, and I couldn't possibly understand why this happened. I don't know what the jurors saw, and I am a lawyer myself, and I support the jury system, but I can tell you that Philando Castile, who did have a firearm, said: Officer, I have a firearm; I have a license to carry a firearm. And the next thing you know, bam, bam, bam, bam, bam, young man dead.

Philando Castile was a beloved member of his community. He was the lunch attendant. He was the lunch manager at Hill Elementary School in St. Paul, and the children needed counseling, and the families needed somebody to explain why was Philando Castile shot this way.

The children are raised to respect the police, but they knew Philando Castile and they loved him, and they couldn't reconcile why the police, who they respect, would hurt Philando Castile, who they also respected and admired and loved.

Jamar Clark, another one from Minnesota, unarmed, shot, killed, tremendous outpouring of community frustration around this, brought an 18-day protest outside of the Fourth Precinct in Minneapolis, and you know, drew the attention of the entire community. And I can assure you that many people, particularly young people, were angry, upset, frustrated, feeling very vulnerable because they just felt that there was no accountability in that their lives just didn't matter very much in the eyes of the people who were sworn to protect and defend them.

We have a community problem, Mr. Speaker. We have to come together and deal with it, and it is simply not enough to say it is all the cops' fault or it is all the citizens' fault. This is a social problem that calls for a social solution.

Part of it will be changes in law. Part of it will be departmental changes. Part of it will be changes in the way we do business. But we have got to have these changes. And if people just say, "It is not my fault, you know, it was an accident, this person had it coming," we will never get to the bottom of these kind of things.

Mr. Speaker, in 1967, there were a state of civil disturbances, some people call riots, throughout our urban areas, and the government responded by issuing something called a Kerner Commission Report, K-E-R-N-E-R. And one of the findings of that is that po-

lice community relations were incredibly bad, that communication was poor, and that the police were essentially sent into areas that were economically and socially isolated and deprived in order to keep order, and what really should have been happening is that we should have been investing in jobs and opportunity and social inclusion, and we just asked the police to sort of just solve this problem without making the investments that our society should have made.

□ 1830

I am sad to say that we really don't seem to have advanced very far. The fact is that often civil disturbances, which are often referred to as riots, occur after these tragic shootings. Civil judgments are paid out. Citizens tend to distrust the police and are less willing to call them when they need them.

There are tremendous social costs to not addressing these officer-involved shootings involving unarmed civilians, and we have to be there to do something about it.

We have seen a number of tragic circumstances all across the country, whether it is Sandra Bland or whether it is Walter Scott in South Carolina, whether it is Eric Garner who died begging for a breath or whether it is all of the victims of Officer Holtzclaw who routinely and systematically sexually abused women in Oklahoma City. The fact is there is great discretionary latitude conferred on our law enforcement officers.

We need more oversight and accountability. We need people to be held accountable when they break the law, and I mean people who are police and people who are not. We need to say that there is one standard of justice and that everyone has to adhere to it.

We know about Michael Brown, 17 years old, shot in 2014, or we could say Tamir Rice. There are so many cases. They just go on and on and on. We are at a point where we have to address this crisis.

Now, Ms. Damond is one of more than 500 fatal shootings by police this year alone. I will say it again, Mr. Speaker. Ms. Damond is one of more than 500 people who have been fatally killed by the police this year. Some of them, the officer may have had legal justification, some not; but when you have got 500 people across this country being shot and killed, it is a crisis that we have to do something about.

This year, I could simply tell you, Mr. Speaker, that offering prayers simply isn't going to get it done. We have a systemic problem, and whether we have to talk about addressing body cameras more and insisting upon their use or whether we need implicit bias training for police to raise awareness of unconscious or implicit biases, whether we need to train officers on the deescalation of force and have training in that regard and, yes, prosecutions of people who just commit

crimes with a uniform on, we have got to take decisive action.

We need more diversity in police departments, and we need more diversity in jury selection. We need grand jury reform, and we need the Department of Justice to keep account of all the cases that involve officer-involved shootings.

One thing we absolutely do not need is for the Attorney General, Jefferson Beauregard Sessions, to abandon consent decrees, which have brought some level of understanding and communication between communities and the police departments. We need a partner in the Federal Government, Mr. Speaker. What is at stake is too important.

We also need quality schools. We need investment in neighborhoods. We need quality jobs and affordable housing. We need healthcare for all, and we need to have clean air and water for everyone. We need those things as part of the ecosystem that human beings live in. But none of these things are a replacement for decent, respectful treatment people deserve from law enforcement.

I am not here to give up. I am here to engage police in a dialogue about how we reduce these shootings, how we increase the trust, how we make sure that no one feels that they can't go to the police because the trust has been so severely damaged.

I believe we have got to come together as a society and recognize that this problem is serious. It is not getting better; in fact, it is getting worse.

When you think about cases involving people like Mya Hall, or Alexa Christian, Meagan Hockaday, Sandra Bland, Natasha McKenna, all African-American women killed by or after encounters with the police, it is not just men; it is women, too. It is not just African Americans; it is whites, too. Justine Damond was a white female. It is Latinos. It is people of different economic stations. It is not just one community. If Ms. Damond's case proves anything, it is that officer-involved shootings of unarmed civilians don't only occur in certain neighborhoods of certain people.

The time is now for us to act. And I do put out a call for police and communities to engage in an intensive discussion about how we restore trust, how we increase accountability, and how we really make it true when we write on the side doors of our police vehicles all across this country, "to protect and serve."

Mr. RASKIN. Mr. Speaker, I thank Mr. ELLISON very much for those very thoughtful and insightful comments.

I want to pick up the discussion about the police power and expand the discussion to include not just power over persons, but power over property in America.

Our Constitution's Framers were deeply informed by the social contract theorists of the 17th and 18th centuries, and those theorists believed that we enter into a social contract out of a state of nature, because we are all

made better off by virtue of being part of a society.

So the first incarnation of it came from Thomas Hobbes in his work on the "Leviathan." Hobbes argued that the state of nature was, in his famous words, "nasty, brutish, and short," because anybody could kill anybody. And so we enter into society together, and we give our power to the leviathan, the government.

Now, the problem with his view, of course, was that the leviathan, the government, had whatever powers it wanted, unlimited, infinite powers. And at that point, as the Framers of our Constitution would see, you have got a real problem, because you might be saved from criminals and bandits and thieves, but now you have got to deal with an all-powerful government and police who can trample your rights just as much as the thieves and the bandits could. So the Hobbesian theory was inadequate.

John Locke, in his famous work on the social contract, improved upon the proposition. The state of nature for him was not quite so frightful a place. There were certain virtues to a state of nature, so people were actually giving something up by going into it.

So in his view, entering the social contract meant that we would surrender some of our powers to government, and certainly our powers to commit violence and theft against other people, but in return, we would be guaranteed rights by the government and we would also have rights against the government, and that was the view that deeply informed the U.S. Constitution.

The whole point of the rule of law is that the people have rights against the government, against those who are just the agents of the sovereign. The sovereign is the people. The people are the sleeping sovereign who can come awake in times of constitution-making and also in order to make law.

Now, the whole social contract becomes unraveled Hobbesian style if we are attacked by the police. So my friend, Congressman POE from Texas, earlier spoke about the horrific spectacle of violence waged against U.S. citizens and others in the streets of Washington, D.C., by the thugs of Prime Minister Erdogan from Turkey, who were unleashed on protesters, and we saw, as Congressman POE said, a scene of really savage violence take place right here in Washington.

I am glad that we have a bipartisan consensus that that kind of police attack on freedom of expression, freedom of assembly is unacceptable in the United States of America, whether it is on citizens or whether it is on permanent residents or whether it is on non-citizens.

But there is something else that is going on in the country having to do with the police power. The police power in common law terms, in the American vernacular, is not just the power that police officers have to regulate public

safety and public order; the police power also has to do generally with the governmental power to regulate.

There are some very troubling things that are taking place in America today. One of them has to do with the eminent domain power. We are seeing rampant abuse of the eminent domain power across the country today, where private developers use their political power and influence in campaign contributions in order to get local governments or State governments to condemn private property of homeowners in order to oust them from their homes in order to build a private project.

Now, one of the chief perpetrators of this business model in the United States of America happens to be the President of the United States, Donald Trump, who has bragged about his use of the eminent domain power and has been involved in a lot of litigation relating to eminent domain power.

I will take you to Atlantic City and introduce you to a woman named Vera Coking, who lived in a three-story house off of the Boardwalk in Atlantic City right next door to the 22-story Trump Plaza that then-businessman Donald Trump had built. Trump had built the hotel; he built the casino; he built a parking garage. But it wasn't enough for him. He wanted a VIP parking garage.

He wanted a parking garage for limos and made an offer, which Ms. Coking refused, on her house so he could demolish her house and build his expanded garage. She said: No, thank you.

He came back with another offer. She said: No, thank you. It is not a question of money. My family has lived in this house for generations, and my kids went to school here, and we belong to the church here. It is not for sale.

Well, then at that point, President Trump, in order to build his gold-plated parking garage for the limos, went to a government agency that he knew well called the Atlantic City Casino Redevelopment Authority to help him take away Ms. Coking's property, and they entered into litigation. Fortunately, she found pro bono counsel in the Libertarian public interest group, the Institute for Justice, a Libertarian think tank and legal action center, and they were able to stop Donald Trump in court in a case called Atlantic City Community Redevelopment Authority v. Banin. Unfortunately, that took place before the famous Kelo v. New London decision in 2005.

Now, there was a very similar scenario in Kelo, in a hard-hit working-class town in Connecticut called New London, where the Pfizer Corporation and a local private land redevelopment authority, one of these shadowy, mixed public-private entities, decided that they wanted to displace a whole neighborhood in New London so they could destroy the blight, as they called it, and put in their brand-new development.

Ms. Kelo, a very soft-spoken single woman, working-class woman, decided

to fight, and she also found the Institute for Justice, and they organized the community to say, no, they were not blight, that they had ties to this community and they were not going to be forced out by these big corporations.

They won all the way up to the Supreme Court, and then a five-Justice majority in the Supreme Court, in the Kelo decision in 2005, determined that it is perfectly constitutional and consistent with the Takings Clause in the Fifth Amendment of our Constitution for a public municipal corporation to condemn a person's private home or a private small business in order to turn it over to another private business if it is consistent with someone's economic redevelopment plan. And this was a decision that President Trump said he "agrees with 100 percent."

Because, remember, that was his business model, that everything is for sale, and if you refuse to sell to Donald Trump and his companies, they are just going to get public authority to come in to get you out of the way so they can condemn your land and take it over.

Now, it turns out that in the Kelo decision, after the Supreme Court's erroneous judgment in it, the land was condemned, Susette Kelo was forced out of her house, and—guess what—they never even built it. Today it is an urban wilderness taken over by wild cats.

□ 1845

Well, let's look at another example of abuse of police power in America today.

I understand that earlier this morning, the Justice Department announced a new Federal policy to help State and local police officers take cash and property from anybody suspected of a crime even without arresting them, even without charging them with a crime, and even without an arrest warrant, reversing an Obama administration rule that was put in place because of rampant abuse of people's rights across the country.

This is the United States of America. The police should not be able to stop people on the street, in their cars, or at their homes and say: I think that the money you have doesn't really belong to you. I think the condo you have doesn't belong to you. I think the car you have doesn't belong to you. I think your property looks suspect. We are going to seize it. And then we are going to hold it, and you have the burden of coming to sue us to prove that your property is innocent—without charging them with a crime, without arresting them, or without using a search warrant. This is what Attorney General Sessions wants to do with the Orwellian new order that he handed down today. He wants to get the Federal Government back into the business of working with State and local governments to simply declare people's property and their money presumptively guilty. And then they have to go out,

hire a lawyer, and go to court to prove that their property or money is clean within the eyes of the government.

But whatever happened to due process? Under our Constitution, we are presumed to be innocent of crimes, and our property should be presumed to be innocent of crimes if there is no legal process at all to condemn our property or to cast a shadow of criminal suspicion over it.

If you look at the history of this, Attorney General Holder barred State and local police from using the Federal legal regime to seize cash and other property without criminal charges or without criminal warrants, which is the right way to do it. That is the constitutional way to think about it.

In a democratic society, the people are presumed to be innocent until they are proven guilty. It is not as if we are walking around with the stigma of being presumed guilty of doing something in the eyes of the State.

Since 2008, thousands of police agencies have made more than 55,000 seizures of cash and property worth \$3 billion under a Justice Department civil asset forfeiture program, which allowed the police to make seizures and then share the proceeds with Federal agencies. It allowed the Federal agencies to cooperate with State and local law enforcement.

Then the Department of Justice said they were disengaging from that because there was a series in The Washington Post about all of the extraordinary abuses taking place.

There was one gentleman, a small business man, a Chinese-American citizen of the United States who was traveling with a lot of money because he was going to purchase a building for his new Chinese restaurant that he was going to open up, and so he had, I think it was around \$25,000 or \$30,000 with him. He got stopped by the police and he was exceedingly nervous about the whole thing. They said he was acting nervous and they took his money from him, his life savings that he was hanging on to in order to go and purchase a building for a Chinese restaurant. Luckily, he found some lawyers, but it took several years for him to get the money back. He lost the deal.

He is in the minority because most people this happens to never go to court to try to get their money back, they are so terrified and demoralized by the experience of having their property taken by government agents without any due process at all.

I urge everyone to go and find that Washington Post series on the abuses that led up to the change in policy that was put into place by Attorney General Eric Holder.

Now, Attorney General Sessions does a U-turn. The administration, which President Trump started by saying he wanted to give power back to the States and back to the people of the United States, instead says the Federal Government is going to be incentivizing more violation of people's

due process rights by allowing seizure of people's property and money.

It goes back to what Congressman ELLISON was talking about: What is this going to do for police-civilian relations in the United States, when people are terrified that their property can be taken away by agents of the State without an arrest, without a criminal warrant, or without any charges at all? That is not right in our country. That is not right in a country that does not allow for a taking of private property without a public purpose. It is not right in a country that is based on due process of law, that is based on probable cause and search warrants for people being searched.

That is where this administration is taking us with the policy that was announced earlier today. It is going to make our communities only more suspicious and only more dangerous.

We have to step back from this Orwellian leviathan vision of government, an all-powerful State that can seize your home or your small business because a big business man like Donald Trump wants your property to build his casino garage for his VIP guests; or because some fancy company decides it wants to redevelop your land; or because the police decide you don't look the right way and we are just going to take your money out of your pocket, we are going to seize what is in your wallet, we are going to take your car, we are going to take your boat, or we are going to take your condo or apartment without any criminal charges at all, and you go and deal with the problem.

Mr. Speaker, in the United States of America, we are a land of laws. The great Tom Paine said that, in the monarchies, the king is law, but in the democracies, the law is king.

We have to abide by the rule of law here. And I am not talking about Democrat, Republican, left, or right. We all have to be constitutional patriots in America, to stand up for our Constitution.

I would invite the President of the United States to come join us here to talk about the problem of eminent domain abuse and to talk about the problem of law enforcement taking people's property and their money without due process of law, because it is a serious threat to everything that we believe in and why we created our social contract. All of us have got to be constitutional patriots and stand up for the basic principles of the country.

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

#### AMERICA'S DEBT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Arizona (Mr. SCHWEIKERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. SCHWEIKERT. Mr. Speaker, I yield to my friend from Indiana (Mr. HOLLINGSWORTH).

#### COSTLY AND BURDENSOME REGULATIONS

Mr. HOLLINGSWORTH. Mr. Speaker, I thank my colleague from Arizona for yielding to me. I promise to be brief.

Mr. Speaker, I rise today to talk about something that Hoosiers back home are talking to me about every single day, and that is to rise to express my support for those struggling against burdensome and costly regulations, those costly regulations that are hurting Hoosier businesses from being able to get their products to market, from ultimately being able to grow their enterprises, and from ultimately being able to hire more Hoosiers.

When Democrats passed the Dodd-Frank Act, they promised a success for Main Street. Instead, Dodd-Frank has become a nightmare for businesses on Main Street.

Specifically, while I was back home just a few weeks ago, I met with two businesses working hard to do right by their customers and employees but confounded by section 1502 of the Dodd-Frank Act.

Section 1502 requires businesses to disclose due diligence on the source and chain of custody of "conflict minerals," as well as hire a third party to honor their due diligence and subsequently submit a report to the SEC on those measures. According to its Democratic authors, this provision would only affect the biggest of companies, but those companies have to bring in all of their suppliers, all of their vendors in order to comply, which affects many small businesses across Indiana's Ninth District.

One of those firms is Best Home Furnishings in Paoli. They manufacture quality furniture across Indiana, and I was astounded to learn the lengths they must go through in order to comply with this regulation. They travel far abroad to verify the wood is conflict-free. And even after all that time-consuming and very costly travel, they are left wondering, despite all of their best efforts, if they are making any impact on those areas that are far from their plants, far from their customers, and far from their employees.

Another such example is Key Electronics, a manufacturer that is working on electronics in Indiana to get through opioid withdrawals for many Hoosiers who are afflicted by this scourge on our communities. It is a laudable goal, but they are hamstrung by the thousands and thousands of dollars they pay to ensure the customers that they work with ultimately get this third-party audit on them and all of their vendors. This challenging business with very thin margins is being limited in what they can invest in innovative, desperately needed therapy for those addicted to opioids.

For every dollar and every moment that a businessowner has to spend complying with this outrageous and unnecessary regulation, those are minutes and dollars that are not directed towards job creation, not directed towards investing in America's future,



and not directed towards fulfilling their and, ultimately, their employees' dreams.

Mr. Speaker, I look forward to working with my colleagues in this Congress to bring an end to the excessive job-killing regulations that stand between Hoosiers and their entrepreneurial dreams.

#### GIVE AMERICANS BACK THEIR HEALTHCARE SYSTEM

Mr. HOLLINGSWORTH. Mr. Speaker, I rise today to talk about how regulations and restrictions in healthcare space are preventing new innovations from being able to deliver better care to Hoosiers back home.

I recently met with a local business just outside of my district, Mainstreet Health Investments, who is working hard to develop new rapid recovery centers that are truly better in matching patients' needs with services provided.

For example, when a patient has knee surgery, they only need a hospital for a very limited window during their period of acute care. They need that hospital for such immediate recovery, but, hours after that, they can be transferred to a different recovery center, one that better matches their needs as a patient, enabling them to recover much more quickly and enabling us all to save significant dollars by matching that care with the needs that they have.

Frankly, I have been amazed at the quality of these rapid recovery centers, where the patient is truly focused on, in a holistic manner, such that they can develop and have physical therapy right there in that location. It is innovations just like these rapid recovery centers that they are building that will help deliver better cures to more Americans.

This is how we make a healthcare system that is not only more affordable, not only more accessible, but also better for patients in the long run. I want it to be just as effective, in addition to affordable and accessible.

What stands in the way? What is standing in their way is certainly government bureaucracy, a government that is retarding a level of innovation, retarding their ability to grow and build more of these facilities across the country despite the demonstrated need and the demonstrated benefit to those patients.

So I wanted to talk about those regulations and how they stand in the way of Americans and Hoosiers who are trying to get ahead, trying to get their companies get ahead, trying to help their fellow employees get ahead, and, ultimately, that will, together, help America get ahead.

Mr. SCHWEIKERT. Mr. Speaker, one of the reasons for taking this time—and it was only about 3 weeks ago we actually took the leadership hour and we did a series of presentations on what was happening in debt and the excessive spending in the Federal Government, what was driving it and what

was happening with mandatory spending. Then the very next morning, CBO issued an update.

Have you ever had one of those moments in your life where you just spent almost an hour on the floor walking through the numbers, and you get a document and you start digging into it, and you find out a number of the things you presented just 14 hours earlier were wrong? But, sadly, they were wrong in the wrong direction, if there is such a way to phrase it.

Think of this: From January's Congressional Budget Office number until June's number, the U.S. debt deficit this year, the U.S. deficit this year, grew by \$134 billion as our projection for the end of the year. So, functionally, the deficit for 2017, the fiscal year we are in, we will come very close to \$700 billion this year.

□ 1900

It is going to be 693 is the projection. And if anyone saw—I think it was yesterday or the day before—Mick Mulvaney over at OMB, was projecting, from the White House's calculations, that the deficit this year was going to be about \$704 billion.

So we put together this slide next to me just to make it clear how much that is, to just sort of understand what is going on and trying to put this in perspective.

Okay. So we are going to use the CBO number because, you know, it is the Congressional Budget Office. So \$693 billion is going to be borrowed for 2017, the year we are in right now.

Well, think about that. That is \$1.89 billion every single day. That is \$79 million every hour; \$1.3 million every minute. And, what, \$1,900 every second? And that is what we are borrowing. So if I take up an hour here, you all get to make a decision if my hour here was worth \$79 million of borrowing.

Why is this sort of devastating in the numbers when you really start to dig into this CBO report?

Well, first let me give you one of the things that bothered me the most. This is a big deal when, from January to June, our excessive spending and borrowing number actually increases by 25 percent and it got almost zero press.

We are living in a society right now where, if there is a shiny object, a tweet, another story, the press, even a lot of the Members of this body, run talk about that. And I will make you the argument that the greatest systemic threat to this society are these numbers because the fact we are going to borrow \$134 billion more than we were already projecting, it is worse than that.

If you were to step back 1 year ago, 1 year ago we thought this year's deficit was going to be about \$450 billion. I mean, it is still outrageous. In a year's time that number now is kissing up to \$700 billion this year.

To understand the scale of that, we are going to actually do some of our slides. And the first one we are going

to put up is the slide from 3 weeks ago, and the punch line on it is the numbers are worse than this. I just wasn't going to use up a whole bunch of ink and print a new one. But this is important to understand.

So this is where we think we are going. This is what is in the CBO report. But do you see actually the blue areas? That is sort of spending that is on autopilot. When we say autopilot, it is by formula. You reach a certain age, you get certain benefits. You fall below a certain income, you get certain benefits. We borrow money, we pay back the interest. You have served honorably in the military, you qualify for certain benefits.

But this is 2026, so this is functionally 9 budget years from now. Understand where we will be. Social Security, Medicare, Medicaid, other things that are formula driven, you fall below a certain income, you get interest on the debt.

And you start to realize only 22 percent of all spending in 9 years will be things that functionally get voted on here. Everything else will be by formula. Your government is very quickly becoming a health insurer with an army, an insurance company with an army.

What is fascinating is—think about this—this year we are going to kiss up close to \$700 billion in borrowing. That is more than all discretionary spending on nonmilitary discretionary spending. So think about that. If you came to me and said, "David, I want you to only spend exactly what you are taking in right now," you get to help me make a decision. If I am not allowed to touch mandatory spending, the entitlements, do you remove the entire military, or do you remove everything else you think of as government, the Park Service, the FDA, the FBI?

Everything else is government because all of that is living on borrowed money. And somehow we desperately must find a way for the American public to understand the scale and how quickly these numbers are moving away from us.

In 5 years, so those folks who are 60 years old today, they are at the peak of what we call the "Baby Boom." So in 5 years from now, we actually hit the peak of our brothers and sisters who will receive their retirement benefits, if they take them at 65. And you start to look at the numbers. And we are going to—let's switch to the next slide. And you will actually start to see that curve steepening.

We are going to show a slide in a couple of boards from here that starts to show you at what point we are running these trillion-dollar deficits.

The next point I also wanted to make that was here in the CBO report is, when we borrow an additional \$134 billion on top of what we already projected—so close to \$700 billion this year—that is now part of the rolling debt. That is part of—now we are going to be paying interest on that for generations because our inflection point to



pay down the debt is moving farther away from us every day because—you saw the previous slide—every day we are borrowing pretty close to \$1.9 billion every single day.

So why this slide is important is—just understand—in 9 budget years, if you said, “David, I want you to deal with the debt. I don’t want you to do it today because I don’t want to lose any benefits. I don’t want to talk about the complications of what happens if we had to deal with the reality of trying to make the combination of making the economy grow and having to deal with entitlement reform,” but in 9 years, only 11 percent of the budget would be nondefense, non-entitlement.

And the amazing thing is, that number will stay almost identical for the next 10 years. So almost all the growth, a trillion-plus dollars of growth in those 9 years is coming almost solely from Medicare, Medicaid, Social Security, interest on the debt, veterans’ benefits, but mostly Medicare.

It is really difficult to talk about, but if you actually look in the CBO numbers, you understand, we have a couple of our key trust funds that start to run out of money within the 10-year window. So let’s actually switch slides and try to—and a couple of these are going to be repetitive for a point, so it starts to become more absorbable of what is actually really going on in these underlying numbers.

So we put this one together just to sort of have a sense of what has happened. What happened from when we were estimating in 2016, the Congressional Budget Office gave us a number, so this is a year ago. We were building our budgets. We were building our projections. We were building our cost analysis on how much interest financing, these things. This is a year ago. We thought we were going to borrow \$544 billion, still an outrageous amount of money.

Here we are a year later and we are going to come close to \$700 billion. Then in January, from a year ago—so this last January—it moved up to, hey, we are going to borrow \$559 billion. Not a lot of movement. And then 6 months later, it blows off the charts. And now all of a sudden, we know from the CBO number, it is \$693 billion of borrowing this year.

The OMB number, I know the chart over here I think is saying 702. I could swear I saw 704, but let’s just call it \$700 billion.

This is an intense frustration because, if you actually listen to many of us as we get behind these mikes, we will argue and fight and fuss often on things that, when you actually add them up, are pretty small, sometimes bordering on petty, that don’t really have a multiplier effect into the future.

Yet, how much discussion have you heard behind these microphones in the last 3 weeks, since the CBO report came out, the update came out that,

hey, from January to June, somehow the number just grew by 25 percent; we just added another \$134 billion of borrowing this year?

This isn’t way off into the future. It is this year. And guess what. We are going to be financing that for as long as anyone who is probably watching this or listening to this in this room is alive.

Can we go to the next slide. We are heading toward a time where the growth of this debt, the growth in mandatory spending is moving to crushing everything else we care about. So if you happen to be someone who is a Member of this body and you care passionately about education, you must understand that the mandatory spending is going to crush it.

If you care about the environment and other programs, the finding resources to pay for those things is gone.

If you care desperately about defense, defense is going to be competing for scarcer and scarcer dollars because those dollars are promised in our mandatory spending, our entitlements.

So the only reason I threw this one up was just getting a sense that just the movement from January to June—the chart may not look like a big deal, but we are dealing with hundreds of billions of dollars here.

You see that little separation between the red line and the blue line?

That separation is 6 months. This isn’t a game. It shouldn’t be partisan. The numbers are the numbers, and Congress cannot continue to exist in a math-free zone.

So—and I am sorry. This is actually—I have toned down my charts because I was getting made fun of by making too many of them, and, actually, I was. I think I killed one of the big printers here on Capitol Hill, but that is another discussion.

So let’s actually sort of look at this one. This is functionally 2017 to 2027. So the 10-year window, which we use constantly around here. Just understand what this constant growth of the debt does in the mix of our priorities that we are able to pay for.

Where is the money? Where does it ultimately come from? Where does it go?

So if we are here right now, the first bar is spending. The second bar is revenues or pay-fors or mechanics. You know, some of it is borrowing, some of it is payroll taxes, and other things. Then the same thing for 2027.

So let’s first take a look at where we are at right now, and this is by gross domestic product. So they tell me this is a much more elegant way to sort of understand how much of our society’s economy is going into finance government—is going into finance government’s debt. And none of these numbers have State and local. This is just us at the Federal Government level.

So take a look. This year, hey, about 1.4 percent of our GDP, of the economic muscle of our society is going into financing our excessive spending, our

debt. In 10 years, it is 2.9 percent. So it is the entire economy, close to 3 percent of it is going to be grabbed just to pay for debt.

But when you also start to look at—you see that black portion on the top? In 2017, the excessive spending here, without revenue—so it is borrowing—is 3.6 percent of our entire GDP went to borrowing. In 10 years, it is 5.2, and it keeps growing, and it really starts to take off.

Remember we had the comment “in 5 years, we hit the peak of the Baby Boom moving into retirement.” And if you see the curve, it steepens and, over the next couple of decades, it blows off the charts.

So you actually start to look at the mix of: What are our resources? What do we have?

Well, let’s just go to the 2027. So that is this. So, functionally, 6 percent of our entire economy will be going to Social Security; 6.9 percent of our GDP will be going to healthcare programs. Another 2.5 percent of our society’s GDP will be going to other mandatory programs.

Only 5.4 will be going to everything we call discretionary, and part of that is also defense. So about half of that will be defense and half of that will be other discretionary programs.

□ 1915

This is where we are moving prioritywise. The growth of these programs consume everything in their path.

One of the things we actually talked about 3 weeks ago when we were behind this microphone—look, there are demographic changes, but when I was a kid, \$4 were spent for young people for every dollar that was spent for our, what we will call, seniors. Today, that is reversed. Today, we will spend \$4 for seniors for every dollar spent for young people, and that curve continues to move away from us. So just understand, that is the decision this body, this society, has made as our priorities.

Now, why this slide is so incredibly important to understand, if you see the blue there—and, look, I am blessed to be on the Social Security Committee in Ways and Means. We just had the actuary report, and Social Security has problems, but it is not a crisis. It is fixable. As a matter of fact, any well meaning people, a handful of them could get in a room and in a day fix the unfunded liabilities, which I think is 22, \$24 trillion over the 75-year window for Social Security.

What should terrify you are the numbers I am about to point out that are actually within Medicare. Let’s actually just sort of reach over here, and forgive me for leaning over. Let’s say you are 50 years old today. We are going to use 65 as the benchmark for retirement. You are going to be retiring in 2030. You see the gray here? Over your career, over your work life, the average person who will be retiring in 2030 will have put in \$179,000 into Medicare.

But do you see this side? They are going to receive \$621,000 in benefits. The person who is 60 years old today, in the average, and these are means, the person who is 60 today, retiring in 5 years, will have paid \$179,000 in part of their FICA tax going to Medicare. Over their years of retirement, because of longevity, because of healthcare costs, because of a series of different things, they are going to take out \$621,000.

Now, I need you to start to multiply those types of differentials where we put in this, we are taking this out, and multiply it times 76 million of our brothers and sisters who we define as baby boomers.

Do you see the math problem?

This slide isn't from some conservative group. I believe it is from the Urban Institute. This is just reality.

Let's say you happen to be my most liberal constituent, and you care desperately about the preservation of these entitlements and of Medicare. You should be the first one lining up with me and others around here from both sides of the aisle saying: We must do two key things. We must adopt policies that maximize economic growth, because whether it be tax reform, whether it be regulatory reform, whether it be immigration reform, all these things, but primarily tax reform, we must do those policies that drive economic growth, because a growing economy solves a lot of problems, but it doesn't come close to dealing with these types of shortfalls.

So the second thing that must be done, and it is going to take fair-minded people on both sides of the aisle, we are going to have to do entitlement reform. It is just the math.

When someone gets behind one of these microphones or is running for office and they say, "Well, if we just get rid of waste and fraud, or if we just get rid of foreign aid, or if we just get rid of this," I am sorry, they need to go out and invest in a calculator. That is not what the underlying numbers say.

And to try to double down on a couple of these points, to understand how fast these numbers are moving away from us, in 2022—it sounds like a long time from now, but, look, we are working on the 2018 budget right now. So, what, four budget years from now? Every year, we are going to be running a \$1 trillion deficit, and it grows and grows. That \$1 trillion of borrowing in 2022 has to be financed.

We are working on this chart. It is a little more complicated, so you are not going to see it for another month or so. As you are borrowing more money and interest rates go up, you do understand it is not just the money we are borrowing this year. When we move up the interest rates because we are out there in the markets sucking up the capital, pulling the capital in, when we raise interest rates, there are about \$2.5 trillion of our \$14-plus trillion of publicly held debt that is refinanced every year. So it is not just the interest we pay on new borrowing. Like, right now, almost

\$1.9 billion had to be borrowed today. It is not just the interest we are going to pay on that, but it is the effect on everything that is refinanced every year, every day, every month, every quarter, because as those interest rates move up, we have to change the financing.

Just understand, when you look at this chart just how fast—and this is just the borrowing number—how it explodes away from us. So in 2027, 10 years from now, annual deficit, \$1.463 trillion of just borrowing. That is 9 budget years from now.

You realize, if you add that up, I believe that is more than all military and all other discretionary spending we are spending today. Please understand how fast these numbers are moving away from us and start demanding that we, as Members of Congress, toughen up and do those things that are really difficult, really hard, and the willingness to tell the truth of what is driving these debts and deficits.

My primary reason for putting up this chart is that I am a huge fan that we have to do sort of this holistic approach, that it is now incumbent upon us as policymakers to do everything and do everything at once. You can't just have us say we need to do healthcare reform because almost no one in the country who is outside that world is paying attention to what it is doing to the debt and deficit, blowing them off the charts.

Then we have those of us who are focused right now on doing tax reform. We talk about our book of specialty, and people who care about immigration, care about this, care about that. The reality is we have to do it all. We have to do it all at the same time to maximize economic growth.

The GDP indicator today from the Atlanta Fed, we call it GDPNow—it is a wonderful website. It is a great app—I think has us at 2.5 percent GDP. Okay. That is better than we have been.

The new CBO baseline built into this next 10-year projection is saying 1.9 percent GDP growth. That is unacceptable because these numbers continue to remain incredibly ugly if we grow at that speed. But if we were to be at 3, 3.5, the numbers get much easier to deal with. But this chart is really important and a little tough to absorb, but it basically demonstrates, even with additional growth, we are still going to have to do entitlement reform, and it is going to have to be on a fairly large scale.

Growth makes it just a lot easier and makes it so we can do a much longer onramp for our brothers and sisters who are right now planning for retirement or other benefit programs that are out there.

So in this next slide, I wanted to show it because I wanted to actually use it to talk about—I know right now there is a lot of consternation of what is happening over in the Senate in regards to healthcare, and I think constantly there is a lot of misinformation

about the healthcare bill we did here in the House, what I have read of what has been worked on in the Senate.

So let's first get a couple things very clear. If you hear a commentator, if you are someone behind one of these mics, talk about, "Well, it is one-sixth of the economy and that is what is in this bill," they didn't read the bill.

The ACA replacement is almost exclusively about the small portion of our society that is in the individual market. They don't get their healthcare from an employer. They don't get their healthcare from Medicare. They don't get their healthcare from the VA. They don't get their healthcare from Indian Health Service or TRICARE or all these other ways. They are the plumber. They are my wife and I when we were running our own business.

In my congressional district, it is only 2 percent of my population. In my State, it is only 4 percent of my population. That was the population that was having great difficulties if they held a preexisting condition. Well, this society now, we have all come to terms, we are a guaranteed-issue society. That was in our bill when it passed. But that is still a tiny portion of the society that is in that individual market. In a State like mine, Arizona, you have a single choice, huge price hikes, and none of that was what was promised.

When you start to look at the math on the deductibles and then the price, so many of our brothers and sisters out there who should be in that individual market are basically saying: I would rather pay the fine; let them try to catch me. Because we have already talked about them. We did a whole presentation, I think, about 6 weeks ago, 2 months ago, that were in this ratcheting problem. Half of our population who should be in that individual market, let's just call them the healthy, 50 percent of that population who only use about 3 percent of the healthcare dollars, they basically said: It is too expensive; I am not buying.

But every time someone who is a part of that healthy portion of the curve says "Yeah, you have mandatory purchase, but I am still not going to buy" and doesn't purchase, you end up in this ratcheting effect. And the ratcheting effect, it gets more expensive, so more drop out; gets more expensive, more drop out. And that has been the crisis that is the ACA. Most people know it as ObamaCare, but to be respectful, let's call it the ACA.

It has an actuarial, structural death spiral. So our attempt was: Could you do a series of things that would lower the premiums enough for that 50 percent of the population who only uses 3 percent of the healthcare dollars to get them to actually buy? Mandatory. Hasn't worked. Maybe really well-priced coverage would work, because when they participate, the curve flattens out. Because right now, it looks like a hockey stick, and we know there

is functionally a tiny percent of our population, I think it is like 5 percent of the population, equals almost 50 percent of all the spending.

So the reason this chart is up here, we were trying to find an elegant way to try to say those of us who, like myself, I have fairly severe asthma, but folks with chronic conditions, diabetes, particularly if it is not managed, other things, that is actually 84 percent of all healthcare costs.

When we did the risk-sharing amendment for the ACA replacement bill, we were trying to fixate on that continuity of care. How do you finance that continuity of care for our brothers and sisters, particularly those who have those chronic conditions, to make sure that is continuity of care between themselves, their doctors, their healthcare institution, the insurer? I thought we did a fairly elegant job of drafting that and then putting real resources behind it.

But this is important to understand, the outlier of our brothers and sisters out there, those of us who have pre-existing conditions or who have chronic conditions, end up being the cost drivers in our healthcare.

So our ability to be creative, our ability to say: If you have one of those in your pocket, can this actually be part of your healthcare management? Are we going to accept the reality that someone with a chronic condition should be allowed to pick up their phone and use FaceTime to talk to their doctor?

□ 1930

Should a poor person be allowed to use their phone to consult their doctor? Should they be allowed to wear sensors and other things? There are some incredibly creative things rolling onto the market there to help our brothers and sisters with chronic illness. This body needs to be prepared to adopt them, because here is the punch line: whether it had been the ACA, whether it had been a replacement, had almost nothing actually to do with healthcare. It had to do with who pays. This was about the money: who pays, who gets the money.

Because remember, it was in 1986—31 years ago—a piece of legislation was passed basically saying you cannot deny someone medical services. You show up to the emergency room, you show up in the hospital, you are getting your medical services, and you can actually see this in the data. For the last 30 years, the number of procedures, particularly the stuff it costs, has been laid much the same.

So when you have people saying, “Oh, you are not going to be able to get healthcare,” we have been a society for 30-plus years that has sort of a guarantee of delivery of health services. The great battle is who pays.

Do you remember a few years ago when we had the great consternation of dispro share, uncompensated care. I worked on those issues. And now all of

these years later, we are basically trying to make an argument of who pays, how do we pay, how do we get more healthy—that is 20-, 30-, 40-year-olds who are healthy, how do we get more of them, particularly in the individual markets, to participate?

Then the second half is Medicaid. This is a strange city because it is one of those cities, when you actually look at the dollars, even though the dollars are going to continue to grow and grow, so many people define that as a cut. But remember, we were looking at the exploding deficit debt numbers. We have to deal with the reality. We are in real trouble, and we are going to have to step up and start being honest with each other about what is happening in the underlying math here.

So I know this is a little diversion from what was in the CBO report, but once again, you saw on the charts that the healthcare and healthcare entitlement numbers were substantially driving the deficits. Now you actually sort of see what is in the underlying part of that population.

We will go back to the beginning again. Hopefully, I haven't spoken for a whole hour, for your sake and mine. But one more time: this year, according to CBO, 3 weeks ago—and you have heard lots of talk about it, right? That was me being sarcastic—\$193 billion of borrowing this year. We are going to borrow almost \$1.9 billion every day, \$79 million every hour. I have been here an hour. Has this been worth \$79 million to you?

But think about it—and I know I misspoke earlier, so that is one of the reasons I wanted to put this board up. It is \$21,900, \$21,900 every second of borrowing.

I have a 21-month-old. It is the greatest gift the good Lord has ever given my wife and me.

I pray for the birth mother every night, saying, “Thank you.”

But if you look at the charts, when she hits her peak earning years, her tax rates are going to be double, maybe even more, of what I would pay today.

The economic growth is probably crushed by the amount of debt; and a lot of the calculations, if we step out 30 years, the computers can't even model them anymore. Because, understand, there are some amazing numbers in here that functionally, in 9 budget years, we are at 91 percent debt to GDP on publicly held debt. That is not the money we borrowed from the trust funds.

So the question I ask—I love my little girl. How many of you love your kids? How many of you love your grandkids? How many of you love this country? How many of you want this country to have an amazing future, because it can. This is all fixable. Just every single day we wait, we make it so much more difficult.

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

## IMPORTANT ISSUES OF THE DAY

The SPEAKER pro tempore (Mr. BUDD). Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Virginia (Mr. GARRETT) for 30 minutes.

Mr. GARRETT. Mr. Speaker, I also want to thank my colleague, Congressman SCHWEIKERT from Arizona.

I hadn't intended to, but I will begin my remarks by addressing his remarks, and I will do something that I rarely do, and that is to quote a French historian, political scientist, and diplomat, Alexis de Tocqueville, who stated: “The American Republic will endure until the day that Congress discovers that it can bribe the public with the public's own money.”

The previous administration was led by an individual who, on the campaign trail, said that \$7 trillion in debt was unpatriotic. Now we sit at the precipice of \$20 trillion after two terms, and I would submit that perhaps that is unpatriotic multiplied by three, or nearly that, and echo the sentiments of Mr. SCHWEIKERT that it is absolutely, positively unsustainable.

Now, there are ways that we could certainly deal with runaway debt. One way would be to completely devalue the currency. If you really want to step away from the hyperbolic barbs that are thrown by my colleagues across the aisle as relate to the motives for the legislation that we carry and find out who would be really harming seniors and children, it would be those who would continue to spend until the only way to cover the tab was to deflate the value of the very moneys set aside to care for those least able to care for themselves.

Mr. Speaker, I thank Congressman SCHWEIKERT not only for his wise remarks, but also for reminding me just how much I miss being a member of the statehouse in the Commonwealth of Virginia where there is actual back-and-forth debate on the merits of issues, wherein that small percentage of individuals who choose to inform themselves might shape their opinions based on a discourse rather than people standing at this microphone unchecked.

That leads me to my next point, which is also not on the subject that I originally intended to address, and that is the statement of my distinguished colleague from Maryland, Mr. RASKIN, who spoke on this floor about 45 minutes ago on a subject that is important not just to him and not just to me, but to America, and that is on the subject of asset forfeiture.

His comments were indicative of the tone that this body has devolved into. One of the many Democrats whom I admire, Daniel Patrick Moynihan, whom Vanity Fair described as a fervent Democrat who saw the value in working with Republicans—where is he today?—he once said: You are entitled to your own opinions, but you are not entitled to your own facts.

Mr. RASKIN said that the Trump administration was burdening Americans

by virtue of an asset forfeiture policy, and he cited the case of a Chinese restaurant, an entrepreneur who he said had amassed \$25,000 so that he could buy a building. But he was going over the speed limit so he was pulled over by police. So without cause, they took his money, and it took him 7 years, according to my colleague, to recoup his money and the opportunity was lost, and that is what is wrong with Mr. Trump's policy.

Wow. And he implored listeners to please look up this case, so I did.

In fact, there was a man who had saved money to purchase a Chinese restaurant who was going 10 miles an hour over the speed limit. He was pulled over by law enforcement, and he had not \$25,000, but \$75,000 forfeited. It took him not 7 years, but 10 months to get it back, and it happened in 2014. I am not terribly sure who was President then, but I don't think it was Donald Trump.

So I will join my colleague in suggesting that we need asset forfeiture review and reform in this country. But, please, you are entitled to your own opinions; you are not entitled to your own facts.

Now, why am I here tonight? Golly, Ned, why am I here at all? Who are we as a nation?

I tell my children, if you want to know what is the right thing to do in life when you are confronted with tough challenges, when you have a dilemma, ask yourself, "Who do I want to be?" Not "Who am I?" "Who do I want to be?"

Because I hope I never reach my aspirational goals, but I keep trying as long as I am here. I don't think if you reach all of your goals for who you want to be that you have aimed high enough. If you ask yourself, "Who do I want to be when I face that ethical or moral dilemma?" you will always then come up with the right answer when you answer what the person you want to be would do.

I grew up with a father who actually had a name for the belt that he wore around his waist. It was "The Enforcer." I had a mother who thought I could do anything I wanted to do and a father who would kick my tail if I didn't give it my best effort.

I spent nearly 10 years as a prosecutor, and I can't tell you how many times I looked down the dais at the criminal defendant and thought, "I wonder, but there for the grace of God go I"—but for the fact that I was blessed with amazing parents who encouraged me and loved me and disciplined me and told me the things I could do, unlike so many in political office today who garner votes and support by telling people what they can't do, what they need done for them.

By gosh, this country was built on a government dependent upon people, not a people dependent upon government. And that is who we are. Now, who are we going to be? Where are we going?

A wiser person than I once said, if you want to know where you are going, you should look where you have been. It is a relatively humbling thing to do representing the Fifth District of Virginia, because the Fifth District of Virginia was first represented in this institution by James Madison.

I tell people those are some very small, big shoes to fill—very small, big shoes to fill. James Madison won the congressional seat when he ran in an election against a pillar of American foreign policy named Monroe. They were so collegial during their campaign that they often traveled together.

When Madison was elected to Congress prior to the 17th Amendment, he went to the Virginia General Assembly—the longest serving democratically elected legislative body on the planet Earth—and suggested that James Monroe should be the Senator; and, indeed, he was made the Senator. So we have Madison. We have Monroe.

The drafter of the Declaration of Independence, Thomas Jefferson, lived in Virginia's Fifth District. The power of the Article III branch of government, the Supreme Court, John Marshall retired in Virginia's Fifth District. Patrick Henry retired in Virginia's Fifth District. Lee and Grant sat at a table at Appomattox Court House and ended the American Civil War in the Fifth District of Virginia, and a young woman named Barbara Johns stood up in the face of possible injury or death to start the Virginia civil rights movement in the Fifth District. So it is pretty humbling, but it gives me a good lesson in who we are.

So many on my side of the aisle criticized President Obama when he said: If you have a business, you didn't do that. Somebody else did that for you.

I will defend him. I will defend him. You did it with blood and sweat and tears and hard work and persistence and the willingness to stand up time and again after failing. You did it, but you did it because you stood on the shoulders of giants who gave you the opportunity to do it, those imperfect people: Thomas Jefferson, a slave owner, who gave us near-perfect documents; James Madison, documents that have been revised, oh, I don't know, 27 times in hundreds of years, that we constantly should strive to be a more perfect Union, that we will never achieve that status of a perfect Union so long as institutions on Earth are governed by mere mortal men, but that we have a duty in this Nation to try to continue to.

So that is why I am here. I am not here to perpetuate my own power. I understand that the most indispensable person is the person who recognizes that they are not indispensable.

Folks, drive past the graveyard and look at the headstones, because I can promise you, there are piles of folks buried there who thought the world just couldn't go on without them. And the band played on.

The Fifth District of Virginia was here before I got here. It will be here

after I leave. I am not here to perpetuate my own name or my own legacy or any sort of power. I am here to make sure that everything I do is pointed towards giving the posterity that will follow us—to my children, SCHWEIKERT's children, and your children—every bit as good, if not better, opportunities than those which we had.

I believe there are two fundamental entitlements to birth of Americanism.

□ 1945

First, you are entitled to an opportunity. We should always strive to make that opportunity more of an equal opportunity. But in a world where if your last name is Clinton, Trump, Obama, or Bush, you probably have a better chance of getting into Harvard. We are not there yet. But everyone is entitled to an opportunity. Everyone within the Jeffersonian construct of liberty that is "my freedom extends to the point where yours starts so long as you don't harm another," should be free to make decisions for yourself and has an entitlement to define success for themselves.

If you want to be the world's best beekeeper, go be the world's best beekeeper. If you want to be a great stay-at-home dad, by golly, be a great stay-at-home dad. If you would like to work to cure cancer, please do. If you want to be a Member of this body and try to perpetuate opportunity for our posterity, please do. If you want to be a Member of this body and try to perpetuate your own power or your own legacy, please don't.

So this brings me to the point where I stand here today. I have been here 6 months—not terribly long. Thank God I have been unable to shake my citizen world view in favor of a legislator world view. So as I walk into this Chamber and as I stand next to these women and men on both sides of the aisle, I am a little humbled. When I walk down the staircase on the edge of the original House Chamber that has been worn through time by the footfalls of the likes of Kennedy, Madison, Monroe, Eisenhower, and Lincoln, I am humbled.

But I would revert back to the words that Alexis de Tocqueville observed over 150 years ago, and that is we will thrive until we begin to attempt to bribe the taxpayers with their own money. At some point things become unsustainable. At some point we need to recognize that we are about freedom of individuals to venture and fail and venture and gain, that we are a nation whose government should depend upon people, not whose people should depend upon government.

An hour and a half ago I stood on this very floor, and I dropped at the Clerk's desk H. Res. 458. H. Res. 458 is a vehicle that would move to discharge past the normal process of procedures. H.R. 1436 is a bill that was voted for by every Republican Member of this body in 2015, which would provide for a repeal of the broken promises that are the Affordable Care Act.

Just yesterday, in conference, they showed us polling, and it showed that the American people trust the Republicans more on national defense, border security, jobs, and the economy, but we were kind of sketchy on healthcare. I can read a poll, but I came here to do what I think is right. I came here to do what I said I would do.

This plan that I think could reasonably be called the Managed Healthcare Bailout Program or the Health Insurance Industry Profit Enhancement Act has failed working Americans, and the paradigm under which we have debated it has failed to be an honest one. So if I am here not to enhance myself or my legacy, if I am here to do what I think is right or what I said I would do when I ran for office, then I need to stand up and do what I said I was going to do when I ran for office, and that was to ensure that the decisions of Americans were left to Americans, that we minimize the interference in individuals' lives by the government, and that we recognize—and I will paraphrase—that Mr. Jefferson was correct when he said that the fruits of the working class are safest when the legislature is not in session.

I believe it was Will Rogers who said: They say the only certain things in life are death and taxes, only death doesn't get worse every time Congress meets.

We hear about a CBO score that says X million people will lose coverage. The last time I looked, this thing was called the Affordable Care Act, not the Affordable Coverage Act. Even if it were called the Affordable Coverage Act, it would be a misnomer because it is not affordable.

A story published about 3 months ago indicated that two-thirds of Americans couldn't find \$1,000 in case of a financial crisis. But deductibles have gone from \$1,000 to 2,000, to 3,000, to 4,000, to \$5,000 for the average family of four.

I ask you: If your deductible is \$5,000 and you can't find \$1,000 in times of crisis, do you have healthcare?

You have coverage. You have coverage, but you don't have healthcare. You are still indigent, and it is a broken promise. But don't worry, there were lots more: If you like your plan, you can keep your plan. It turns out that wasn't true. If you like your doctor, you can keep your doctor. It turns out that wasn't true. We should see an average decrease of about \$2,500 a year per policy. It turns out that wasn't true.

Don't worry, these insurers who supported the plan—remember the insurance industry endorsed the Affordable Care Act—they are doing this out of benevolence, folks.

I have an article from the New York Post that says there is a cost spiral associated with ObamaCare and with the insurance industry, but the cost spiral is upward. If you had bought \$100 worth of UnitedHealthcare the day the ACA passed and sold it, the last time I looked, you would have \$580. That is a heck of an investment. The only people

making out on this are the big insurers. Meanwhile, rank and file Americans are perpetually lied to by folks who say: Those guys don't care.

Actually, we do. We are just not trying to perpetuate our own power by taking from one group and giving to another while bankrupting our Nation and robbing our children blind.

So I have only been here for 6 months. I went to some people very early on and I said: How about discharging this bill? I am frustrated.

They said: Well, it is not time for that.

I said: Okay. I want to be a team player.

I am frustrated, and we get to this point. The President is frustrated. The Senate is frustrated. I don't give a hootin' heck about the President or the Senate or this body. I care about the American people whom I serve. They are frustrated. And nobody on the other side of the aisle will talk about a plan that the namesake of the plan, President Barack Obama, said has serious problems, that Minnesota Democratic Governor Mark Dayton said is bankrupting his State and is unsustainable, and that President Bill Clinton said is the craziest thing.

We have zero suggestions for help because, by gosh, we can score political points. Shame on both sides of the aisle if you are doing this to score political points.

We ought to be doing this to make sure that the fundamental birthright of Americanism, opportunity, is perpetuated for perpetuity and that it doesn't die in the hands of a group of the political class who say: Well, this will get me points at home. People told me not to do this. It might not help you. Your district is not that safe.

I don't rightly care. I am going to do the right thing. I have never had a job in my life that I wasn't willing to lose if it meant doing the right thing.

So what are the goals of this?

This is rather brash. They are humble. I want the leadership of this Chamber to understand that the rank and file Members support them, that we got their backs, that we thank them for their best efforts, and we don't want to quit this fight. We thank you for what you do. Let's keep going and keep that darn promise.

I got a feeling that if you keep your promise, if you are worried about elections, then your reward will come when people realize there is somebody in this town who has some integrity. So I want to support leadership. I want to send a message to the other Chamber that we are willing to act if they are willing to act, and maybe embolden them. I want to let the President know that we haven't quit on him. But, most importantly, I want to send a message to the American people that some people in D.C. mean what they say.

There have been dozens of votes for repeal by Members who knew that the repeal would never happen because it had to cross the desk of the person for

whom the bill was named. It was a theoretical abstract: Sure, I support it.

We are playing with live ammunition, folks. Let's see who meant what they said. Come to this desk—and if you are watching at home, contact your Member and tell him to come to this desk—and sign onto the discharge petition, H. Res. 458. Or maybe you didn't mean it or you did. Who knows? But let us know. Shoot straight with folks. Dozens of votes for repeal.

Let me be clear about this, too. I am not sitting here trying to pull the rug out from under people. The bill that would be discharged by this resolution would not immediately end ObamaCare. Instead, it would give us a 2-year window. And I will bet you that if we repealed and had a 2-year window to debate a replacement, that we might get some input from people on both sides of the aisle. I know to a metaphysical certainty that no side has the monopoly on good ideas. I would love to have some input. There will certainly be Members who say: I don't believe the Federal Government should have a large role. There will be other Members who say: We should have single payer.

Right now, we are stuck in a broken system because of political gamesmanship. It burned me when I was on the outside, and it burns me on the inside.

What are the facts? What are the real facts?

The average individual premium, according to eHealth, May 3, 2017, has gone up 39 percent in the last 2 years. The average family plan has gone up 49 percent. That means if you were an individual and your premium was \$1,000 a month, it is now \$1,330 roughly a month. I am doing math on the fly in my head. If you are a family and you were paying \$500 a month, then it is \$740-ish a month. That is in 2 years. The average individual plan is up 147 percent from 2008. The average family plan is up 177 percent.

Folks, Americans' income hasn't increased at that rate.

The average is up 25 percent in the last year, and that is according to the Department of Health and Human Services' report of October of 2016. That means if you were paying \$2,000 a year ago, you are paying \$2,500 now—25 percent in 1 year.

Candidly, all the disingenuous arguments on the other side about how many will die if we move to a system that allows individuals choices are not only hollow, disingenuous, and beneath the dignity of this body by virtue of their disingenuousness, but they are also false.

Folks, for the first time in nearly a generation, the mortality rate rose in 2015. U.S. life expectancy dropped from 2014 to 2015 for the first time since the 1990s. Ironically, it dropped more in States that expanded Medicaid. So I am not only disgusted with and sick of such harsh rhetoric, but I think it has now been proven demonstrably false.

We talk about who will be kicked off their plan. According to the CBO, 10

million people lost their employer plans. Those are the plans that, if they liked, they could keep. Roughly 15 million of the people who are now insured are insured by virtue of an individual mandate. That means that we have forcefully compelled American citizens to purchase a good or service at the risk of forfeiture of their money or their freedom.

We live in a country where you can choose in many places to buy marijuana. You can choose to bungee jump. You can choose to skydive. Heck, in some places, you can choose to visit a prostitute. But you can't choose a healthcare plan that doesn't carry coverage for mental health or for maternity. You can't do that. That is against the law.

This is about choice. I served in the United States Army as a fire support officer, and when I left the Army, I made the egregious error of attending law school—just kidding. When I did that, I chose not to have healthcare because as I looked at what I was able to do on the limited amount of money that my family had and did a cost-benefit analysis and the fact I was in relatively good shape and young, I determined that our family's best interests were served by not spending that money. It was a crazy, brazen risk that I think paid off, but it certainly should be within the purview of decisions that Americans are allowed to make, and right now it is not.

I am frustrated, but I am fighting. A lot of people are frustrated, but they are fighting. I want to see our leadership succeed. I want to see this Nation continue to be unequivocally the greatest experiment in freedom that the Earth has ever known. But if we continue to try to parlay largesse in failed programs into political power, we won't. We won't.

The time to measure things based not on intentions, but results is nigh. In Oregon, they spent hundreds of millions of dollars to create a website for the ObamaCare exchange that failed to enroll a single individual, and nobody was fired and nobody went to prison. I was a prosecutor for a long time, and I will tell you, if you waste or defraud people of 100, 200, \$300 million, you usually either lose your job or go to prison. But if you are in politics in Oregon, you are rewarded because, by gosh, you had great intentions.

Let's judge these things not by their intentions, but by their outcomes. Let's not argue about who has coverage, but about who has access to affordable care. Let's support revision that drives down premiums and deductibles, and let's trumpet our victories based on whom we actually help, not whom we intended to help.

□ 2000

I stand united with the bulk of my colleagues. I know there are some who might have said one thing and now do another. This is an avenue by which we might find out who they are.

I don't, for a moment, question the individual motives of Members. I think they have an opportunity to distinguish themselves by virtue of signing onto this resolution.

I ask you again, if you are watching at home, to contact your Member if you agree with what I said and ask them if they will come to this bar when we are in session and sign their name to H. Res. 458 and demonstrate that they are willing to do the exact same thing now, when it counts, that they did dozens and dozens of times under the previous administration when they knew that their actions would be met with a veto pen.

I don't do this to score political points, I don't do this to make my name bigger, and I don't do this because it feels good. I do this because we owe it to the giants whose shoulders we stand upon—Patrick Henry; Thomas Jefferson; Martin Luther King, Jr.; Abraham Lincoln; Barbara Johns; John F. Kennedy; and Ronald Reagan—the people who gave us the opportunity to be as successful and great as we are. Don't piddle it away. Be responsible. Be willing to say no when no is the appropriate answer, and do what is right.

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

The SPEAKER pro tempore. Members should address their remarks to the Chair and not to a perceived viewing audience.

#### GENERAL LEAVE

Mr. GARRETT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the topic of my Special Order.

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

There was no objection.

#### ADJOURNMENT

Mr. GARRETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 1 minute p.m.), under its previous order, the House adjourned until tomorrow, Thursday, July 20, 2017, at 9 a.m.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. VELÁZQUEZ (for herself and Mr. CHABOT):

H.R. 3294. A bill to amend the Small Business Act to clarify the definitions relating to HUBZones, and for other purposes; to the Committee on Small Business.

By Ms. MAXINE WATERS of California (for herself, Mr. CONYERS, and Ms. VELÁZQUEZ):

H.R. 3295. A bill to require the President, the Vice President, and certain high-level of-

ficials to file a report with the Office of Government Ethics, when selling real property, disclosing each natural person who is a beneficial owner of the real property upon completion of the sale, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. ELLISON:

H.R. 3296. A bill to amend the Internal Revenue Code of 1986 to allow a business credit for gain from the sale of real property for use as a manufactured home community, and for other purposes; to the Committee on Ways and Means.

By Mr. KELLY of Mississippi:

H.R. 3297. A bill to streamline the application process for H-2A employers and for other purposes; to the Committee on the Judiciary.

By Mr. BARTON (for himself, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. LOUDERMILK, Mr. MARSHALL, Mr. FLEISCHMANN, Mr. DUNCAN of South Carolina, Mr. BERGMAN, Mr. RODNEY DAVIS of Illinois, Mr. MOOLENAAR, Mr. WALKER, Mr. DESANTIS, Mr. THOMAS J. ROONEY of Florida, Mr. CRAWFORD, Mr. LAMALFA, Mr. BROOKS of Alabama, Mr. BISHOP of Michigan, Mr. CONAWAY, Mr. PALAZZO, Mr. POSEY, Mr. WILSON of South Carolina, Mr. LEWIS of Minnesota, Mr. MITCHELL, Mr. WALBERG, Mr. PALMER, Mr. WOMACK, Mr. MULLIN, Mr. WITTMAN, Mr. VALADAO, Mr. MEEHAN, Mr. DENHAM, Mr. SWALWELL of California, Mr. BRADY of Texas, Mr. COSTELLO of Pennsylvania, Mr. GAETZ, Mr. JOHNSON of Ohio, Mr. KELLY of Mississippi, Mr. LAHOOD, Mr. PAULSEN, Mr. PEARCE, Mr. ROSS, Mr. SHIMKUS, Mr. WENSTRUP, Mr. WILLIAMS, Mr. YODER, Mr. CROWLEY, Mr. RICHMOND, Mr. GOHMERT, Mr. RYAN of Ohio, Mr. AGUILAR, Mr. SUOZZI, Ms. BARRAGAN, Mr. PANETTA, Mr. ESPAILLAT, Mr. WALZ, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BEYER, Mr. HUFFMAN, Mr. TED LIEU of California, Mr. PERLMUTTER, Mr. KILDEE, Mr. COURTNEY, Mr. CARTWRIGHT, Mr. BRADY of Pennsylvania, Mr. SIRE, Mr. YARMUTH, Mr. GUTIÉRREZ, Mr. DESAULNIER, Mr. CAPUANO, Mr. LARSON of Connecticut, Mr. NORCROSS, Mr. CLYBURN, Mr. HASTINGS, Mr. SCOTT of Virginia, Mr. CARSON of Indiana, Mr. JEFFRIES, Mr. RUIZ, Ms. FUDGE, Mr. BISHOP of Georgia, Mrs. BEATTY, Ms. KELLY of Illinois, Ms. CLARKE of New York, Mr. CLEAVER, Mr. THOMPSON of Mississippi, Ms. LEE, Mrs. DEMINGS, Mr. MCEACHIN, Mr. JOHNSON of Georgia, Mr. DANNY K. DAVIS of Illinois, Mr. LEWIS of Georgia, Mrs. WATSON COLEMAN, Mr. PAYNE, Mr. BROWN of Maryland, Ms. JACKSON LEE, Ms. SEWELL of Alabama, Mr. ELLISON, Mr. CÁRDENAS, Ms. SÁNCHEZ, Mr. PASCRELL, Mr. WELCH, Mr. VEASEY, Mr. LYNCH, Mr. GALLEGU, Mr. KIHUEN, Mr. POLIS, and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 3298. A bill to authorize the Capitol Police Board to make payments from the United States Capitol Police Memorial Fund to employees of the United States Capitol Police who have sustained serious line-of-duty injuries, and for other purposes; to the Committee on House Administration.

By Mr. MCHENRY (for himself and Mr. MEEKS):

H.R. 3299. A bill to amend the Revised Statutes, the Home Owners' Loan Act, the Federal Credit Union Act, and the Federal Deposit Insurance Act to require the rate of



interest on certain loans remain unchanged after transfer of the loan, and for other purposes; to the Committee on Financial Services.

By Mr. SCHNEIDER (for himself and Mr. BRADY of Pennsylvania):

H.R. 3300. A bill to amend the Uniformed and Overseas Citizens Absentee Voting Act to require States to submit pre-election reports on the extent to which absentee ballots for elections for Federal office are or will be available for transmission to absent uniformed services voters and overseas voters by not later than 45 days before the election, to repeal the authority of States to waive the requirement of such Act that States transmit absentee ballots for such elections to such voters by not later than 45 days before the election, and for other purposes; to the Committee on House Administration.

By Mr. ISSA (for himself, Mr. NADLER, Mr. CONYERS, Mrs. BLACKBURN, Mr. THOMAS J. ROONEY of Florida, and Mr. DEUTCH):

H.R. 3301. A bill to amend title 17, United States Code, to provide Federal protection to the digital audio transmission of a sound recording fixed before February 15, 1972, and for other purposes; to the Committee on the Judiciary.

By Mr. DEUTCH (for himself, Ms. WILSON of Florida, Mr. COHEN, Mr. HASTINGS, Ms. PINGREE, and Mr. CÁRDENAS):

H.R. 3302. A bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to make improvements in the old-age, survivors, and disability insurance program, and to provide for Social Security benefit protection; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, 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. CONNOLLY (for himself, Mr. KING of New York, and Mr. LANGEVIN):

H.R. 3303. A bill to permit disabled law enforcement officers, customs and border protection officers, firefighters, air traffic controllers, nuclear materials couriers, members of the Capitol Police, members of the Supreme Court Police, employees of the Central Intelligence Agency performing intelligence activities abroad or having specialized security requirements, and diplomatic security special agents of the Department of State to receive retirement benefits in the same manner as if they had not been disabled; to the Committee on Oversight and Government Reform, and in addition to the Committees on Intelligence (Permanent Select), and Foreign 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 Mrs. BEATTY (for herself and Mrs. WAGNER):

H.R. 3304. A bill to require the Attorney General to designate Human Trafficking Coordinators for Federal judicial districts, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUMENAUER (for himself and Mr. BUCHANAN):

H.R. 3305. A bill to amend titles 23 and 49, United States Code, with respect to bikeshare projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CROWLEY:

H.R. 3306. A bill to authorize a national grant program for on-the-job training; to the Committee on Education and the Workforce.

By Mr. GRIJALVA (for himself, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. JUDY CHU of California, Ms. CLARK of Massachusetts, Mr. COHEN, Mr. CONNOLLY, Mr. CONYERS, Mr. ELLISON, Mr. EVANS, Mr. GALLEGO, Mr. GUTIERREZ, Mr. HASTINGS, Mr. HUFFMAN, Ms. JACKSON LEE, Ms. JAYAPAL, Ms. KAPTUR, Ms. KELLY of Illinois, Mr. LANGEVIN, Ms. LEE, Mr. LOWENTHAL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MCGOVERN, Ms. MOORE, Ms. NORTON, Mr. POCAN, Mr. RASKIN, Ms. SCHAKOWSKY, Mr. SCHIFF, Ms. SLAUGHTER, Mr. SOTO, Mr. TAKANO, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, and Ms. WILSON of Florida):

H.R. 3307. A bill to amend title XVI of the Social Security Act to update eligibility for the supplemental security income program, and for other purposes; to the Committee on Ways and Means.

By Mr. HIGGINS of Louisiana:

H.R. 3308. A bill to require an audit and review of the caregiver programs of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SAM JOHNSON of Texas:

H.R. 3309. A bill to require the Commissioner of Social Security to make publicly available on-line tools to allow individuals eligible for disability benefits to assess the impact of earnings on the individual's eligibility for, and amount of, benefits received through Federal and State benefit programs; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas:

H.R. 3310. A bill to amend titles II and XVI of the Social Security Act to provide certain individuals with information on employment support services; to the Committee on Ways and Means.

By Mr. LANGEVIN (for himself, Ms. JUDY CHU of California, and Mr. RUIZ):

H.R. 3311. A bill to establish an Individual Market Reinsurance fund to provide funding for State individual market stabilization reinsurance programs; 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. LUETKEMEYER (for himself, Ms. SINEMA, Mr. WILLIAMS, Mr. DAVID SCOTT of Georgia, Mr. HILL, Mr. GOTTHEIMER, Mr. BUDD, Mr. STIVERS, and Mr. MEEKS):

H.R. 3312. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to specify when bank holding companies may be subject to certain enhanced supervision, and for other purposes; to the Committee on Financial Services.

By Mr. MEADOWS:

H.R. 3313. A bill to require the Secretary of Housing and Urban Development to consider the availability of affordable housing in allocating amounts made available for fiscal year 2017 for the Veterans Affairs-Supported Housing program, and for other purposes; to the Committee on Financial Services.

By Mr. POLLIS (for himself, Mr. GRIJALVA, Mr. HUFFMAN, and Ms. JAYAPAL):

H.R. 3314. A bill to transition away from fossil fuel sources of energy to 100 percent clean and renewable energy by 2050, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Transportation and Infrastructure, Education and the Workforce, Financial Services, Natural Resources,

Appropriations, Agriculture, Small Business, and 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. RENACCI (for himself and Mr. BERA):

H.R. 3315. A bill to amend section 9010 of the Patient Protection and Affordable Care Act to exclude limited scope vision insurance coverage from health insurance coverage subject to the health insurance provider annual fee; 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 Ms. ROSEN (for herself, Ms. STEFANIK, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. EVANS, Mr. MEEKS, Ms. NORTON, Mr. TONKO, Mr. BEYER, Ms. HANABUSA, Mr. CRIST, and Mrs. MURPHY of Florida):

H.R. 3316. A bill to direct the National Science Foundation to award grants to encourage young girls to participate in computer science and other STEM activities, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TROTT (for himself and Mrs. CAROLYN B. MALONEY of New York):

H.R. 3317. A bill to amend title 18, United States Code, to increase the penalty for female genital mutilation, and for other purposes; to the Committee on the Judiciary.

By Mr. TURNER:

H.R. 3318. A bill to amend title 36, United States Code; to the Committee on the Judiciary.

By Mr. VEASEY (for himself, Mr. COOK, and Mr. RYAN of Ohio):

H.R. 3319. A bill to extend the duration of Military OneSource Program services for members of the Armed Forces upon their separation or retirement from the Armed Forces; to the Committee on Armed Services.

By Mr. YOHO (for himself, Mr. ROYCE of California, Mr. ENGL, Mr. SHERMAN, Mr. CHABOT, and Mr. CONNOLLY):

H.R. 3320. A bill to direct the Secretary of State to develop a strategy to regain observer status for Taiwan in the World Health Organization, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DEFazio:

H.J. Res. 109. A joint resolution proposing an amendment to the Constitution of the United States to provide for balanced budgets for the Government; to the Committee on the Judiciary.

By Mr. STIVERS (for himself and Mr. CUELLAR):

H.J. Res. 110. A joint resolution proposing a balanced budget amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Ms. NORTON:

H. Con. Res. 69. Concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run; to the Committee on Transportation and Infrastructure.

By Mr. COHEN (for himself, Mr. AL GREEN of Texas, Mr. CARSON of Indiana, Ms. LEE, Mrs. WATSON COLEMAN, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CICILLINE, Mr. RASKIN, Ms.

SCHAKOWSKY, Mr. LEWIS of Georgia, Mr. YARMUTH, Ms. JUDY CHU of California, Ms. BASS, Mr. ELLISON, Mr. GUTIÉRREZ, Ms. FUDGE, Mr. DESAULNIER, Mr. POCAN, Ms. MAXINE WATERS of California, Ms. JAYAPAL, Mr. GRIJALVA, Ms. JACKSON LEE, Ms. LOFGREN, Mr. ESPAILLAT, Mr. PAYNE, Mr. BEYER, Mr. NADLER, Mr. TED LIEU of California, and Mr. CÁRDENAS):

H. Res. 456. A resolution objecting to the conduct of the President of the United States; to the Committee on Oversight and Government Reform, and in addition to the Committees on the Judiciary, and Foreign 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 Mrs. LAWRENCE (for herself, Ms. FRANKEL of Florida, Mr. EVANS, Mr. NADLER, Ms. NORTON, Ms. KAPTUR, Mr. COURTNEY, Mr. KHANNA, Mr. LEWIS of Georgia, Ms. SPEIER, Mr. DAVID SCOTT of Georgia, Mrs. CAROLYN B. MALONEY of New York, Mr. COHEN, Mr. TED LIEU of California, Mr. TAKANO, Ms. LEE, Ms. BONAMICI, Ms. JUDY CHU of California, Mrs. BEATTY, Ms. JAYAPAL, Ms. ADAMS, Mr. DELANEY, Ms. MOORE, Ms. MENG, Ms. HANABUSA, Ms. JACKSON LEE, Mrs. DAVIS of California, Ms. TSONGAS, Mr. KEATING, Mr. SEAN PATRICK MALONEY of New York, Ms. SCHAKOWSKY, Ms. KUSTER of New Hampshire, Mr. LAWSON of Florida, Mrs. BROOKS of Indiana, Mr. TONKO, Ms. WILSON of Florida, Mr. PALLONE, and Ms. BROWNLEY of California):

H. Res. 457. A resolution honoring the 169th anniversary of the first women's rights convention held in the United States in Seneca Falls, New York; to the Committee on the Judiciary.

By Mr. GARRETT (for himself, Mr. JORDAN, Mr. DESJARLAIS, Mr. BROOKS of Alabama, Mr. POSEY, Mr. NORMAN, Mr. PERRY, Mr. DUNCAN of South Carolina, Mr. AMASH, Mr. GOSAR, Mr. MEADOWS, Mr. JODY B. HICE of Georgia, Mr. BIGGS, Mr. BRAT, Mr. BLUM, Mr. BUDD, Mr. MASSIE, and Mr. DAVIDSON):

H. Res. 458. A resolution providing for consideration of the bill (H.R. 1436) to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; to the Committee on Rules.

By Mr. CORREA:

H. Res. 459. A resolution expressing the sense of the House of Representatives that the United States should support the development of programs that better prepare students for careers in cybersecurity by actively promoting ethical hacking skills; to the Committee on Education and the Workforce.

By Mr. DUFFY:

H. Res. 460. A resolution requesting the Secretary of the Interior to recognize the rich history of the logging industry and the importance of lumberjack sports by adding the Lumberjack Bowl to the National Register of Historic Places; to the Committee on Natural Resources.

By Mr. SOTO (for himself, Mr. RUIZ, Mr. COSTA, Mr. GONZALEZ of Texas, Mrs. TORRES, Ms. SÁNCHEZ, Ms. VELÁZQUEZ, Mr. ESPAILLAT, Mr. CASTRO of Texas, Mr. SABLON, Mr. GUTIÉRREZ, Mr. CARBAJAL, Mr. CORREA, Mr. VARGAS, Mr. GRIJALVA, Mr. GALLEGO, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CÁRDENAS, Mrs. NAPOLITANO, Mr.

VELA, Ms. ROYBAL-ALLARD, and Mr. GOMEZ):

H. Res. 461. A resolution urging Tom Flores be inducted to the Pro Football Hall of Fame; to the Committee on Oversight and Government Reform.

### 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 Ms. VELÁZQUEZ:

H.R. 3294.

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 Ms. MAXINE WATERS of California:

H.R. 3295.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 5 and Clause 18 of the United States Constitution

By Mr. ELLISON:

H.R. 3296.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 7, Clause 1 and Section 8, Clause 1.

By Mr. KELLY of Mississippi:

H.R. 3297.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. BARTON:

H.R. 3298.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8, clause 1

By Mr. MCHENRY:

H.R. 3299.

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. SCHNEIDER:

H.R. 3300.

Congress has the power to enact this legislation pursuant to the following:

Article I.

By Mr. ISSA:

H.R. 3301.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 8, "to promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Rights to their respective Writings and Discoveries."

By Mr. DEUTCH:

H.R. 3302.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 as interpreted by Steward Machine Company v. Davis and by Helvering v. Davis ("general welfare" and general taxation).

By Mr. CONNOLLY:

H.R. 3303.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 18 of the United States Constitution

By Mrs. BEATTY:

H.R. 3304.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article 1 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 of Officer thereof."

By Mr. BLUMENAUER:

H.R. 3305.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII, Clause VII

By Mr. CROWLEY:

H.R. 3306.

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 . . ."

By Mr. GRIJALVA:

H.R. 3307.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. HIGGINS of Louisiana:

H.R. 3308.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

Article I, Section 8, Clause 18

By Mr. SAM JOHNSON of Texas:

H.R. 3309.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution, to "provide for the common defense and general welfare of the United States."

By Mr. SAM JOHNSON of Texas:

H.R. 3310.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution, to "provide for the common defense and general welfare of the United States."

By Mr. LANGEVIN:

H.R. 3311.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. LUETKEMEYER:

H.R. 3312.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests lies in Article 1, Section 7, Clause 2 of the Constitution, which allows for every bill passed by the House of Representatives and the Senate and signed by the President to be codified into law; and therefore implicitly allows Congress to repeal any bill that has been passed by both chambers and signed into law by the President.

Additionally, the Constitution grants to Congress the explicit power to regulate commerce in and among the states, as enumerate in Article 1, Section 8, Clause 3, the Commerce Clause.

By Mr. MEADOWS:

H.R. 3313.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. POLIS:

H.R. 3314.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution. Article I, Section 8

By Mr. RENACCI:

H.R. 3315.

Congress has the power to enact this legislation pursuant to the following:

“The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.”

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States; 1.

By Ms. ROSEN:

H.R. 3316.

Congress has the power to enact this legislation pursuant to the following:

Clause 8 of Section 8 of Article I of the Constitution

By Mr. TROTT:

H.R. 3317.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. TURNER:

H.R. 3318.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution.

By Mr. VEASEY:

H.R. 3319.

Congress has the power to enact this legislation pursuant to the following:

Title 10, United States Code

By Mr. YOHO:

H.R. 3320.

Congress has the power to enact this legislation pursuant to the following:

Section II Clause 18

By Mr. DEFazio:

H.J. Res. 109.

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. STIVERS:

H.J. Res. 110.

Congress has the power to enact this legislation pursuant to the following:

Article V of the Constitution, which grants Congress the authority, whenever two thirds of both chambers deem it necessary, to propose amendments to the Constitution.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 15: Ms. TSONGAS.

H.R. 19: Mr. SUOZZI, Mr. SENSENBRENNER, and Mr. LONG.

H.R. 25: Mr. LONG.

H.R. 233: Mr. KILDEE.

H.R. 242: Mr. GARAMENDI and Mr. SEAN PATRICK MALONEY of New York.

H.R. 392: Mr. PAYNE, Mr. BILIRAKIS, Mr. PETERSON, and Mr. DENHAM.

H.R. 411: Mr. LAWSON of Florida.

H.R. 459: Ms. LOFGREN.

H.R. 664: Mr. RASKIN.

H.R. 719: Mr. KELLY of Pennsylvania and Mr. GOSAR.

H.R. 721: Mrs. DINGELL and Mr. SMITH of Missouri.

H.R. 770: Ms. SHEA-PORTER.

H.R. 790: Mr. DESAULNIER.

H.R. 844: Mr. CARTER of Georgia.

H.R. 849: Mr. YOUNG of Iowa, Mr. RATCLIFFE, and Ms. CHENEY.

H.R. 850: Mr. GOSAR and Mr. FLORES.

H.R. 873: Mr. KEATING.

H.R. 909: Mr. MURPHY of Pennsylvania.

H.R. 911: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. COHEN, Mr. GARAMENDI, and Mr. THOMPSON of California.

H.R. 918: Mr. CURBELO of Florida and Mr. O'ROURKE.

H.R. 963: Ms. PINGREE.

H.R. 964: Mr. SIREs, Mr. MACARTHUR, Ms. SLAUGHTER, and Mr. LOBIONDO.

H.R. 986: Mr. GAETZ.

H.R. 1002: Mr. TURNER.

H.R. 1046: Mr. MCGOVERN.

H.R. 1090: Mr. THOMPSON of Pennsylvania.

H.R. 1116: Mr. GRAVES of Louisiana.

H.R. 1148: Mrs. NAPOLITANO and Ms. SHEA-PORTER.

H.R. 1155: Mrs. NAPOLITANO and Ms. SHEA-PORTER.

H.R. 1164: Mr. PITTINGER, Mr. JORDAN, Mr. CRAMER, Mr. MULLIN, Mr. JODY B. HICE of Georgia, Mr. PALAZZO, Mr. KNIGHT, and Mr. WALKER.

H.R. 1264: Mr. BARTON, Mr. PEARCE, Mr. ROSS, and Mr. OLSON.

H.R. 1267: Ms. BROWNLEY of California.

H.R. 1436: Mr. BUCK.

H.R. 1494: Mr. GENE GREEN of Texas, Mrs. BUSTOS, Mr. GOTTHEIMER, Mr. BISHOP of Michigan, and Mrs. MURPHY of Florida.

H.R. 1584: Mr. GRIJALVA.

H.R. 1606: Ms. SEWELL of Alabama.

H.R. 1612: Ms. FRANKEL of Florida.

H.R. 1659: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 1660: Ms. VELÁZQUEZ and Ms. LOFGREN.

H.R. 1676: Mr. PERLMUTTER, Mr. VISCLOSKY, Ms. ROYBAL-ALLARD, Mr. PASCRELL, Mr. CLAY, Mr. SUOZZI, Mr. CONYERS, Mr. NOLAN, and Ms. JUDY CHU of California.

H.R. 1685: Miss RICE of New York and Mr. VEASEY.

H.R. 1698: Mr. TONKO.

H.R. 1731: Mr. ROTHFUS and Mr. MURPHY of Pennsylvania.

H.R. 1757: Ms. WILSON of Florida.

H.R. 1795: Mr. ROHRABACHER.

H.R. 1810: Mr. ROHRABACHER.

H.R. 1828: Mr. DUNCAN of Tennessee.

H.R. 1847: Mrs. MURPHY of Florida.

H.R. 1865: Mr. CARBAJAL, Mrs. COMSTOCK, and Mr. RODNEY DAVIS of Illinois.

H.R. 1876: Mr. FLORES.

H.R. 1889: Mr. BEN RAY LUJÁN of New Mexico and Mr. KIHUEN.

H.R. 1949: Ms. SEWELL of Alabama.

H.R. 1955: Mr. THOMPSON of Pennsylvania.

H.R. 1974: Ms. SCHAKOWSKY.

H.R. 2023: Mr. BARTON.

H.R. 2049: Mr. FARENTHOLD and Mr. KENNEDY.

H.R. 2063: Mr. SEAN PATRICK MALONEY of New York.

H.R. 2119: Mr. SCHNEIDER.

H.R. 2173: Mr. FORTENBERRY.

H.R. 2276: Mr. MASSIE.

H.R. 2279: Mr. BISHOP of Georgia, Mr. NEAL, Ms. CLARK of Massachusetts, Ms. DELAULO, Ms. BORDALLO, Mr. WALZ, Mr. RYAN of Ohio, Mr. GARAMENDI, Ms. PINGREE, Mr. TONKO, Mr. KENNEDY, Mr. KEATING, Mr. PALLONE, Mr. KILDEE, and Mr. GOTTHEIMER.

H.R. 2315: Mr. KEATING, Mr. HIGGINS of New York, Mr. RYAN of Ohio, and Mr. MCCAUL.

H.R. 2359: Mr. STIVERS.

H.R. 2404: Mr. SOTO.

H.R. 2414: Ms. JUDY CHU of California.

H.R. 2417: Ms. MENG.

H.R. 2472: Mr. POLIS.

H.R. 2488: Mr. HOYER.

H.R. 2550: Mr. BISHOP of Georgia.

H.R. 2612: Mr. TAKANO, Ms. WILSON of Florida, Mr. SENSENBRENNER, Mr. GUTIÉRREZ, Mr. CONYERS, Mr. RASKIN, Ms. JAYAPAL, Mr. COHEN, Ms. JACKSON LEE, Mr. EVANS, Mr. AL GREEN of Texas, Mr. JOHNSON of Georgia, and Mr. SCOTT of Virginia.

H.R. 2622: Mrs. CAROLYN B. MALONEY of New York.

H.R. 2651: Mr. REED, Mr. UPTON, and Mr. SUOZZI.

H.R. 2723: Mr. FLORES and Mr. MARCHANT.

H.R. 2733: Mrs. DINGELL and Mr. BRADY of Pennsylvania.

H.R. 2740: Mr. O'HALLERAN, Miss RICE of New York, Mr. COOK, Mr. SMITH of Washington, and Mr. COLE.

H.R. 2747: Mr. DENT.

H.R. 2770: Mr. RYAN of Ohio.

H.R. 2797: Mr. DUNCAN of Tennessee.

H.R. 2801: Mr. COOPER.

H.R. 2805: Mr. WILLIAMS.

H.R. 2820: Mr. DONOVAN and Mr. REED.

H.R. 2823: Mr. FRANCIS ROONEY of Florida, Mr. FERGUSON, and Mr. ESTES of Kansas.

H.R. 2832: Mr. GOSAR and Mr. FLORES.

H.R. 2862: Mr. VALADAO.

H.R. 2871: Mr. PETERSON.

H.R. 2899: Mr. SMITH of Washington.

H.R. 2903: Mr. POCAN.

H.R. 2908: Mr. CUMMINGS.

H.R. 2913: Ms. KELLY of Illinois.

H.R. 2933: Mr. KRISHNAMOORTHY, Mrs. DINGELL, and Ms. BLUNT ROCHESTER.

H.R. 2957: Mr. THOMPSON of Pennsylvania.

H.R. 2989: Mrs. CAROLYN B. MALONEY of New York, Mr. RASKIN, Mr. KRISHNAMOORTHY, Mr. RUSSELL, and Mr. LYNCH.

H.R. 2996: Mr. RATCLIFFE, Mr. GOSAR, Mr. DESJARLAIS, Mr. WALKER, Mr. BARR, and Mr. FLORES.

H.R. 3020: Mr. VARGAS.

H.R. 3031: Mr. CONNOLLY.

H.R. 3048: Mr. KHANNA, Mr. EVANS, and Ms. NORTON.

H.R. 3054: Mr. BISHOP of Utah.

H.R. 3067: Ms. KUSTER of New Hampshire.

H.R. 3089: Mr. LOBIONDO.

H.R. 3091: Mr. ELLISON.

H.R. 3100: Mrs. CAROLYN B. MALONEY of New York.

H.R. 3187: Ms. HANABUSA.

H.R. 3191: Ms. CASTOR of Florida.

H.R. 3197: Ms. BARRAGÁN, Mr. JONES, Mr. POLIS, and Mr. GARRETT.

H.R. 3218: Mrs. BEATTY, Mr. CICILLINE, Ms. PELOSI, Ms. ESHOO, Mr. LOWENTHAL, Mrs. MURPHY of Florida, Mr. KIND, Mr. LIPINSKI, Mr. PERLMUTTER, Mr. ZELDIN, Mr. HECK, and Mr. KING of New York.

H.R. 3222: Mr. KILMER.

H.R. 3223: Mr. SMITH of Missouri and Mr. LAMALFA.

H.R. 3228: Ms. SHEA-PORTER.

H.R. 3236: Mr. WELCH, Mr. MARCHANT, Ms. JENKINS of Kansas, and Mr. ABRAHAM.

H.R. 3239: Mr. SWALWELL of California.

H.R. 3254: Ms. CLARK of Massachusetts, Mr. GRIJALVA, and Mr. PETERSON.

H.R. 3255: Mr. SWALWELL of California.

H.R. 3273: Mr. O'ROURKE.

H.R. 3285: Mr. CRIST.

H.J. Res. 51: Mr. YOUNG of Iowa, Ms. BROWNLEY of California, Mr. RATCLIFFE, Mr. KNIGHT, and Ms. CHENEY.

H.J. Res. 107: Mr. BISHOP of Michigan.

H. Con. Res. 28: Mr. DAVIDSON, Mr. DESJARLAIS, Mr. HUIZENGA, and Mr. LAMALFA.

H. Con. Res. 59: Mrs. NAPOLITANO and Ms. ESHOO.	WEBER of Texas, Mr. PITTENGER, Mr. HUIZENGA, Mr. WENSTRUP, and Mrs. NOEM.	H. Res. 446: Mr. CONYERS, Ms. LOFGREN, and Mr. SHERMAN.
H. Res. 15: Mr. MEEKS.	H. Res. 271: Mr. BILIRAKIS.	
H. Res. 88: Mr. PALAZZO.	H. Res. 307: Mr. THOMPSON of Pennsylvania.	H. Res. 449: Mr. CAPUANO, Mr. PAYNE, Mr. THOMAS J. ROONEY of Florida, Ms. FRANKEL of Florida, and Mr. MCGOVERN.
H. Res. 128: Mr. BILIRAKIS, Mrs. TORRES, and Mr. ENGEL.	H. Res. 313: Mr. DONOVAN.	
H. Res. 129: Mr. POLIQUIN, Mr. LAMALFA, Mr. DAVID SCOTT of Georgia, Mr. BABIN, Mr.	H. Res. 353: Mr. CICILLINE.	
	H. Res. 445: Mr. ENGEL, Ms. LEE, and Mr. DUNCAN of South Carolina.	



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 163

WASHINGTON, WEDNESDAY, JULY 19, 2017

No. 122

## 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 God, we bless Your Holy Name. Lead us safely to the refuge of Your choosing, for You desire to give us a future and a hope.

Today, give our Senators the power to do Your will, as they realize more fully that they are Your servants. May they seek Your best for our Nation, repeatedly soliciting Your guidance and following Your leading. Lord, inspire them to not merely give a handout but a hand up, so that people can maximize their possibilities for the glory of Your Name. Give our lawmakers the perseverance and faith to remain true to duty, striving always to please You.

We pray in Your sacred 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. PAUL). Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the Bush nomination, which the clerk will report.

The bill clerk read the nomination of John Kenneth Bush, of Kentucky, to be United States Circuit Judge for the Sixth Circuit.

The PRESIDING OFFICER. Under the previous order, the time until 10:30 a.m. will be equally divided between the two leaders or their designees.

If no one yields time, the time will be charged equally.

RECOGNITION OF THE MAJORITY LEADER  
The majority leader is recognized.

#### HEALTHCARE

Mr. MCCONNELL. Mr. President, ObamaCare was imposed on our country 7 long years ago. It has been hurting the people we represent ever since. Families were supposed to spend less on healthcare costs. They actually paid more. Families were supposed to have more healthcare choices. They ended up with fewer, sometimes none at all.

Worse still, for many years, we had an administration that often waived away the concerns of middle-class families who were hurting. Today, we thankfully have an administration that has chosen instead to listen and agrees with us that Americans deserve a lot better.

I appreciate the efforts of the administration at every step of the process to move beyond the failures of ObamaCare. The President, the Vice President, Secretary Price, Administrator Verma, so many others—we thank them for all the work they have done so far. We look forward to continuing these collaborative efforts when we travel to the White House later today because we have a very important task before us.

As I announced last evening, after consulting with both the White House

and our Members, we have decided to hold a vote to open debate on ObamaCare repeal early next week. The ObamaCare repeal legislation will ensure a stable 2-year transition period, which will allow us to wipe the slate clean and start over with real patient-centered healthcare reform. This is the same legislation that a majority of the Senate voted to send to the President in 2015. Now we thankfully have a President in office who will sign it, so we should send it to him.

Mr. President, today the Senate will vote to move forward on the nomination of John Bush, of Kentucky, to serve as a judge on the Sixth Circuit Court of Appeals.

As I said when I introduced Mr. Bush to the Judiciary Committee, I am pleased to join the bipartisan chorus of voices supporting his nomination. More than 100 lawyers and law professors from around the country have written in support of his nomination. Nearly one-third of those supporters are Democrats. They laud Mr. Bush's "excellence, professionalism, and leadership in the legal profession." They also note his "capacity to approach issues with an open mind and to respectfully consider the viewpoints of others."

In addition, some of his supporters from across the ideological spectrum and from around the country who have known Mr. Bush for decades have written separately to underscore their support for his nomination. They are confident he understands the role of a judge, which is to fairly consider the arguments of both sides in a case and then to decide that case based on the law and nothing else. Indeed, it is precisely because of his firm belief in the rule of law that they strongly support his nomination, despite the fact that he and they may hold different political and policy views.

As an illustration, I think we can all agree it is not common for current or former leaders of Planned Parenthood

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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to praise judicial nominees of Republican Presidents, just as it is not common for me to quote leaders of that organization.

More than one has praised the President's nomination of John Bush because of his fairness, thoughtfulness, and respect for the views of others, regardless of his personal opinions. For instance, Christie Moore is on the board of directors of Planned Parenthood of Indiana and Kentucky. She has practiced law with Mr. Bush for nearly two decades. She is "confident" that "he will follow the rule of law regardless of his personal or political opinions. In my experience, John naturally approaches issues with an open mind and has always been respectful of differing viewpoints. In fact, I am a living example of John's ability to seek out and respect differing viewpoints and opinions. John and I come from opposite ends of the political spectrum—I am a life-long registered Democrat and proudly approach life and politics as a Democrat. Yet John and I have practiced closely together and enjoy a strong and respectful relationship."

She concludes: "I can personally attest John is a consummate professional, and I believe he will be a tremendous asset to the federal court of appeals."

Her law firm colleague, Janet Jakubowicz, similarly explains why Mr. Bush will do an outstanding job on the Sixth Circuit. She states that he "has shown himself to have both the legal ability and temperament to be an outstanding judge."

She writes it is precisely because she is a "long time registered Democrat" that she can say "with extreme confidence" that John Bush "approaches issues with an open mind and has always been respectful of differing viewpoints" and that he will make decisions on the bench "in the same manner, and follow the rule of law regardless of his personal or political opinions."

Sheryl Snyder, also from my hometown, notes that he and Mr. Bush "come from different political parties and have different perspectives on many political issues." Mr. Snyder says that he is "a Member of the American Civil Liberties Union, and not the Federalist Society." Nevertheless, he has "every confidence that as a Court of Appeals Judge, John will scrupulously follow the law and apply precedent." He notes that Mr. Bush is "well known . . . as an experienced, capable, ethical litigator" and that "his knowledge of the law is unquestioned."

Praise for Mr. Bush is not confined to those from the Commonwealth of Kentucky, however. Ted Boutros, Jr. practices law in Los Angeles. Among other matters, Mr. Boutros represented the plaintiffs in their challenge to California's Proposition 8. He has known John Bush for a quarter century. He writes that "while we come from different political parties . . . I am certain John will make an ab-

solutely superb Circuit Judge. He is an extraordinary lawyer and an exceptionally fair, decent, and honest person. I have every confidence that as a judge, John will scrupulously follow the law and Constitution and precedent."

Mr. Bush has received numerous professional awards. For instance, the Best Lawyers in America named him the "Louisville Litigation-Antitrust Lawyer of the Year in 2017," this year. Last year, the same organization recognized him as the "Louisville Appellate Practice Lawyer of the Year." He has been included on the Kentucky Super Lawyers list every year for the last decade.

Beginning in 2012, the Sixth Circuit appointed him to serve on its advisory committee on rules, in recognition of his in-depth knowledge of the court's practice and procedure.

In sum, as evidenced by the impressive testimonials of those who actually know him, John Bush is a man of integrity and considerable ability. He will do an outstanding job on the Sixth Circuit.

**THE PRESIDING OFFICER.** The Senator from Illinois.

**Mr. DURBIN.** Mr. President, I rise in open opposition to the nomination of John Bush, nominated to serve a lifetime appointment on the Sixth Circuit Court of Appeals.

The Federal courts of appeal have a significant impact on the lives of many Americans. Because the Supreme Court only reviews a limited number of cases each year, decisions by the circuit courts represent the final word on thousands of legal matters that involve a host of important issues.

The Senate has to take very seriously its obligation to consider candidates for these important courts. We have to make sure they have the qualifications, the temperament, and the judgment to serve for the rest of their lives. Based on Mr. Bush's record and his testimony before the Judiciary Committee, I believe he falls short of this standard.

Over the course of his legal career, Mr. Bush has made dozens of provocative comments, casting serious doubt on his temperament, his judgment, his impartiality, and his ability to serve as a fair and impartial judge.

Consider the following things that this nominee has said or done:

In 2008, Mr. Bush compared abortion to slavery, writing in an anonymous blog, I might add, that "the two greatest tragedies in our country—slavery and abortion—relied on similar reasoning and activist justices at the U.S. Supreme Court, first in the Dred Scott decision and later in Roe."

Senator FEINSTEIN and I decided to ask Mr. Bush to explain this statement at his hearing. He did not disavow the comparison he made in this anonymous blog. Here is what he said instead. He claimed that he had referred to Roe v. Wade as a tragedy "in the sense that it divided our country."

I asked Mr. Bush to explain his logic, asking whether he would characterize

Brown v. Board of Education as a case that divided our country. He answered: "I wasn't alive at the time of Brown, but I don't think it did."

That is an incredible statement made by a man who seeks to serve on a Federal circuit court for the rest of his life. His logic and his historical analogy have fallen apart. There is no dispute that Brown v. Board of Education, which ended up in the official desegregation of public schools across America, was a landmark Supreme Court decision that deemed racial segregation unconstitutional and, as a result, led to controversy and division across the United States.

I can't believe a man from Kentucky, a border State—a neighboring state of my State of Illinois—could not measure the impact of Brown v. Board of Education and whether it divided our country. That, to me, is incredible. The reason, of course, he didn't is because he didn't want to concede, quite obviously, that he was just opposed to a woman's right to choose, and this was a rationalization for this position.

There were many other instances in which Mr. Bush expressed provocative and troubling views. He wrote that public financing of election campaigns is "constitutionally dubious" and "runs afoul of constitutional guarantees by forcing taxpayers to subsidize candidates' political speech and contravention of those taxpayers' First Amendment rights."

This is a view which is hard to understand because it contradicts decades of Supreme Court precedent. Mr. Bush, seeking this opportunity to serve for the rest of his life on a Federal court, has now questioned a Supreme Court precedent which has been on the books for years.

He gave a speech where, sadly, he made an anti-gay slur about the town of Louisville, KY. He wrote blog posts supporting the nomination of a voter suppression advocate Hans von Spakovsky to the Federal Election Commission. In response to a written question I sent to him, he refused to disavow President Trump's claim that 3 to 5 million people voted illegally in 2016. He said it was "the subject of political debate." That assertion by the President has been rejected and discredited by every objective person who has been challenged but not by Mr. Bush, who seeks this lifetime appointment to the court.

Mr. Bush wrote blog posts that repeatedly placed the terms global warming and climate change in quotes, insinuating they did not exist.

He described then-House Speaker PELOSI as "Mama Pelosi" and wrote that someone should "gag the House speaker."

He posted articles from right wing websites, speculating that former President Barack Obama was born in Kenya.

He wrote in a blog post during the 2016 Republican National Convention, "Time to roll with Trump."



The list of comments goes on and on. On a range of policies and legal issues, Mr. Bush has already made crystal clear where he stands.

At his hearing, Mr. Bush asked the Judiciary Committee to trust that he could completely set aside everything I have read into the RECORD this morning; that he can walk away from his personal views if he is confirmed to serve on the circuit court. Unfortunately, he has given us little reason to trust that assurance. He has no judicial experience demonstrating that he could be impartial. He spent his entire career in private practice.

At his hearing before the Judiciary Committee, Mr. Bush was asked by Senator TILLIS, a Republican Senator: "Do you think that impartiality is an aspiration or an absolute expectation?"

Mr. Bush responded: "It is an aspiration. I will do my best to be impartial."

In other words, Mr. Bush claims that he will try to be impartial but that the Senate shouldn't expect that he will be completely successful.

Here is what Senator TILLIS, my Republican colleague, then said in reply: "I actually have a concern with someone who thinks impartiality is an aspiration. I think it is an expectation."

I agree with Senator TILLIS.

I believe Mr. Bush's failure to commit to impartiality disqualifies him from this lifetime position.

Mr. Bush's views are far outside the judicial mainstream. He provided no evidence that he could set aside his views if confirmed.

I understand that Mr. Bush does check many of the boxes we have seen for recent nominees from this administration. Most important and absolutely essential to his nomination is the fact that he is a longtime member of the Federalist Society.

The Federalist Society describes itself as "a group of conservatives and libertarians dedicated to reforming the current legal order." The Federalist Society is funded by big money, right-wing interests like the Koch brothers, the Chamber of Commerce, and the Ed Uihlein Family Foundation. This is the group President Trump personally thanked for selecting his list of Supreme Court nominee finalists. So far this year, every Trump judicial nominee who has had a hearing before our Senate Judiciary Committee has been a Federalist Society member. Coincidence? I don't think so.

I urge my Republican colleagues not to let the Federalist Society serve as the selection committee—the secret handshake—to become a Federal judge for life in the United States of America. We want a Federal bench that welcomes independent and impartial thinkers. Mr. Bush's Federalist Society membership shouldn't be his ticket to the Federal bench.

In conclusion, this vote, when it comes to his nomination, is really not a close call. It is clear that Mr. Bush has friends in high places, but he has

demonstrated a temperament and a judgment which we should not put in a lifetime position on the Federal court of appeals. I urge my colleagues to oppose his nomination.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COTTON). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

HEALTHCARE

Mr. SCHUMER. Mr. President, according to the majority leader, there will not be a vote on the motion to proceed to the healthcare bill until next week. In the time between now and then, my Republican friends have a choice to make about how they want to move forward on what looks like will be a failed vote.

Do they want to take the path of President Trump, who yesterday said that he wanted our healthcare system to fail, or do they want to work with Democrats on legislation to improve the law? It is that simple.

We Democrats know the Affordable Care Act isn't perfect, and we propose specific legislation that could pass right now to stabilize marketplaces and lower premiums for Americans across the country. These proposals are specific, nonideological, and could pass quickly and make life better for millions of Americans. A decent number of Republican Governors and even Senators have said that these are the kinds of proposals we need.

Here they are:

First, we have proposed a bill by Senator SHAHEEN that would guarantee the premium reduction payments that insurers say is the No. 1 thing we could do right now to stabilize the individual marketplace.

Second, we have proposed a bill by Senators CARPER and KAINE that would create a reinsurance program for the individual health insurance market, again, aimed at stabilizing the marketplaces.

Third, we have proposed a bill by Senator MCCASKILL that would enable any American living in a bare county—that is, a bare county that lacks health insurers—to purchase the same insurance we get here in Congress.

All three of these would stabilize the markets and help to prevent premiums from going up further and coverage from decreasing. They address the actual issues in our healthcare system. I have mentioned they are not ideological and exactly the kind of legislation we could work on together. If our intent is to make things better, this is something we can come together on—all three of these proposals. They address the actual issues that we have

and should be something we can do together immediately.

The Republican approach—decimating Medicaid to give a tax break to the wealthy—doesn't solve any of the problems Republicans claim to be so worried about: high premiums, high deductibles, bare counties. In fact, by most objective reports, it makes them worse. The CBO said that under each version of the Republican plan, premiums would go up on many Americans, deductibles and copays would go up, there would be even more bare counties than there are today, and tens of millions would lose insurance.

Repealing the healthcare law without any replacement is even worse. It would cause our healthcare system to implode, creating chaos. Millions more would lose insurance, and for millions more than that coverage would be diminished, all of which is even worse than under the Republican bill.

I hope my colleagues will join with us in working on these three nonideological, practical problem solvers that will reduce premiums and make healthcare better for many, many Americans. Again, many Republicans have spoken favorably of these ideas, and I hope we will go forward.

The worry I have is that our Republican colleagues follow the policies of President Trump. President Trump's promise to let our healthcare system collapse is just mind-boggling. It is hard to believe he could say something like that.

President Trump's promise to let our healthcare system collapse is so, so wrong on three counts: It is a failure morally, it is a failure politically, and it is a remarkable failure of Presidential leadership.

First, the President's position is a moral failure. It is morally wrong to intentionally undermine the healthcare system in this country, using Americans as political pawns in a cynical game. It is morally wrong to play a political game with healthcare in this country. There is no religious teaching or moral precept that could advocate such a cynical ploy.

The President didn't say that he wanted the system to change in a way to make it better. He said: I have lost, and I am going to make things worse for everyone to show you that I should have won. As I said, that is a moral failure that none of our religious leaders of any of the great religions would ever, ever accept, nor will the American people.

Second, saying "I am not going to own it" will not work politically. The President is the President. He is in charge. Americans look to him for leadership. They know that Republicans control both branches of Congress and the White House. They know they are in charge.

Earlier this year, the Kaiser Family Foundation found that two-thirds of Americans would blame President Trump and congressional Republicans for the future problems in our

healthcare system. Just as they blamed President Obama when he was in charge, they are going to blame President Trump while he is in charge. He is tweeting away that someone else is to blame when he is in charge, which will not work politically, particularly when it comes to something as near and dear to Americans as healthcare—God's great gift to us, life itself.

It just will not work to say that Democrats are to blame. Believe me, we are not going to stand idly by and shrug our shoulders when American people are suffering because the President is sabotaging our healthcare system for political purposes. We are going to point it out, and the spotlight will be on those whom the American people in November put in charge.

Elections do have consequences, and one of the consequences, Mr. President, one of the consequences, Mr. Trump, is that you are in charge. You have to make things better, not simply point fingers and tweet.

Finally, the President's position is an astonishing failure of Presidential leadership. His own party has failed to pass a bill—his own party, which controls both Houses of Congress, his own party, which has used special rules designed to exclude Democrats from the beginning. President Trump blames Democrats and threatens to hold our Nation's healthcare system hostage out of pique—out of pique.

The President was being petty; the President was being small; the President was not Presidential at all. The President would rather throw up his hands than roll up his sleeves and get to work. He would rather cast blame and point fingers than even try to work with Democrats to make the healthcare system better. That is not what Presidents do. It shows a tremendous lack of leadership. The American people want their President to lead. The American people, when there is a problem, want the President to fix it. The American people know that, when facing a defeatist President, you don't just sit in the corner and pout and get angry. You go on from there and try to make things better, as I hope my colleagues on the other side of the aisle will do. Some of them have indicated they will.

Let's recall another President—President Truman. President Truman famously said: "The buck stops here." He was admired for it. This President's words, shirking responsibility and casting blame, were exactly the opposite of President Truman's. "The buck stops here" made President Truman look tall. President Trump's blame game makes him look small and diminished, and people will begin to totally realize his lack of leadership, and respect for him and the office will diminish.

The President should rise to the incredible responsibility of the office, not quit and take the ball home every time the game isn't going the way he likes. The President of the United States, for better or for worse, is responsible for

the healthcare of the country, for the healthcare of Americans who voted for him and for Americans who voted against him. He took an oath to faithfully execute the laws of this country, not just the ones he likes.

There is no ducking responsibility as President. The buck stops with you, President Trump.

So if the procedural votes fail next week, I sincerely hope that my Republican friends here in Congress reject the premise of the President to let our healthcare system collapse and hurt millions. Instead, I hope they work with us in the areas I mentioned and many others to do what is right for the American people.

Mr. President, a brief word on the circuit court nominee on whom we will be voting for cloture soon. The nominee, Judge Bush, in my view, is not fit for the austere office of circuit court judge. He has made some extremely troubling comments about the rights of women and the rights of the LGBTQ community. He has employed anti-gay slurs in his speeches and writings. He has disparaged a woman's right to choose, drawing an offensive and false moral equivalency between choice and slavery. How can my Republican friends vote to elevate to the Sixth Circuit a man who has said things like this?

He clearly lacks the temperament required of a circuit court judge, and I urge all of my colleagues to vote no on cloture and no on the nomination.

Thank you, Mr. President.

I yield the floor.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of John Kenneth Bush, of Kentucky, to be United States Circuit Judge for the Sixth Circuit.

Dan Sullivan, John Barrasso, John Cornyn, Orrin G. Hatch, Ron Johnson, Chuck Grassley, Tom Cotton, Richard Burr, James Lankford, Lamar Alexander, John Kennedy, Cory Gardner, James M. Inhofe, Michael B. Enzi, John Thune, Todd Young, Mitch McConnell.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of John Kenneth Bush, of Kentucky, to be United States Circuit Judge for the Sixth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The PRESIDING OFFICER. Are there any other Senators in the chamber desiring to vote?

The yeas and nays resulted—yeas 51, nays 48, as follows:

[Rollcall Vote No. 163 Ex.]

#### YEAS—51

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

#### NAYS—48

Baldwin	Gillibrand	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Inhofe	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Stabenow
Coons	Leahy	Tester
Cortez Masto	Manchin	Udall
Donnelly	Markey	Van Hollen
Duckworth	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Murphy	Wyden

#### NOT VOTING—1

McCain

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 48.

The motion is agreed to.

The majority leader.

#### ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate recess from 1:45 p.m. until 4 p.m.; further, that all time during morning business, recess, adjournment, and leader remarks count postcloture on the nomination.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Ohio.

Mr. BROWN. Mr. President, today's vote to move forward the President's nominee to join the Sixth Circuit Court of Appeals is a new low. It is a new low that sets a dangerous standard for judges who have power to make critical decisions that impact the everyday lives of the people we serve.

John Bush has a clear record—think about it. He is going to be a judge if this place moves forward tomorrow. John Bush has a clear record of promoting bigotry and discrimination that have no place in our courts. We can't let this nomination slide through this body.

Mr. Bush advocated to the U.S. Supreme Court that women should be barred from attending our military institutions—in this case, Virginia Military Institute. Think about that. There are people in this body who just voted on the motion to proceed—a very small majority that passed this—they are

voting for a judge who says to the Supreme Court that women should be barred from attending military institutions like VMI. He went so far as to call the legal standard allowing women to attend “destructive.” And we are going to put him on the court? That wasn’t 1950. That wasn’t 1960. That wasn’t in the 1970s. That wasn’t even in the 1980s. It was in the 1990s when he said that. Luckily, our Nation’s Supreme Court disagreed with Bush’s retrograde and sexist opinion by a vote of 7 to 1.

But, alas, Bush wasn’t deterred. To this day, he is still a member of an organization that doesn’t allow women to join. He has been a member of groups that have a history of barring Jews and African Americans. Maybe we see some signs of that at the White House, but we shouldn’t be affirming that on the Senate floor. One of these groups actually changed its street address after the city of Louisville renamed the street where the front entrance sits for the boxing legend Muhammad Ali. Think about that.

Senator MCCONNELL himself resigned from that same organization because, according to the Lexington Herald-Leader, the majority leader said he “thought it was no longer appropriate to belong to a club that discriminated, and my impression was that the club did.” But we are bringing to the floor a vote for a judge who still belongs.

Leader MCCONNELL went on to reference a commonly accepted Senate standard that Federal judges should not belong to discriminatory organizations, saying: “I thought if it was inappropriate for a federal judge to belong to an all-white club, it certainly was something a United States Senator shouldn’t do.”

So I guess the logic here is that Senators shouldn’t belong to a Whites-only club, but Senators should vote for Federal judges who can belong to a Whites-only club.

I agree with Senator MCCONNELL that a Senator shouldn’t belong, but no Federal judge should belong to a group with a history of discrimination, especially a recent history of discrimination.

Bush regularly contributed to a conservative blog using a fake name. There he advocated extreme political views on issues, including healthcare, campaign finance, LGBT rights, climate change—all critical issues that come before this court, the Sixth Circuit serving Michigan, Ohio, Kentucky, and Tennessee. He even cited White supremacist sources. We are going to vote for this man? He even cited White supremacist sources that pushed the conspiracy theory that President Obama was not born in the United States.

I know the President of the United States—the man who sits in the White House—also subscribed to those birther theories, and only late in his campaign did he say: Well, I do, in fact, believe that the President was born in the

United States. He, at least—the President of the United States, the sitting President, then-Candidate Trump—at least finally retracted that. Mr. Bush seems to continue to say that President Obama wasn’t born in the United States and cited those White supremacy theorists who pushed that conspiracy theory.

He has expressed hostility toward women’s rights to make their own personal, private healthcare decisions. In a 2005 public speech—again, not in 1965 or 1975 or 1985, but in a 2005 public speech, he cavalierly repeated a hateful homophobic slur. I would repeat it, but I don’t think it is proper to use that language on the floor of the Senate. I also don’t think it is proper to vote for a nominee to be a judge who feels cavalierly that he can use that term. He said Speaker of the House NANCY PELOSI should be gagged. He has attacked Senator TED CRUZ, our colleague in this body.

Everyone is entitled to free speech, obviously, even if they choose to do it under a fake name. And Mr. Bush is entitled to his political opinions, no matter how offensive. I, of course, defend his right to say whatever he wants. I think others do too. But those opinions have no place in a Federal court whose job it is to interpret the law fairly and impartially.

Can Mr. Bush be trusted to put aside his personal views when considering the law? Even according to his own words, he can’t. At Mr. Bush’s hearing, my friend from North Carolina, Senator TILLIS, asked Mr. Bush if judicial impartiality is “an aspiration or an absolute expectation.” Bush responded that impartiality is an aspiration—so, in other words, not an expectation. He doesn’t think he needs to be an impartial judge; he just needs to be able to say that he tried.

To administer the law fairly and impartially is the No. 1 job of a judge. The ability to do so is the most basic qualification for the job. Judicial impartiality is a principle of democracy and the backbone of our government. It is the reason African Americans and women can vote, that segregation is part of the past, and that marriage inequality is part of the past.

I saw dozens of Democrats and Republicans last night at the Library of Congress listen to the words of Taylor Branch, perhaps the most noted historian of the civil rights movement, in an interview speaking to us about Dr. King having one foot in the Scriptures and one foot in the Constitution as he advanced and advocated for civil rights. We know what that means for our country. Last night, I saw Republicans and Democrats coming together and celebrating that. Then today on the Senate floor, we are voting for somebody like Mr. Bush, who eschews all of those values we hold dear as a country.

The courts are the reason that women can now attend the Virginia Military Institute. It is the difference

between upholding and oppressing the rights of the people we serve.

Think about this: The Obergefell decision—*Obergefell v. Hodges* in Ohio—was the decision that guaranteed the right to marriage equality. It came out of the Southern District of Ohio and was initially appealed to the Sixth Circuit in Cincinnati. Imagine if a man who boldly repeated homophobic slurs had heard the Obergefell appeal. Think about that. He thinks it is very acceptable in public to make speeches and use homophobic slurs, and he is now sitting on the court bench making decisions about this.

Imagine if today an LGBT Ohioan or a Michigander or someone from Senator MCCONNELL’s home State or Senator ALEXANDER’s home State of Tennessee—if they faced this man, could they be confident that their case would be decided fairly and impartially and that justice would be served? Could we be confident that it would when we have a man who will stand up at an event in a big city, the largest city in Kentucky, and engage in homophobic slurs?

I have heard from both African Americans and Jewish Americans who are absolutely outraged at this nomination, partly because he is unfit to serve and partly because now, as Senator WHITEHOUSE, my friend from Rhode Island, who has one of the best judicial minds in this body, has said, if we confirm Bush, it is going to lower the bar in the future to where it is OK to engage in racist talk or homophobic or misogynist talk; it is OK because Judge Bush did, and he is sitting on the Sixth Circuit, so why not bring some more forward? Is that the standard, that your votes today—the 51 Members of this body who voted for cloture—is that the standard you want to set for the future?

Organizations with a history of fighting for justice and equality have written to me opposing this nomination, including the Human Rights Campaign, the NAACP Legal Defense and Educational Fund, the National Council of Jewish Women, the Leadership Conference, and on and on and on.

We have a responsibility to hold judges to the highest standard. The job demands it. The people we serve—the people whose lives can be forever changed by the decisions these judges make—deserve it. We cannot allow the bar to be lowered for what is considered acceptable behavior by members of the Federal bench because as this bar is lowered, the faith of citizens in the courts and in this body falls along with it. That is the tone we are setting. That is the precedent we are setting.

I am not a lawyer. A lot of my colleagues who voted for John Bush to be confirmed are lawyers. They understand what precedent means. They understand what political precedent means in this body. I don’t think they want that bar lowered because they know that if we do, as I said, the faith of citizens in the courts and in this body falls along with it.

I hope my colleagues join me in opposing Mr. Bush and show the American people that the Senate still has high expectations and that we still stand for decency and impartiality in our Federal judiciary.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SULLIVAN). The clerk will call the roll.

The 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, we are grinding the wheels here in Washington, DC, in the Senate very slowly, too slowly, when it comes to confirming the President's nominees, first to the Cabinet and now to the sub-Cabinet positions.

When the American people elected President Trump on November 8, they knew they were electing not just one person but also his full executive branch team, most certainly when it comes to filling vital national security positions like those in the Department of Defense. But because of unprecedented delay and obstruction from our Democratic colleagues, at the current pace, it would take more than 11 years to fully staff the executive branch—and to what end? Do our Democratic colleagues object to the qualifications of these nominees? Well, the answer is, by and large, no. Most of these nominees have sailed through the relevant committees, and some were even nominated by President Obama, but that doesn't do anything to expedite the confirmation process. So I can only be left to conclude that our Democratic friends are just trying to make it more difficult for President Trump to do his job and, in the process, make it harder for us in the Senate to do ours.

On Monday, we voted to end the filibuster of Patrick Shanahan, the nominee for Deputy Defense Secretary at the Department of Defense. Thankfully, we voted to confirm him, but he was confirmed by a vote of 92 to 7, so there wasn't any good-faith disagreement about his qualifications. There wasn't any real doubt about whether he would be confirmed, but our friends across the aisle insisted on burning as much time as possible, using every procedural objection they could in order to delay it. This is the same person who passed out of the Armed Services Committee by unanimous voice vote, essentially by unanimous consent.

Well, if there is one thing that is indispensable in the Federal Government, it is our national security. The Department of Defense has been facing a critical shortfall in leadership, which is dangerous to the Nation, especially while we are engaged in such a vast array of conflicts around the world. We have seen only 6 of President Trump's 22 nominations confirmed, and by drastically delaying this process, our

Democratic colleagues are promoting not only the waste of taxpayer dollars, but they are putting lives at risk. I recently talked to the commander of a cyber unit who said that it took months for recently appropriated money to make its way out to his unit. In the meantime, he had to make personnel cuts and forgo investing in resources that would strengthen our cyber defenses, all because we couldn't get administrative positions filled at the Pentagon. The type of drastic action this particular commander was forced to take is not unique. It is reprehensible that anyone would play politics and delay for delay's sake, especially when considering the nomination of a person who directly impacts the training and readiness of our troops.

Of the 197 nominations to agencies made by the President so far, the Senate has confirmed only 48. Additionally, the Senate has confirmed only 2 of the 22 judicial nominations. This is one reason the majority leader said that we are going to spend a couple more weeks during the August recess to be here, working to get our work done. I have already heard from some of our Democratic colleagues saying: Why would the majority leader make that decision? I said: All you need to do is look in the mirror and ask that question of the Democratic leader, who is leading this unprecedented effort in obstructing and slow-walking these nominations. I suspect that they are going to come forward and say: Well, let's play nice now. Let's make a deal.

The Department of Justice, for example, has only 3 out of 19 nominations confirmed. This is the Department of Justice. The Department of Health and Human Services—by the way, we have been talking a lot about healthcare. Wouldn't you think we need a full complement of nominees confirmed there? But only 3 out of 11 have been confirmed there.

In November, when the people elected President Trump, they wanted him, certainly by implication, to appoint a Cabinet of qualified individuals to help guide our country and carry out the tasks and policies of the administration. I am left with the unfortunate conclusion that, really, what this is designed to do is to not accept the verdict of the voters on November 8 but to continue to obstruct this President and the executive branch by any means available in order to try to make his job harder. The problem with that is it hurts the American people. It wastes taxpayer money. It makes our country and the world more dangerous, especially when his national security nominees are not considered and not confirmed. So it really does represent, to my experience, an unprecedented unwillingness to accept the outcome of the election, and it shows contempt, I believe, for the will of the American people when it came to the election on November 8.

It is easy to call this what it really is. It is an unwillingness to accept the

outcome of the election, further poisoning the already toxic atmosphere here in Washington, DC, and it doesn't need to be that way. In my experience, even after tough elections, people on both sides of the aisle would generally accept the outcome. I don't know what the alternative might be but to accept the outcome and then try to work together in the best interest of the American people, try to find those areas where we do agree—we don't agree on everything, but there are areas where we do agree—and to move forward and make progress. That doesn't seem to be happening today, and it is too bad. It is unfortunate.

To put this in perspective, there were only eight cloture votes of President Obama's nominees by his first August recess in 2008. For everybody's concern, the term "cloture votes" basically means invoking all of the procedures to delay things and make it harder to confirm nominees. Only eight times was that used when President Obama was President. By the time we reach the August recess this year, we will have had over three times as many cloture votes; that is, unnecessary obstacles placed in the way of timely confirmation of President Trump's nominees, making us jump through more hoops. It is delay for delay's sake. I believe this strategy—and it is a strategy—is simply unconscionable and that the time-consuming parliamentary procedures and slow-walking and needless gridlock advance no interest of the American people.

I can only hope people will change in the way they approach this. Maybe if they hear from their constituents, maybe if the stories are written about it or people hear about it on the news, they will call their elected representatives and say: The election is over. Accept the outcome and try to work together in the best interest of the American people. I think that is what our constituents expect of us.

So this week we will press forward with two important nominations, John Bush to be U.S. circuit judge for the Sixth Circuit and David Bernhardt to be Deputy Secretary of the Interior. These are two additional, highly qualified individuals who are seriously needed in their respective roles, but it shouldn't take a whole week to confirm three nominees. That is what it takes now, given the obstruction and foot-dragging on the other side.

I would urge our colleagues to end their political gamesmanship for the benefit of our country and for the American people so we can move forward doing the people's business.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURR). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

## HEALTHCARE

Mr. MERKLEY. Mr. President, the most important three words in our Constitution are the first three—"We the People"—the mission statement for our Nation, laid out in supersized font so that no one would forget what this document, our Constitution, is all about. Our Founders did not start out by writing "We the privileged." They did not call for a document or a form of government for "We the powerful." Indeed, they wanted to make clear that the structure of the government they were founding would be very different from those in Europe that functioned for the privileged and the powerful.

As President Lincoln summarized, we are a Nation of the people, by the people, and for the people. That is the vision. That is the vision that I have been coming to the floor and talking about for the last year and a half—about the importance of a government that responds to the issues that affect the citizens across this country, that listens to the people of this Nation.

It was President Jefferson who said that the mother principle of the United States is that we have a government within which each citizen has an equal voice. Admittedly, we had some deep flaws that had to be corrected in order to reach that objective, but that vision of each citizen's having an equal voice was the only way that the government would reflect the will of the people and make decisions that would reflect the will of the people. Of course, it is hard to hold onto that vision because the powerful and the privileged do not like that vision. They want a government that is of, by, and for the powerful and the privileged, not of, by, and for the people.

The history of the United States is one battle after another of decisions that make a foundation for families to thrive in the United States of America and decisions that raid the National Treasury for the benefit of the rich. We see that battle time and time and time again, and we have seen it very recently in this battle over healthcare. Today, I come to the floor to say that the people of the United States have had an incredible victory—a resounding victory—over those who were championing government by and for the privileged and the powerful.

It is really all about this bill, this TrumpCare bill, which originated in the House of Representatives. It proceeded to throw millions off of insurance—more than 20 million people off of insurance—in order to give tax breaks to the richest Americans. What did the House's bill do? The House's bill said that we will give to the 400 richest Americans \$33 billion—not \$33,000, not \$33 million—and rip healthcare away from millions of Americans in order to pay for those kinds of tax breaks for the richest. In fact, just those tax breaks for the richest 400 Americans would have paid for 700,000 Americans to have had Medicaid, which is basic healthcare insur-

ance. That would have been enough to have covered the States of Arkansas, West Virginia, Nevada, and Alaska all put together.

Then we saw the House's bill come over here to the Senate, and the Senate set up a group of the secret 13. Is there anything more opposite of "we the people" than the secret 13 Senators meeting in the halls of this building and particularly choosing a room that the press would not be allowed into? They did not want to be seen entering the room or leaving the room. That is how secretive it was. That is how embarrassed they were about the possibility of having the American people see what they were crafting. Then they came forward with the Senate's version of the bill.

Now, of the House's version, the President of the United States of America called it mean, and he called it heartless, but the Senate's version did not end up being much different than the House's version—the Senate's version that would proceed to throw more than 20 million people off of healthcare, as well, the Senate's version that, through, maybe, the Congressional Budget Office's analysis, would throw off 1 million fewer over 10 years—22 million instead of 23 million—but 1 million more over the first year, that being 13 million rather than 12 million. It proceeded to constrain basic Medicare—Medicare as it existed before ObamaCare—in such a fashion that, over time, it would put a stranglehold onto Medicaid. Therefore, it was even meaner, if you will. It was even more heartless than the Senate's bill.

Then the secret 13 and its leadership said: We do not want to have the American people see this, so we are not going to give the time in order to have committee hearings on it. We are going to keep it out of the healthcare committee. We are going to keep it out of the Finance Committee because the experts will come, and the American people will see just how terrible, how mean, how heartless this bill is.

We had a zero, zero, zero process—zero days of committee examination, compared to 8 years earlier with the longest committee hearing and markup that lasted 5 weeks in the Health, Education, Labor, and Pensions Committee. We had the second longest committee hearing and markup in Finance 8 years earlier, which was the second longest in history. Again, the Senate's leadership recently said: No exposure in the Finance Committee—zero days in the Finance Committee—zero days in the HELP Committee, and zero months for the Senators to go back and talk to their citizens and talk to their healthcare stakeholders about what this bill would mean.

You know that something is wrong when you have a process that has diverged so dramatically from "we the people." Instead, we had the secret 13 and the zero days of committee examination and the zero days in the Fi-

nance Committee and the zero months to be able to consult with healthcare experts and stakeholders and, most importantly, zero months to be able to hold a dialogue with the citizens back home.

Yet we did hear from the citizens back home. As great as the effort was to hold them at bay—to give them the stiff arm and prevent them from weighing in—they weighed in nonetheless. My office received well over 8,000 phone calls. Of those, they ran 84 to 1, saying stop this diabolical TrumpCare bill. I also received a whole lot of constituent mail, with more than 25,000 people weighing in from Oregon, back home. It ran 36 to 1.

With 84 to 1 and 36 to 1, when do you see such opposition?

Maybe we saw such opposition because the people of the United States wanted to weigh in, knowing that only the powerful special interests were meeting with the secret 13 to design this diabolical bill to rip healthcare from millions of Americans. Maybe that is why so many American citizens weighed in. Thank goodness they did weigh in. They filled our email boxes, and they overflowed our phone systems. They filled the streets often and went to our home States' offices to say that this matters, and it certainly did matter.

Has there ever been a bill in the history of the United States that did more damage to more people than the TrumpCare bill that was proposed here in the U.S. Senate?

One of the things that the citizens of the United States did was to weigh in with their stories with all of us—with all 100 Members of this Chamber. They wanted to let us know how unexpectedly they had been affected by their having a child who had a sudden and dramatic illness or a car accident that had occurred or, suddenly, a family member who had been afflicted with cancer or emphysema or leukemia or multiple sclerosis. The list went on and on and on—real people, real lives, real challenges, real "we the people" input.

I heard from Caroline in Portland, the mother of two young children who wrote to me, sharing her story of raising a child with special needs and the help that the Oregon Health Plan had been to her family—the Oregon Health Plan, Oregon's version of Medicaid—and how terrified she was about not being able to afford healthcare for her child under TrumpCare.

I heard from Leslie, who contacted me about his 3½-year-old daughter Gloria, who suffers from a rare genetic condition that has led her to live with near constant seizures and cystic fibrosis. She needs intensive, around-the-clock care, and she is able to get that care because of a special Medicaid waiver that helps her parents afford it. With TrumpCare, she would have lost that waiver.

I heard from Jay in Eugene, who reached out to share his story about his battle with leukemia and stage IV

colon cancer. He was told he could only expect to live another 3 months, unless he received treatment. That was 2 years ago, and he is alive because he was able to access treatment. He has been able to fight the battle with cancer and fight the battle with leukemia, and he was able to do so because of the insurance he had through ObamaCare—through the Affordable Care Act.

Kerry from Corvallis wrote to me, terrified about all of the members of her family who would be uninsurable if they passed TrumpCare: her husband, because he had a blood clotting disease; her son, who suffers from epilepsy; and her 78-year-old mother, who has Alzheimer's.

That fear of being unable to access healthcare because of a preexisting condition ran through story after story after story, but that is the system we had in the United States of America before we had the Affordable Care Act.

Then, there was a woman from Ashland who asked me not to share her name but wanted her story shared. I will call her Katie. Katie is a single mother who is currently battling cancer—invasive breast cancer and malignant melanoma. This is what she wrote to me:

In simple terms, I will die without treatment and the ongoing care that I have received so far through Oregon Health Plan. As a single parent, I could work 24/7 until my last breath and still my income would not afford me basic healthcare if it were not for the Affordable Care Act.

Katie continued:

With a pre-existing condition I would not be insurable, left to suffer and even to succumb from my illness. Once, this was only a nightmare, but now it is a horrifying reality, too surreal to comprehend. I cannot explain the deep heartache and frustration of the thought of orphaning my son, all due to dying from an illness that could have been treated if I had been insured.

Stories like Katie's and Caroline's and Gloria's keep coming in, day after day, email after email, phone call after phone call—indeed, from individuals at my townhalls. The weekend before last, I held a lot of townhalls and a couple of special healthcare forums and a bunch of Main Street walks in Oregon. Five of those townhalls were in counties that are very red, very Republican, and I lost those counties in my reelection by rates of probably 20 to 40 to 50 percent. But at those townhalls, people came out and said: Please stop TrumpCare.

One out of three individuals in rural Oregon, in Republican Oregon, are on the Oregon Health Plan. They remember that, not so long ago, all they had for a healthcare plan was to say a prayer each night and hope they didn't get sick the next day. They would say a prayer each night and hope they would not be in an accident the next day. That is all the healthcare they had.

Now they are able to get preventive care—preventive care for free. Now they are able to take their children in and get them inoculated. Now they know that, if a loved one in their family becomes ill or injured, that loved

one will get the care they need, and they won't go bankrupt in the process.

That is peace of mind. Isn't that the kind of foundation we want, to enable every family to thrive in America? Shouldn't we consider healthcare to be a basic right, a basic service, that is provided with a healthcare system in a "we the people" nation, not a "we the privileged" nation, where healthcare is only available to those who are rich enough to buy it? That is wealth care. That is not healthcare. It is a healthcare system for "we the powerful" or for the powerful who write the laws that benefit themselves but leave everyone else out in the cold. No, a "we the people" nation has a healthcare system suited to we the people, where we provide streets and we provide public transportation and highways as part of the common infrastructure, where we provide free public schools so that every child has a chance to thrive, and where we provide public healthcare so that every citizen can have the peace of mind that, if their loved one gets sick, they will get the care they need.

But we saw the opposite this year. We saw the House bill that would have thrown 12 million people off of healthcare within a year and 23 million within 10 years. As for the President, weeks after he celebrated with his champagne glasses and his leaders from the House and weeks after he celebrated passage, someone told him what was in the bill, and the President said: Wow, that bill is mean and heartless.

Then we came to the Senate, and the secret 13 met, and what did they craft? A bill that was even meaner and more heartless. Instead of throwing 12 million people off of healthcare in a single year, it threw 13 million people off in a single year, and over 10 years, essentially the same number as the House. It wrote a Medicaid provision that over every subsequent year would have made Medicaid less and less accessible to people who need it.

Well, that ran into a dead end. So the Senate said: Let's recraft something that is better. And what did they do? They threw in the Cruz amendment. What did the Cruz amendment do? It is fake insurance. It is a fake insurance amendment.

Do you remember those days when you would get advertisements for healthcare that said: Pay us \$25 a month, pay us \$50 a month, and we will give you a healthcare policy. Millions of Americans bought those policies, and they thought they had something valuable, until they became sick and went to the doctor. Then they were told: This doesn't cover your doctor's visit, and it doesn't cover your x-ray. It doesn't cover your MRI—that is for sure. It doesn't cover the drugs you need to treat this illness. It doesn't cover a specialist. It doesn't cover hospital care. Oh, and you are pregnant? How wonderful that you are going to have a child, but your healthcare policy—that fake insurance policy that

you bought—doesn't cover maternity care.

Fake insurance for the people of the United States of America is the Cruz amendment that was added as a so-called improvement to the mean and meaner bill already crafted by the secret 13—fake insurance. To make it worse, the fake insurance system means that the healthcare policies that cover essential benefits enter into a death spiral. They become so expensive that people can't afford them. So they don't buy them. As a result, only those who are already ill buy the policies, and that makes the policies even more expensive, and so even fewer buy them.

There it is—the Cruz amendment—fake insurance for the young and healthy, and the destruction of insurance with essential benefits for everyone else, pricing it out of reach. In other words, it is like a bomb going off in the healthcare system to destroy healthcare both for the young and healthy and for the older and the sick and those with preexisting conditions.

So some experts weighed in on this and said how terrible that idea is. This is how destructive this is to the healthcare of Americans. Suddenly, there weren't the votes for the Cruz fake insurance amendment, either.

So now what do we have before us? We have the repeal-and-run plan coming to the floor of the Senate, repealing the exchanges; that is, the healthcare marketplace, where people can use subsidies to be able to buy insurance, enabling individuals who are struggling and working families—working families assembling a number of part-time jobs, often minimum-wage jobs with no benefits—to buy insurance on this marketplace.

By the way, this was the Republican plan for healthcare: Let's bring together a marketplace where people can compare policies and can get subsidies to be able to afford those policies. This was the Republican plan. It came from a far-right Republican think tank. It was championed by a Republican Governor. It was test-run at a State level by a Republican nominee who became the nominee of the Republican Party for President of the United States of America. Call it RomneyCare. Call it the exchange. It was the Republican plan.

But my colleagues now say they don't like their own plan, and they don't like the expansion of Medicaid. They don't like the free preventive conditions. They want to get rid of the possibility of your children staying on your policy until age 26. They want to get rid of the healthcare bill of rights that says that gender is no longer a preexisting condition and you can't discriminate against women because they happen to be women. They want to get rid of the protection you have against policies that have an annual cap, which means, if you get seriously hurt or seriously ill, you don't get covered. They want to get rid of the protection you have that says there can't



be lifetime caps that destroy healthcare, so that if you are seriously sick, then, you not only hit your annual limit, but you hit your lifetime limit and no more care for you. Now you have a preexisting condition, and you can't get a policy anywhere else.

As for that whole set of consumer protections—the healthcare bill of rights—my Republican colleagues want to bring this bill to the floor to destroy that entire set of rights. Then, they say: After we have destroyed all of this—destroyed the expansion of Medicaid, destroyed the funding for our healthcare clinics—somewhere down the road we might figure out a new way to provide healthcare—even though they have had year after year after year after year after year after year. Let's count them all up, from the years when we crafted the ACA—with an incredible amount of Republican input, by the way. There were more than 100 Republican amendments that were adopted. All of those years later, and now what we have is the majority party's Republican plan to simply repeal all of these pieces that have given a healthcare bill of rights to Americans, that have given struggling Americans access to healthcare, and saying: We are just going to wipe it all away and have people return to where we were before, where the only healthcare insurance they had was to say a prayer each night.

That is not acceptable in a “we the people” republic. I know that as citizens across the country weigh in, they are going to say, as they again fill our inboxes and ring up our phones and visit our offices, that this is not acceptable. It is not acceptable to make it impossible for an entrepreneur to leave a big company and found their company because they now have access to healthcare. That is a beautiful thing. We have launched small businesses by the thousands and thousands and thousands because people were able to get healthcare without being at a large company—small businesses that used to have to just struggle to get any sort of coverage.

There have been a lot of battles between we the people and we the powerful over the history of the United States of America—this 241-year history. We have had those who wanted to suppress the ability of workers to organize and ask for a fair share of the wealth they were creating. They wanted to bust the union, but the union worked not only to have better benefits for the workers at the mine or at the mill but to have better work circumstances for all Americans—to have a 5-day workweek, to have an 8-hour workday, to have overtime paid at time and a half, to have safer working conditions, to end the exploitation of children in child labor sweatshops, and to have employer-based health coverage. Again and again, workers organizing in the workplace have fought not only for benefits in that workplace but for benefits for all working Americans.

That is a “we the people” battle against the powerful and privileged who want to squeeze the working people until they have nothing—nothing left.

We have had other “we the people” versus the powerful battles. We had one back in the 1920s, where the powerful said: Let's deregulate everything about the banking system. Let's turn it into a wild casino, and everybody will make a lot of money.

There was massive speculation. The stock market ran up like this, and then it crashed. When it crashed, it destroyed the finances of millions of American working families. It left millions of regular families homeless and destitute. My grandmother lived in a boxcar because of this reckless pursuit of more wealth and deregulation by the powerful and the privileged. Thousands of banks across the country closed. More than 1 million families lost their farms in the first 4 years as loans were called in. More than half of all Americans were impoverished. Ninety percent of children in mining communities were malnourished. All because “we the privileged and powerful” want to crush “we the people.”

But “we the people” surged back. They elected a government that established protection for depositors of accounts in our banks, protection through the Federal Deposit Insurance Corporation. They elected a government that said: Let's regulate and create honesty and integrity in the stock market—the Securities and Exchange Commission—so it is a safe place to invest. We can invest with confidence. They created the Tennessee Valley Authority to provide electricity and modernize the impoverished Tennessee Valley region. They forged Social Security so that for the first time Americans could count on having some income when they retire.

We had another “we the people” versus “we the powerful” battle: the civil rights movement. There were those who wanted to suppress opportunity on the basis of race and on the basis of ethnicity. But “we the people” came together and said: Here in America, it is going to be a land of opportunity for every single individual. No matter your race, no matter your ethnicity, you get a chance to thrive here in the United States of America. The doors cannot be slammed in your face.

That incredible 1964 Civil Rights Act, forged right here in this Chamber where I am speaking at this very moment, was an incredible “we the people” moment.

But it is not a battle we have completely won because still even today in many States across our country doors are legally being slammed in the face of our LGBTQ community. So shouldn't we come back together, pass the Equality Act, and give every single American full opportunity in our country?

Right now, as we come to the conclusion of the healthcare battle between

the privileged and the powerful and the people, we have a chance to step out of the extraordinarily partisan role that the majority in this Chamber has played, treasuring power over healthcare in order to—well, in order to what? What purpose? To what purpose? What mission is being fulfilled? Yes, more desks are on that side of the aisle than this side of the aisle, but shouldn't we be here to solve problems? Shouldn't we work together to make our healthcare system better?

Buried deep within that mean and meaner bill are a couple provisions that would make our healthcare system better. There is reinsurance, which enables a company to go into a new healthcare marketplace and be insured against having a disproportionate share of sick people. That makes a marketplace function. Remember, this was the Republican marketplace plan, and they have a provision deep in their bill that would make that marketplace work better.

The marketplace requires healthcare companies to know how much they are going to get paid. Right now, that is in limbo because President Trump has held up the cost-sharing payments and won't commit to them, so nobody knows how to price their policies. He is driving healthcare companies out of one county after another after another. They are saying: We don't know how to price our policies because we aren't told how much we will be compensated. Well, there is a provision deep within that Republican bill that says: We are going to nail down the cost sharing.

There is another provision in that bill that says we should spend more to take on the opioid epidemic. Let's pull that out.

Let's work together. Let's take the cost-sharing block down and the reinsurance proposal and the funding to take on opiates and other drug addiction across the country, combine them, and we will have something we can do to make our current healthcare system better—and make it better as we work en route to having a healthcare system where simply by virtue of being born an American, you have basic, affordable, quality healthcare. We are a ways from that, from a Medicare for all or a Medicaid for all, but shouldn't we aspire to have that kind of peace of mind rather than the complexity of the system we have now?

At this moment, we have the opportunity to set aside our partisanship and make healthcare work better for our “we the people” Nation, and we should seize that moment.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, today the Senate is considering the nomination of John K. Bush to the Sixth Circuit—someone who should have no place on the Federal bench.

Mr. Bush is one of the most outspoken and blindly ideological judicial nominees I have seen in my time in the Senate. A longtime Republican Party

activist and donor in Kentucky, Mr. Bush is also a political blogger whose incendiary comments are beneath the dignity of the office he aspires to hold. On this blog, Mr. Bush hid behind a secret online identity to denigrate people with crude language and to question the very foundation of our country's legal system. Mr. Bush has been a champion of the racist birther conspiracy about President Obama.

When asked about these posts during his hearing, Mr. Bush appeared to regret that his posts presented problems during his confirmation process and did not demonstrate any remorse for the views he expressed in his blog.

In another post, Mr. Bush equated abortion and slavery, calling them "two of the greatest tragedies in American history."

In *Dred Scott*, which is widely considered to be the worst decision in Supreme Court history, the Court held that African Americans were property, not people, and that they were not entitled to citizenship under our Constitution. The American people rejected this holding in the Civil War and in the constitutional amendments passed in its aftermath.

In contrast, the core holding of *Roe*, as reaffirmed in *Casey*, is the law of the land and based on the Constitution's protections for individuals to make intimate and personal decisions.

Comparing a constitutionally protected right to slavery—a crime against humanity and one of the deepest stains on the moral conscience of this country—is unconscionable. I question how a judge holding this kind of view would rule on any number of cases coming before him that force him to confront his strongly held ideological beliefs.

Mr. Bush made repeated attempts to downplay these outrageous statements and tried to convince us that he would simply follow precedent. Saying "I will follow precedent" should not shield this extreme nominee from legitimate scrutiny of his ideology.

Should he be confirmed, Mr. Bush will likely be presented with cases that provide opportunities to push the precedent envelope. This is particularly evident when examining Mr. Bush's own writings. For example, in a 2008 blog post, he supported statements made by the majority leader, whose campaigns he supported, that judicial appointments could preserve "the anti-abortion agenda." If confirmed, we have every reason to believe that Mr. Bush will take every opportunity to pursue a radical, anti-woman, anti-choice agenda.

Statements like these raise serious questions about whether litigants appearing before potential circuit court judge Bush could trust in the fairness that is the hallmark of our judicial system.

Mr. Bush's inability to understand why his past writings are such a big problem only deepens my concern about his nomination. As a private cit-

izen, Mr. Bush has every right to express his opinions in any way and on any platform he chooses. But he does not have the right to be confirmed to the Federal bench, and he doesn't have the right to demand that we set aside the clear pattern of extremism evident in his writings when considering his lifetime appointment.

There is no question that elections have consequences for who is appointed to be judges and Justices. That is part of our system. With a Republican President and a Republican majority in the Senate, many deeply conservative nominees will be confirmed to the judiciary. But the Senate cannot and must not become a rubberstamp for nominees who do not demonstrate the ability to be fair and impartial in the cases that come before them.

We are reminded every day why fair and impartial judges are so important for our country and for our democracy. Just last week, Judge Derrick Watson from Hawaii tossed out the narrow limits the Trump administration placed on who counts as close family when enforcing the President's discriminatory Muslim ban. Judge Watson's decision shows the importance of ensuring we have Federal judges who understand the rule of law and also have an appreciation for the impact of the court's decisions on ordinary Americans.

Nothing I have heard or read provides any reassurance that the American people can trust that Mr. Bush will put his views aside to render fair and impartial decisions.

I urge my colleagues to oppose his nomination.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, at a time when millions of people nationwide are speaking out and making absolutely clear "no to more attacks on women's health and women's rights and no to the kind of hate and division President Trump sowed on the campaign trail," it is unconscionable that my Republican colleagues are moving now to confirm a circuit court nominee who is so clearly anti-women, anti-choice, and so clearly unqualified and unfit to serve on the bench.

Our Republican colleagues may think that no one is paying close attention to this nomination, that perhaps they will just slip this one through. They are wrong. Today I am here, along with many of my colleagues, to take a stand, to make sure that families know just who President Trump is trying to fill our Nation's court system with and call on Republicans to reject this nomination of John Bush to the Sixth Circuit Court of Appeals.

I consider my decisions about whether to support judicial nominees to be among the most important and consequential choices I make as a Senator. Like Supreme Court Justices, circuit court judges have lifetime appointments. They set legal precedent. They decide on the majority of Federal

cases. They can change and shape the lives of generations to come. So it is a responsibility I do not take lightly.

There are so many troubling aspects of this nominee's record—previous statements, writings, legal views—they should alarm every American, from his views on LGBTQ rights, race, and campaign finance reform, to his vision of the environment and election laws.

I would like to start with one aspect of his record that is especially important to me as a woman, a mother, a grandmother, and a U.S. Senator, and that is what this nomination would mean for women. For nearly a decade, Bush has made countless inflammatory, offensive, and troubling comments on a number of issues important to women. It is not possible to go through them all, and, frankly, most should not be repeated on the Senate floor, but I do want to make clear what kind of nominee this is.

Bush has likened a woman's constitutionally protected right to choose to that of slavery, calling it one of the greatest tragedies in the history of our country. This harmful view is a pattern with Bush. In fact, he consistently uses anti-choice rhetoric, whether he is writing about the right to privacy or other case law.

On top of that, Bush has attacked essential health programs for women and children. For example, he has called the Maternal, Infant, and Early Childhood Home Visiting Program—which helps provide at-risk pregnant women the resources they need to raise healthy children—wasteful.

He has authored an amicus brief advocating for the Virginia Military Institute to continue excluding women from admission, where he stated that there are "different developmental needs of women and men."

Most recently, on his Judiciary Committee questionnaire, he failed to disclose memberships with various organizations that do not admit women, as well as people of color.

I could go on and on, and any of these alone would be enough for me to oppose this nomination. There are a lot more. Along with his views about women, we have learned of a disturbing pattern of hostility toward the LGBTQ community.

In several articles, Bush has praised court decisions that attack LGBTQ rights. He has used anti-LGBTQ slurs in his personal speeches. He has publicly applauded statements made by candidates for office and government officials that oppose marriage equality.

When given an opportunity to explain any of these comments or previous writings during his committee testimony, he was evasive and dodged questions, and he certainly did not apologize or clarify any of those comments.

I don't think I need to go any further, but I hope it is becoming increasingly clear that this is not a normal nominee. This is someone who lacks the qualifications and character and

temperament to be appointed to a lifetime position on the Federal bench.

It is time for President Trump to stop trying to divide our country and use Federal court nominations to push his extreme agenda and undo progress for women and the LGBTQ community.

I will remind my Republican colleagues, we have joined together this year to reject extreme nominees like this before—Andrew Puzder and Mark Green. Those, by the way, were temporary Cabinet positions. This is a lifetime appointment. I hope we do the right thing and reject this nomination.

Before I conclude, it is my understanding that Senate Republicans may attempt to misrepresent Bush's harmful record on women. In case there is any confusion, I would like to read a statement from Planned Parenthood of Indiana and Kentucky on the Bush nomination:

Planned Parenthood of Indiana and Kentucky calls on Sen. Mitch McConnell and Sen. Rand Paul to reject the nomination of John Bush to the Sixth Circuit Court of Appeals.

Bush has demonstrated that he is unqualified for this federal court in upholding fundamental constitutional rights in his writings comparing abortion and slavery, while applauding statements that demonstrate a record of hostility to women and LGBTQ individuals.

Sen. McConnell's statements citing PPINK board members support on the Bush nomination do not reflect the organizational position of the Planned Parenthood affiliate in Kentucky and Indiana and we urge the Senate to reject a nominee that lacks the independence and temperament necessary for a federal judgeship.

Mr. President, I urge our Republican colleagues to make the right choice: to reject this nominee and put in place a person in a court position that is a lifetime appointment, one who all Americans feel will represent them on the bench.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. 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. BLUMENTHAL. Mr. President, I am here to oppose the nomination of John Bush to the U.S. Court of Appeals for the Sixth Circuit.

I have been a member of the Judiciary Committee since I was sworn in as a U.S. Senator 6 years ago. I have participated in dozens of confirmation hearings. Over time, I have become accustomed to hearing nominees attempt to dodge our questions. I have rarely come across a nominee who was as reluctant to respond to my questions as John Bush, and I have rarely felt so unsure and concerned about how a nominee would assume the responsibility of a Federal judgeship if confirmed.

I should emphasize to my colleagues, as well as to the people of Connecticut,

there is no nomination I take more seriously than a Federal judgeship, having been before numerous Federal judges, district court judges, courts of appeals judges, and the U.S. Supreme Court on four cases. Having seen as a law clerk, as well as a practicing lawyer, the enormous impact and profound importance of this position, I take no job more seriously and regard no more steadfastly any responsibility that we have.

Mr. Bush has previously stated that originalism was the "only principled way" to interpret the Constitution. When our ranking member, Senator FEINSTEIN of California, then, very reasonably, asked Mr. Bush if judges should always use originalism to interpret the Constitution, his response was this: "My personal views on constitutional interpretation will be irrelevant if I am fortunate enough to be confirmed to the 6th circuit."

With all due respect to Mr. Bush, I could not disagree more strongly. Asking judicial nominees about how they would approach the task of interpreting the law is extraordinarily relevant to this job. First, judges are not robots. They have views regarding how to interpret statutes and the Constitution. Applying those views is not inconsistent with judicial impartiality, but, especially for a judge on the U.S. court of appeals, those views matter greatly. The American people have a right to know what those views are for an appellate judge, who often cannot simply follow the letter or the exact words of the Constitution or the Supreme Court's interpretation of it. There are all kinds of gaps that may be left and questions that may be unanswered. Circuit court judges are routinely asked to address constitutional questions that the Supreme Court has never addressed or has answered incompletely, and, sometimes, yes, incorrectly. It changes its constitutional view because of a circuit court judge who has the temerity to say that the Supreme Court either hasn't spoken to the issue or, perhaps, has spoken decades ago, at a time when that interpretation of the constitutional law had relevance and correctness, but not now.

To do our job reviewing judicial nominees of the President, we need to know how Mr. Bush plans to do his job. His refusal to answer causes me extraordinary concern, particularly because, in light of his previous comments, I have a pretty good idea how he intends to continue to apply what he believes to be the original philosophy. It is one thing to say forthrightly and honestly: "That's my philosophy originally." It is another to completely dodge the question.

I am pleased to be on the floor today with one of my really great colleagues, Senator FRANKEN, who will speak after me, and to have followed two other extraordinarily distinguished Members of this body, Senators MURRAY and HIRONO, to focus on these concerns regarding Mr. Bush's approach to the

question of women's healthcare and constitutionally guaranteed reproductive rights under the Fourth Amendment.

Let me note at the outset that our Republican colleagues have referred to a letter of support for Mr. Bush from someone who is on the board of the Kentucky Planned Parenthood affiliate. That letter in no way represents the position of the organization as a whole. In fact, the president of Planned Parenthood of Indiana and Kentucky has stated that Mr. Bush "lacks the independence and temperament necessary for a Federal judgeship." That's the position of the President of Planned Parenthood for Indiana and Kentucky: He "lacks the independence and temperament necessary for a federal judgeship." The issue of a woman's right to make decisions about when she becomes pregnant and whether she has an abortion is a constitutionally guaranteed, protected right of every woman, regardless of where she lives and what her background is and any other circumstances. She has that right. I need to know that any person I vote to confirm to the Federal bench will approach cases involving reproductive rights with the utmost care and respect for decades of hard-won precedent.

In coming years, judges will have to determine what constitutes an undue burden—and that is a term of law, "undue burden"—as States continue to pass new laws that try to restrict women's reproductive rights. They will have to probe the boundaries of the Court's Hobby Lobby decision on how religious and reproductive freedoms might conflict. These issues are far from easy, and the Supreme Court has spoken to them in many respects incompletely or unclearly.

So when a nominee will not tell me how he plans to approach constitutional interpretation—even though his record strongly reflects a hostility to reproductive rights—how can I evaluate? How am I to do my job when I don't know how he is going to do his job? How am I supposed to take seriously his pledge to faithfully apply *Roe v. Wade* and related precedent?

All I have left in evaluating the Bush nomination is what he said outside the confirmation process before he was nominated for this position. As many of us know, Mr. Bush was a blogger, authoring hundreds of posts over several years under a pseudonym. I have read his blog. In the words of one of my colleagues, I am not impressed. He once wrote:

The two greatest tragedies in our country—slavery and abortion—relied on similar reasoning and activist justices at the U.S. Supreme Court, first in the *Dred Scott* decision, and later in *Roe*.

Never mind that this statement is absurd on its face. Never mind that the NAACP called it "offensive and dishonest." What concerns me at this moment is how this is the best statement of his views on the constitutionality of

women's reproductive rights that we have heard. In light of that statement, how can we expect anything else from this nominee other than the narrowing of reproductive rights?

Then along with the question of how John Bush might act as a judge comes the question of how the public perceives him. When you search the internet for information about his nomination, here is what you find on his blog: a post suggesting that someone "gag the House Speaker," referring to former House Speaker NANCY PELOSI, not current House Speaker RYAN; two posts suggesting that a reader of the blog from Kenya must somehow be connected to President Obama; a post applauding former Presidential candidate Mike Huckabee's statements that he believes "life begins at conception" and "strongly disagrees" with "the idea of same-sex marriage"; and a whole collection, a menagerie of partisan and inflammatory language—to use some euphemism for what can be found here.

Reporters who covered this nomination have used words like "provocative," "controversial," and "not normal." This nomination is, indeed, not normal. It is different and profound, not in a good way. The *Courier-Journal*, Bush's hometown newspaper, chose this headline for their coverage: "Trump's judicial nominee from Louisville ducks questions about his controversial blog posts." The article went on to quote lawyers describing his answers to Judiciary Committee members as "laughable," "absurd," and "dishonest"—all quotes.

The Judiciary Committee heard from 27 LGBT advocacy organizations and 14 reproductive rights groups, and they told us, in no uncertain terms, "no" to this nominee. I agree with them.

Finally, Mr. Bush wants us to believe that his political views can be separated from his law practice or his prospective service on the court. When asked why he cited unreliable news sources like World Net Daily in his writings, he repeatedly shrugged off the question and declined answering, saying political analysis is different from legal analysis. There is truth to that point. Prior political activity is no disqualification, in and of itself, for serving as a judge, but the importance of public confidence in the judiciary is profound. The confidence of people in the fairness and impartiality of our judges is profoundly important and necessary. The courts have no army. They have no police force of their own. Their rulings are credible and enforceable because of confidence in the fairness and objectivity of our judges.

Someone who is so clearly unqualified, by virtue of his record, I cannot support. I encourage my colleagues to join me in voting against Mr. Bush's nomination.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I rise also in opposition to the nomination of John Kenneth Bush. Mr. Bush, who has been nominated to serve as a judge on the Sixth Circuit Court of Appeals, has the dubious distinction of having anonymously written scores of blog posts that aren't just offensive—which, believe me, they are—but that call into question the nominee's ability to be a fair and impartial arbiter of the law, which is the job of a judge, especially a circuit court judge. In my view, the nominee's lengthy record of inflammatory and intemperate writings stands as evidence that Mr. Bush falls far short of the high standards that the Senate should demand of nominees to the Federal bench.

Over the course of nearly 10 years, Mr. Bush wrote under the pseudonym "G. Morris." He wrote under a pseudonym on a political blog operated by his wife, where he published hundreds of incendiary posts.

Let me be absolutely clear. Being politically active or expressing political opinions is not a disqualifying characteristic in a judicial nominee—at least, not in my view. But as I said during Mr. Bush's hearing, it is important for the Senate, in attempting to determine whether a nominee is qualified to serve as a Federal judge, to assess that nominee's judgment as a judge—to assess his or her judgement—and that is what I would like the President and all our Members to consider.

In the hundreds upon hundreds of posts that Mr. Bush anonymously published on his wife's blog, Mr. Bush did not demonstrate what any Member of this body would characterize as good judgment. It was far from it. During his hearing, I questioned the nominee about a series of posts in which he seemed to fixate on President Obama's Kenyan heritage. In one post, Mr. Bush discussed an article that suggested a reporter was detained by the Kenyan Government because he was investigating "Barack Obama's connections in the country" and that authorities had locked up the reporter in order to prevent him from publishing what he discovered. The article Mr. Bush quoted from and linked to was published on World Net Daily, a website known for peddling conspiracy theories, bogus claims, and White nationalism. In fact, World Net Daily is widely known for trafficking in birtherism—the widely debunked and racist belief that President Obama was not born in this country. Nonetheless, Mr. Bush presented the World Net Daily article as fact. This is a guy who has been nominated to be a circuit court judge calling a World Net Daily article fact.

So during his confirmation hearing, I asked Mr. Bush—and I asked him over and over again—how he decided which sources to rely upon in his writings and how he determined a particular source was credible. In my view, whether a nominee is capable of discerning real news from fake news or blogs that traf-

fic in conspiracy theories from legitimate journalism directly speaks to the nominee's judgment. Again, the job is judge. Really now, World Net Daily?

Whether and how a nominee evaluates the credibility of a claim or a source of information provides a window into how he might approach the factual record in a case, for example. That is what judges do. But Mr. Bush couldn't answer my question. Instead, he said: "As a blogger, I was finding things that were in the news that were of note, I thought." In response to a written question I posed, Mr. Bush said that rather than perform original research to support his claims, he instead "relied upon readily available sources on the internet." That would be the prestigious internet. Really? Really? From a nominee for the circuit court?

This begs the question: How did Mr. Bush find these articles? Does the nominee consume a steady diet of disinformation and conspiracy theories? I asked him that question in writing. Mr. Bush responded that he did not remember how he came upon those sources and that, in fact, aside from the articles he quoted, he did not recall reading any articles from those sources, despite the fact that he linked to and quoted liberally from conspiracy-minded websites many, many times in his writings.

Despite Mr. Bush's claims that he can't remember how it was that World Net Daily found its way onto his computer screen and despite his claim that he can't recall how he discovered and then later cited the writings of a birther conspiracy theorist, I suspect that in Mr. Bush's case, the simplest explanation is probably the right one. I suspect the reason Mr. Bush quoted from sources like World Net Daily so frequently is that Mr. Bush frequented those sources, that he frequently read the material they published, and I suspect he enjoyed it. That is just a suspicion based on my judgment.

The fact that a man who anonymously wrote inflammatory and offensive blog posts and who consumed information from sources that routinely publish lies and racially insensitive material could be confirmed to a lifetime appointment on one of the U.S. courts of appeals should shock the conscience of each and every Member of the Senate, no matter what your politics are.

I have served on the Judiciary Committee for 8 years, and during that time I have had the opportunity to evaluate countless judicial nominees. I understand that each Senator has his or her own way of determining whether a nominee should be confirmed. Some Senators prefer nominees who embrace a judicial philosophy of originalism or strict constructionism, others reject that view. For some Senators, a nominee's view of the Second Amendment or *Roe v. Wade* serves as a litmus test.

Setting aside the usual yardsticks by which we measure judicial nominees, Mr. Bush should strike each and every

Member of this body as manifestly unqualified, by any measure. Through his writings alone—and I urge all of my colleagues simply to look at his writings on his blog or on his wife's blog that he wrote with a pseudonym. They are awful. They are disgraceful.

Please, I beg my colleagues, read these and say to yourself: Are these writings the writings of a man—no matter what his leanings are in terms of how constitutional law should be decided, what his philosophy is, whether conservative, progressive, or liberal—how we can confirm someone to the circuit court, to a Federal judgeship for life, who writes anonymously these awful, incendiary things, relying on sources that are known for spreading hatred and linking to them. I don't think we have been here before. I don't think we have been here before.

I would beg my colleagues, before you cast this vote—I believe you could not justify to your constituents, that you could not justify to your family—please read these blog posts by this nominee and check your conscience—not at the door, check it. This is one of those incredibly unusual circumstances where somebody comes before us who, I believe, is uniquely unqualified for the job.

Thank you.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 4 p.m.

Thereupon, the Senate, at 1:55 p.m., recessed until 4:02 p.m. and reassembled when called to order by the Presiding Officer (Mr. CORNYN).

#### EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER (Mr. TILLIS). The Senator from Texas.

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

The PRESIDING OFFICER (Mr. GARDNER). Without objection, it is so ordered.

#### SMALL BUSINESS EMPLOYEE OWNERSHIP PROMOTION ENHANCEMENT ACT

Mr. PETERS. Mr. President, each Michigander I talk to has their own unique hopes and dreams, but some aspects of the American dream are truly universal—financial security, the opportunity for your children to grow and prosper, and a dignified retirement. We know there are almost limitless paths to achieve these shared goals. For my parents' generation, this often meant a fair day's pay for a day of hard work, a good wage that grew steadily over time, and perhaps a pension that could support a comfortable retirement, and

even the money to help for college tuition for your children. For small business owners, the path could mean bootstrapping a business from scratch, scraping by at first, building a business that made a good product, and doing the right thing by your employees and growing into a profitable business.

But in today's economy, for so many people, the connection between today's hard work and tomorrow's economic security isn't always so clear. New entrants to our workforce are increasingly unlikely to have a pension they can rely on for retirement. We are also seeing an entire generation of business owners rapidly approaching retirement after spending a lifetime building their businesses. We have a younger generation of employees who are increasingly disconnected from their employers and an older generation of entrepreneurs who are trying to figure out how to retire without disrupting their successful businesses.

Actually, I see this as a unique opportunity to solve two problems at once. The employee ownership model, including employee stock ownership plans—better known as ESOPs—allows employees of a company to become partial owners. ESOP plans, which often are created as heads of family-run small businesses look to retire, create employee-owners who have a real stake in the company to which they have dedicated their careers. For both management and employees, ESOPs mean that their goals are aligned—a growing, sustainable company that gives a shot at prosperity for everyone, from the highest ranking employee, to midlevel managers, to the front office staff.

For both business owners and employees, the proven benefits of the ESOP model are clear: Employee-owners have higher wages, more job stability, higher net worth, and larger retirement accounts than non-employee owners in similar companies. For entrepreneurs who want to see the company they built continue to thrive after they are gone, research has shown that businesses see their sales grow faster in the years following their conversion to employee ownership.

The data is clear on what employee ownership means for a company's bottom line and for workers' performance, but when I have the chance to visit employee-owned businesses, the benefits are as clear as day.

Last summer, on the first day of my motorcycle tour across Michigan, I visited Sport Truck USA, an aftermarket suspension and offroad distributor in Coldwater that makes world-class parts. Sport Truck USA wasn't just proud of their offered products, they were also proud of their achievement as an employee-owned business. I met a longtime front office employee who had a retirement account worth upwards of \$1 million. I met a warehouse worker who does as well. And they were both very happy to show up for work every day. When Sport Truck was

sold in 2014, the ESOP model ensured that their employee-owners had a say in whether to approve the sale and fully compensated them when it went through.

Sport Truck USA is a great success story, but for many businesses, the idea of an employee-owned transition is simply not on their radar. Despite having been enshrined in the law by Congress in 1974, for many business owners and employees, the ESOP model is not well known or understood. Before an ESOP transition can take place, there can be months or sometimes even years of preparation and planning that have to take place. But it is clear—the more people who are aware of their options for employee ownership, the more businesses that will decide this is the path they want to take.

There is now bipartisan agreement that Congress can take steps to help businesses find the awareness and support they need to make this a reality. That is why I recently introduced bipartisan legislation with the chairman of the Small Business Committee, Senator RISC. Our Small Business Employee Ownership Promotion Enhancement Act will increase awareness and provide technical assistance for the creation of ESOPs and other employee-ownership models. We do this by empowering the business experts at SCORE—the nonprofit small business counseling organization—to provide information about employee ownership. Many of these counselors themselves participated in ESOPs and can speak to their benefits and what it takes to transition to this structure.

As a partner of the Small Business Administration, SCORE and their volunteers are on the ground in communities across the country, and I believe they will help create the next generation of employee-owners. Increasing awareness of ESOPs is a vital first step, and I am committed to finding new ways to provide resources to businesses and employees as they transition to employee ownership. But, for Michiganders who are looking to secure their futures, building awareness of the ESOP model can help make this critical transition.

The Small Business Employee Ownership Promotion Enhancement Act will help successful small business owners retire with the peace of mind that their legacies will be carried on by the employees they will have hired, mentored, and developed over the years. It will help businesses invest in their employees and employees invest in their businesses.

When too many Americans feel as though they are being left behind, employee ownership lifts up employees and gives them a real stake in their companies and the opportunity to prosper and achieve their versions of the American dream.

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

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

Mr. COONS. Mr. President, I come to the floor to join my colleagues in opposing the nomination of John Bush to serve on the Sixth Circuit Court of Appeals. Mr. Bush's record leaves me deeply concerned that he has not demonstrated the civility, the temperament, and the judgment that are the most basic requirements to be a judge on a U.S. Federal circuit court.

I also have some concerns with Mr. Bush's legal philosophy. At Mr. Bush's confirmation hearing, I asked questions about his interpretation of due process and the right to privacy. These constitutional rights protect the freedoms that are the linchpin of our modern, diverse, and inclusive society. They impact real people.

My concerns about Mr. Bush extend far beyond disagreements about legal philosophy. I worry more deeply about his judgment and temperament.

He has published statements that demonstrate not just a lack of judgment and temperament but also a fundamental lack of civility and decency.

There are many examples which I could read, but let me cite just a few. He referred to the first female Speaker of the House as "Mama Pelosi" and said she should be gagged. He depicted a threat that Obama supporters stealing a campaign sign would "find out what the Second Amendment is all about." He chose to repeat the use of a well-known, anti-gay slur in a speech he gave. All of this was not while he was in middle school or high school but after he had been practicing law more than 15 years.

There is much more I could cite—some of it more offensive and more derogatory—but I frankly think they don't expand upon my core argument.

These are not the statements of someone fit to serve on a Federal circuit court bench.

Don't get me wrong. Mr. Bush has every right to put these views out into the world. Even now, over in the Senate office buildings, there are folks exercising their First Amendment rights, protesting and, in some cases, being arrested today, expressing strongly their feelings. I am sure some of them are saying things that are forceful, vigorous, even perhaps personally offensive to Members of the Senate as they are protesting.

The vote this body will take on the nomination of Mr. Bush isn't about his First Amendment rights, it is about whether he is capable of conducting himself in a civil way such that he can give fair treatment to all litigants who come before his court.

Our vote isn't about Mr. Bush's own constitutional rights of free expression; it is about upholding all Americans' constitutional rights to fair treatment

before the courts and what sort of expectations litigants will have when they stand before him.

Mr. Bush's judgment and his repeated choice to utilize not just negative, not just provocative but inflammatory and derogatory language when expressing himself do not suggest to me that he is capable of the fairness, the civility, and the impartiality we expect.

Mr. Bush owns the reputation he has built for himself in many speeches, op-eds, blogs, and newsletters. I heard very little in the way of disavowing these prior statements at his confirmation hearing, suggesting that he either stands by them, doesn't see what is wrong with them, or simply doesn't care. I am not sure which is worse, but, to me, each of these is disqualifying.

If my Republican colleagues have reservations about this nominee putting on the robe, sitting on a circuit court bench, and interpreting the law for years to come, I hope you will deliver that message with your vote on the floor.

I haven't shied away from supporting President Trump's nominees when I believe they are fully qualified for the job—even when their politics have sharply diverged from my own, but this case isn't about partisan politics. The Senate should not be a rubberstamp for nominees of any President of any political party. We must guard the balance of power and the integrity of the Federal judiciary as an unbiased and fair-minded institution.

President Trump has more than 100 judicial vacancies to fill. If we don't demand any other standard of the White House than this, this problem will extend beyond the nomination of Mr. Bush to this circuit court seat, and the precious and vital reputation of our Federal judiciary will be damaged as a result.

I pray we do not reach that outcome. 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. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### FOSSIL FUELS

Mr. INHOFE. Mr. President, some really big things are happening right now that are happening under the radar; people are not aware of them. One of them is the fact that the Obama war on fossil fuels is officially over now and good things are happening.

This coincides with a time when we have a shale revolution. We have a situation where we are actually reviving an industry that had been pushed for the last 8 years. Oil and gas accounts for over 5 percent of the jobs in the entire country and accounts for over \$1 trillion in economic impact in the U.S. gross domestic product.

In my State of Oklahoma, the industry directly employs nearly 150,000 peo-

ple, and each of those jobs support more than two additional jobs in the State. Thanks to the election of President Trump, help has arrived.

There are some very vocal sectors in America that want to put the fossil fuel industry out of business. We know that. They are out there. They are alive and well, and the attacks will keep coming. While most inroads were made toward that goal during the Obama administration, the environmental extremists will continue to use our court system and the media to ensure that the war on fossil fuels continues, putting American jobs and the economy at risk.

Back in Oklahoma—it is kind of funny—I have an established policy for the last 20 years that every year, at the end of every week, I will either—if I don't have to be in Afghanistan or someplace else—I am always back in the State, never here.

I have been in aviation for many years so I get one of my airplanes and travel around the State and talk to people—real people. People don't understand this because you don't get logical questions asked or responded to here in Washington. They will say, for example—and this happened early in the Obama administration. They would come up to me and say: Explain this to me, Senator INHOFE. We have a President who has a war on fossil fuels, trying to do away with fossil fuels. He doesn't like nuclear either. Yet nuclear and fossil fuels, which is oil and gas, account for 89 percent of the energy it takes to run this machine called America. So if he is successful, how do you run the machine called America? The answer is that you can't.

With the election of a Republican-led Congress and a Republican in the White House, we should be working together to address the concerns of the industries that provide cheap, reliable fuel for American energy. Unfortunately, as what always seems to be the case when we are in power, Republicans can't seem to get together and work toward a common goal, dividing themselves over some of the issues. Healthcare is no better example.

But the threat against the industry and fossil fuels should be a priority of all Republicans and Democrats, whether or not they come from a State dependent on these resources for jobs, because cheaper and more reliable energy is an issue that affects all Americans, helping them to get to work, to heat their homes, and to cook their meals. Yet we already have examples of Republicans not working together to defeat threats to our energy sector.

We only had one CRA vote fail, and that was the one on the BLM venting and flaring rule. It was held up by some of the Republicans who want to expand a mandate they already have, and that is the renewable fuels standard. It was ultimately defeated by another Republican. Now, the oil and gas industry considered this to be one of the real key regulations that was imposed by



President Obama and that needed to be released.

If anyone is interested, in my office we have accumulated all 47 of the regulations this administration either is in the process of doing away with or has already done away with, and these are the things putting people out of business.

So some good things are happening right now. We know that programs were created at the time in our history when we were dependent on foreign oil or when our energy production at home was receding, and that all has changed. Some might not be old enough to remember. I am.

Back in the early 1970s, OPEC in the Middle East retaliated against us for helping Israel against Egypt and Syria in the Yom Kippur invasion by imposing an oil embargo. This resulted in long lines of cars at the pumps and in rationing. It was pretty traumatic. In the late 1970s, unrest in the Middle East again disrupted the oil market, once again causing shortages and prices to skyrocket.

There is the corporate average fuel economy, or CAFE, standards program, as we call them. The CAFE standards program was created during this time of uncertainty in the oil and gas market, when we were dependent on oil from the Middle East. But the bleak future we were facing at that time didn't happen. It wasn't the end of the world as they said it was going to be. In fact, just the opposite happened. The United States is no longer dependent on foreign sources for oil and gas and is in the position to export our resources and provide for better security for us here.

I was very proud of the President the other day when he was in Poland and he made a speech with Putin right there. He talked about the fact that we are going to start exporting our oil and gas—and we are already doing it now—to some of these former satellite countries of the Soviet Union and other countries where they want to import from us but Iran and Russia have had a lock on the exports and so they were forced to be dependent on them. That is not the case anymore.

I would say, parenthetically, to anybody who believes this President was trying to cater to Putin at any time, that he stood up and said: We are going to be the ones exporting, instead of Russia, when their economy is dependent upon their exports. That is actually happening right now.

The cost of cars went up, even though that didn't work. The CAFE standards were by government officials who thought they could force the public into smaller cars, more mileage, and all that, but that is not the way the American people responded. The cost of cars did go up \$3,800 per vehicle from their standards put together for 2016. This was significant when it happened, but it didn't change the behavior of the American people. So any small benefit of new standards estimated at 0.007 de-

grees by 2100 is outweighed by the fact that consumers are doing something different than the government predicted—I am happy about that—which always seems to be the case when the government starts messing with industry.

None of this touches the effect the California waiver has on the fuel economy debate and the consumer market. If California and the States that have followed had their way, liquid fuels would be phased out altogether and consumer demand and prices wouldn't really matter.

Another way Congress has tried to manipulate the fuel market when the energy future was uncertain is through the renewable fuels standards. This is not a partisan issue because it is really more of a geographical issue. People up in the core area are very strongly supportive of the renewable fuels standards. Some other people are not. So it is not a partisan thing, as most of the things we talk about on the floor of the Senate are.

In 2005—and then expanded in 2007, despite my best efforts—the RFS was created to address decreased energy production at home and to decrease carbon dioxide emissions. However, with the shale revolution, our dependency on foreign energy stopped. The more we learn about corn ethanol, the more we know RFS has not been the environmental solution as sold to us.

In case we forgot—it has been a while ago—Al Gore was the guy who invented ethanol. This was supposed to solve all the problems out there, until Al Gore realized that the environmental community, which motivated him to get involved with this issue, said: No, that is the worst thing in the world for the environment. So he had to back down.

Land is increasingly set aside for the production of corn to feed the mandate, and the more corn that is diverted to ethanol production, the less there is for our food consumption and for ranchers who need corn to feed their livestock, making the cost of our food rise. That is another major issue nobody talks about anymore.

Fuels with corn ethanol are less efficient than gasoline diesel by 27 percent. So while consumers may pay less at the pump than conventional fuel, they are coming back to the pump more often, and the math works so that it costs them more.

This also translates into more greenhouse gases being released into the atmosphere to make up for the efficiency lost in using corn ethanol. Oklahomans know this and demand for clear gas remains high.

This is very common in Oklahoma. I actually took this picture myself. People know, No. 1, that it is bad for the environment; No. 2, it is not good for mileage; and, No. 3, it destroys small engines. So in Oklahoma, this is what you see in almost every community. They know the demand for clear gas—gas which doesn't have any additives—remains high in my State. Retailers in Oklahoma continue to advertise it.

They also don't like corn ethanol because they understand it is not good for their engines. We heard testimony from people in the small-engine business, such as outboard motors and those things, talking about how they are quite often sued and then have to defend the thing because the damage was actually caused by the ethanol as opposed to the manufacturer.

Ethanol supporters claim the warning labels on the pump are sufficient to alert customers, but studies show consumers make fueling choices by price, and they have ruined boats and small engines, causing manufacturers and retailers to invest in a nationwide campaign to prevent misfueling.

Furthermore, the mandate is not living up to its promises of advancing biofuels. In fact, over the last 5 years, the EPA has had to lower the total renewable volume requirements to amounts below statutory requirements because advanced biofuels have not been developed in the capacity drafters of the RFS had hoped, even with a mandate. To comply with the RFS, we have become reliant on foreign imports of soybeans and ethanol from South America to count toward the RFS—the exact opposite of what the mandate was supposed to prevent in the first place.

Meanwhile, supporters of the RFS want more. They want a waiver for even higher ethanol levels in gas. Currently, gas with 15 percent ethanol or higher can't be sold during the hot summer months because of its negative effect on ambient air quality. Ethanol supporters want a waiver now so that E15 and higher can be sold year round. Right now, it can't be sold during the hot summer months, for obvious reasons. With all the problems with RFS, we should not give them this waiver without addressing the larger issues with the program. Between CAFE and RFS, the fuel industry has had its hands full. But the war is being waged on all fronts, and I will continue to work to make sure that doesn't happen.

There are no guarantees that the next administration after President Trump will not return to the "regulate to death" plans of the Obama administration. I am not talking about the war on fossil fuels. We need to work together to address the regulations that we were not able to address with the CRA process. By the way, the CRA process, the Congressional Review Act process, is one of the two ways that you can minimize or eliminate onerous regulations. It has been very effective. The mandate was the only one that has not been successful. All the rest of the CRAs have been successful. We went 20 years, using it effectively once in 20 years, and we have used it 47 times now. So times have changed.

We are going to work with our colleagues to get as much as we can on any legislation that looks like it might be moving both in my committee of jurisdiction and on the Senate floor. Any

regulation that is a threat to the energy sector should be addressed so we don't find ourselves in the situation of hoping for favorable court rulings again, which is what we relied on before.

There are many regulations that threaten the availability of cheaper energy, and I will be pursuing any means available to address them. As for the waters of the United States rule, when we talk to the farmers and the ranchers around the country and ask what the major problems are, they say: It is nothing found in the farm bill; it is the overregulation by the EPA. Which one regulation do they single out as being the most serious one? It is the waters of the United States.

In my State of Oklahoma, the Panhandle is a very arid area. If we change the jurisdiction from the States to the Federal Government, I am sure it will become some type of a serious problem with all of the water that is not out there. We have the waters of the United States, the Clean Power Plan, the EPA, and the BLM methane rules, and fixing compliance issues with the most recent NAAQ standards.

I will also be pursuing ways to amend the RFS and CAFE programs—from rescinding the California waiver that drives CAFE issues and harmonizing the EPA and DOT rulemaking to reforms of the RFS program, including requiring that any E15 or higher blend be tied to the commercial availability of cellulosic ethanol, or requiring that certain criteria be reached before an E15 waiver is triggered.

There are many ways in which I will be looking to address the issues I have outlined here today, and I look forward to working with my colleagues to ensure that not only is the environment protected but that the entire fuel industry is, as well, and that we have the available fuel.

The latest battle on fossil fuels was won with the election of President Trump, but the war is still being waged. I will continue to defend that industry and any industry that employs that number of people and provides cheap energy for Americans.

Again, the question that I got back in Oklahoma—where the real people are, I might add—if the Obama administration had been successful—and we are dependent upon the very thing he was trying to do away with for 89 percent of the industry—how do we run the machine called America? The answer is, we can't.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LEE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

Mr. MERKLEY. Mr. President, our Nation's courts are supposed to be bas-

tions of justice. They are intended to be run by men and women of sober contemplation and scholarly reflection, with the temperament to put aside their own personal feelings and biases and consider the facts of the case before them in order to make the best judgments possible; men and women committed to a full and fair judiciary—a judiciary that respects our constitutional rights.

I am sorry to say that the nominee for the Sixth Circuit Court of Appeals does not meet those standards. This man is unfit to serve on the bench. As revealed by his own words in a series of blog posts written under a pseudonym, John Bush does not have the temperament or the impartiality to sit on a court where jurists such as William Howard Taft and many eminent others have sat.

Mr. Bush himself acknowledged during his confirmation hearing that “many of the blog posts used flippant or intemperate language”—something I believe is unbecoming of an individual nominated to sit on the Federal bench. But it wasn't just flippant language. It wasn't just intemperate language. He wrote in an extreme rightwing, partisan fashion. His confirmation would threaten women's rights and the rights of LGBTQ Americans. It would threaten Americans' voting rights. It would threaten issue after issue, topic after topic, of the rights embedded in our Constitution.

Let's take a few moments to look at his words and his record. Let's look first at women's rights and the extreme views he has held on this issue.

In 1993, he filed an amicus brief in a Supreme Court appeal defending the Virginia Military Institute's policy of not admitting women, stating that the military-style atmosphere of the institute “does not appear to be compatible with the somewhat different developmental needs of most young women.” He was basically indicating that young women cannot handle the same rigors as men or serve in the same capacities as men—certainly a myth that has been shattered time and time again. He is locked into an 1800s view of the world. I know that my daughter, I know that her friends, I know that my colleagues who serve in the Chamber certainly don't believe that a woman is incapable of serving in the same roles in which a man can serve.

There was a 2008 blog post Mr. Bush wrote conflating a woman's legal, constitutional right to choose with slavery. He wrote:

Slavery and abortion rely on similar reasoning and activist justices at the U.S. Supreme Court . . . first in the Dred Scott decision, and later in Roe.

It is hard to imagine how an individual takes the extraordinary human condition of slavery and the lack of freedom involved in that and compares it to a woman making decisions, with the advice of her own doctor, about her own body. One is slavery, and one is freedom—clearly not the same thing.

How could any woman walking into his courtroom believe she would get a fair hearing with his extreme anti-women views?

For that matter, Mr. Bush's words and actions call into question whether he would abide by and uphold precedent that is far more recent; that is, the rights of the LGBTQ community in America. The Supreme Court declared in *Obergefell v. Hodges* that same-sex couples enjoy the fundamental right to marry, just like any other couple. Yet Mr. Bush has repeatedly demonstrated insensitivity and contempt for the rights of the LGBTQ community.

In 2005, he gave a speech to a private club in Louisville. He apparently wanted to bond with his audience by saying something about the town of Louisville—something he found positive. So he chose to use a quote related to Hunter Thompson, who described Louisville in a quote that uses a derogatory term for gay men. In the piece, Thompson recites the words of a man named Jimbo, who said to him over a glass of double Old Fitz: “I come here every year, and let me tell you one thing I've learned—this is no town to give people the impression you are some kind of. . . .” Fill in the derogatory word—the pejorative for gay men. Of all the possible quotes this individual could choose to create a bond between himself and his audience in Louisville, he chooses to attack the LGBTQ community.

Now, he could have chosen any of a number of quotes. A member of my team did a very quick look. In moments, they found a quote from the great frontiersman Daniel Boone, saying: “Soon after, I returned home to my family, with the determination to bring them as soon as possible to live in Kentucky, which I esteemed a second paradise.” That would be a nice thing to describe about Kentucky—about connecting to your audience in Louisville rather than describing the characteristics of hatred and discrimination.

That is where this nominee comes from—full of his vile opinions about women and about a great spectrum of people in our Nation. So much for opportunity for all in the United States of America.

The following year, he coauthored a paper criticizing the Kentucky Supreme Court decision regarding the right to privacy, specifically focusing on LGBTQ communities.

Then, a couple of years later, with the State Department updating the passport applications, he ridiculed the effort to accommodate LGBTQ in one of his posts. At a time when we should be continuing to push our country forward toward ensuring that the community enjoys the full measure of equality they are entitled to in our Constitution and under the 1964 Civil Rights Act, confirming John Bush to be a Federal judge would certainly walk back many of the gains so many have made.

Then there is his opinion of money in politics. Our Constitution starts with those beautiful three words, “We the People,” not “We the powerful who can spend billions of dollars in third-party campaigns to have a megaphone the size of a stadium sound system.” No. Jefferson said, for us to really secure the will of the people, the individuals have to have essentially an equal voice.

This individual who is before us today doesn’t like that whole concept of equal voice. He doesn’t like the mission statement of the Constitution of the United States of America. He wants government by and for the powerful and the privileged and nothing less. Therefore, he should go and serve in some foreign country that doesn’t have a vision of government of, by, and for the people. He certainly doesn’t belong in our court system in the United States of America.

There is so much more that people have described, including his writing in support of the “lock her up” chants at last summer’s Republican convention, his trafficking in birtherism, and more and more.

I will be vehemently opposing this confirmation. I urge my colleagues to do the same. Let’s fight for the vision. Let’s fight for the “We the People” mission on which our Constitution was founded and that we have the responsibility to uphold.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, so far this year President Trump and Senate Republicans have selected a long list of Wall Street insiders, corporate CEOs, lobbyists, and radical rightwing ideologues to run the Federal Government, but the Republicans haven’t stopped there. They are also working to fill vacancies on the courts with the same kind of people—nominees who reflect pro-corporate, radically conservative views that will threaten the principle of equal justice under law.

That is not coincidence. Powerful rightwing groups have had their sights set on the courts for decades, and over the past 8 years they have launched a relentless campaign to capture our courts. During the Obama administration, a key part of their strategy was stopping fair, mainstream nominees with diverse, professional backgrounds from becoming judges. Our Federal courts suffered the consequences. Vacancies sat open for months. They sat open for years, and cases piled up on the desks of overworked judges.

Now, with President Trump in the White House and Senate Republicans are in control of the Senate, those powerful interests see an unprecedented opportunity to reshape our courts in ways that will benefit billionaires and giant corporations for decades to come. Now they see their chance to stack the courts with radical, rightwing, pro-Big Business conservatives.

John Bush, President Trump’s nominee to sit on the Sixth Circuit Court of Appeals, is one of those radical, right-

wing, pro-business conservatives. Mr. Bush is not just a member of the ultra-conservative Federalist Society. He is the cofounder and 20-year president of the Louisville chapter. During his career, he has earned a reputation for fighting for the big guys. For example, Mr. Bush supports weakening our campaign finance laws so giant corporations and wealthy individuals can flood our elections with unlimited contributions and buy the officials they want. I believe Mr. Bush’s pro-corporate views call his qualifications to the Federal bench into question. I do not understand how he can be fair and impartial when his billionaire buddies show up in court.

My concern about Mr. Bush runs much deeper. He has demonstrated a level of disrespect for other people that flatly disqualifies him for a lifetime appointment to the Federal bench. Here is just a glimpse of what the man nominated to be a Federal judge has written and said in public:

In a blog post, he called for then-House Speaker NANCY PELOSI to be gagged.

In another blog post, Mr. Bush mocked policies that recognize same-sex parents saying that “[i]t’s just like the government to decide it needs to decide something like which parent is number one and which parent is number two.”

In a speech in Louisville, he repeated a quote from a late journalist saying: “I come here every year, let me tell you one thing I’ve learned—this is no town to be giving people the impression you’re some kind of. . . .” He finished the quote with an anti-gay slur that begins with an “f.”

There it is: dismissive, demeaning, and downright ugly. If that word makes you furious, or if you believe that term is hurtful, then think about what it means that this is the man President Trump has put forward to be a Federal judge to sit in judgment on others. Whatever his other qualifications, Mr. Bush has aggressively and conclusively disqualified himself to be a judge. I think Mr. Bush knows that.

In his hearing before the Judiciary Committee, Mr. Bush was not keen to defend what he said. When asked about those hateful statements, he ducked and dodged like a prize fighter. He played that old game we have seen before—the “I promise to be a fair and impartial judge if I am confirmed” game. He is selling, and I am not buying. Mr. Bush should be embarrassed to defend those statements. They are shameful.

Senator MCCONNELL might defend this man, calling those statements, as he did, “personal views about politics,” but I call them hateful views that disqualify him for a lifetime appointment as a Federal judge. Yes, decent, reasonable people can disagree on policy, and decent, reasonable people can disagree on legal interpretation, but decent, reasonable people should not disagree on basic norms that all judges in our

Federal court should abide by. Anyone who thinks it is OK to use anti-gay slurs and to tell anti-LGBTQ jokes is disqualified to be a Federal judge, period.

No Senator—Republican or Democratic—should be willing to confirm such a man. Our courts have one duty: to dispense equal justice under the law. No one can have confidence that Mr. Bush could fulfill such a task, and no Senator should be willing to give Mr. Bush a seat on the court of appeals of the United States of America.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. MCCONNELL. 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. Without objection, it is so ordered.

## REMOVAL OF NOMINATION OBJECTION

Mr. GRASSLEY. Mr. President, on June 20, 2017, I notified the majority leader of my intent to object to any unanimous consent request relating to the nomination of Steven A. Engel, of the District of Columbia, to be the Assistant Attorney General for the U.S. Department of Justice Office of Legal Counsel, until he adequately responded to my questions regarding his views on the OLC’s May 1, 2017, opinion, “Authority of Individual Members of Congress to Conduct Oversight of the Executive Branch.”

As I have previously noted, the opinion erroneously states that individual Members of Congress are not constitutionally authorized to conduct oversight. It creates a false distinction between oversight and what it calls non-oversight requests. It relegates requests from individual Members for information from the executive branch to Freedom of Information Act requests. I have written a letter to the President requesting that the OLC opinion be rescinded. The executive branch should properly recognize that individual Members of Congress have a constitutional role in seeking information from the executive branch and should work to voluntarily accommodate those requests.

My June 12, 2017, letter to Mr. Engel asked him several questions about the opinion, including whether the opinion

met the OLC's own internal standards requiring impartial analysis, whether individual Members of Congress are "authorized" to seek information from the executive branch, and what level of deference the executive branch should provide to individual Member requests.

Mr. Engel promptly responded to my letter on June 23, 2017, and to a second June 27, 2017, followup letter on July 12, 2017. I ask unanimous consent that Mr. Engel's responses be placed in the RECORD following my remarks.

I also met with Mr. Engel in my office on July 19, 2017, to further discuss and clarify his views on the authority of individual Members to request information from the executive branch. Mr. Engel's responses, both in writing and in person, indicate that he agrees each Member, whether or not a chairman of a committee, is a constitutional officer entitled to the respect and best efforts of the executive branch to respond to his or her requests for information to the extent permitted by law. He also agreed: No. 1, that the May 1, 2017, OLC opinion on this topic failed to consider adverse legal authority, specifically *Murphy v. Dep't of the Army*, 613 F.2d 1151 (D.C. Cir. 1979); and No. 2, that, if confirmed, he would review the opinion; and No. 3, consider whether a more complete analysis of the issue is necessary.

I am satisfied that Mr. Engel understands the obligation of all Members of Congress to seek executive branch information to carry out their constitutional responsibilities and the obligation of the executive branch to respect that function and seek comity between the branches. Therefore, I agree a vote should be scheduled on his nomination, and I wish him the very best in his new role.

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

*Washington, DC, June 23, 2017.*

Hon. CHARLES E. GRASSLEY,  
Chairman, Committee on the Judiciary, U.S.  
Senate, Washington, DC.

DEAR CHAIRMAN GRASSLEY: I write in response to your June 12, 2017 letter concerning the May 1, 2017 letter opinion of the Office of Legal Counsel ("OLC"). I appreciate your interest in ensuring that Members of Congress are able to obtain the information necessary to fulfill their constitutional responsibilities, as well as your attention to ensuring that OLC opinions provide candid, independent, and principled legal advice. If I am confirmed as Assistant Attorney General, I will be committed to ensuring that OLC complies with these principles.

I provide here my responses to the seven questions in your June 12 Letter.

1. Are you familiar with the May 1, 2017 OLC opinion?

Response: I am not currently at the Department of Justice, but I read the May 1, 2017 opinion shortly after it was published.

2. In your view, does this opinion meet the standards described in OLC guidance that require impartial analysis of competing authorities or authorities that may challenge an opinion's conclusions? If so, can you please point to the portion of the opinion which you believe fully discusses contrary authority or arguments for non-Chairmen's

need for information from the Executive Branch to carry out their constitutional function?

Response: Because I am not currently at the Department of Justice, I have not had occasion to review all of the underlying precedents that may bear upon the May 1, 2017 letter opinion. I agree that an OLC opinion should candidly and fairly address all relevant legal sources, and there are judgment calls that must be made in determining what should be included, particularly with respect to letter opinions (which tend to be shorter and less formal). With respect to the May 1, 2017 opinion, I do agree that *Murphy v. Dep't of the Army*, 613 F.2d 1151 (D.C. Cir. 1979), which was cited in your June 7, 2017 letter to the President, may bear upon the issues addressed in the May 1, 2017 opinion. I understand that in 1980, and again in 1984, the Department of Justice advised that, with respect to FOIA practices, the *Murphy* decision did not eliminate the legal distinction between requests made by Committee Chairmen and those made by individual Members of Congress. In my opinion, it would have been useful for OLC's letter opinion to address the Department's current understanding of the *Murphy* decision in the context of congressional oversight.

3. Do you believe that individual Members of Congress, who are not Chairmen of committees, are "authorized" to seek information from the Executive Branch to inform their participation in the legislative powers of Congress? Do you believe they are authorized by the Constitution? Why or why not? Do you believe that they are authorized by Congress? Why or why not?

Response: The D.C. Circuit has recognized that each member of Congress has a "constitutionally recognized status" that includes a legitimate need "to request such information from the executive agencies as will enable him to carry out the responsibilities of a legislator." *Murphy*, 613 F.2d at 1157. I believe that individual Members are "authorized" to seek such information in their roles as constitutional officers. The question whether Congress has separately authorized such requests would turn upon the rules of each House of Congress. In my view, the Executive Branch should seek to satisfy the legislative interests reflected in the information requests of individual Members, to the extent practicable and consistent with the confidentiality obligations of the Executive Branch.

4. In your experience, what percentage of congressional requests for information are answered by the Executive Branch on a voluntary basis?

Response: In my experience at the Department of Justice, the Executive Branch seeks to answer the majority of congressional requests for information on a voluntary basis. Congress rarely seeks the compulsory disclosure of information from a Department or agency.

5. In your view, what is an appropriate reason for withholding information requested by an individual Member of Congress?

Response: Traditionally, the Executive Branch has sought to provide Members of Congress with requested information except where there is a need to protect important confidentiality interests, such as those involving national security information; materials that are protected by law (such as grand jury information, taxpayer information, or materials restricted from disclosure by the Privacy Act); information the disclosure of which might compromise open law enforcement or civil enforcement investigations; presidential communications; or information involving agencies' predecisional deliberative communications.

6. In your view, does the Executive Branch have any Constitutional responsibility to re-

spond to requests for information from individual Members of Congress as part of a process of accommodation in order to promote comity between the branches? If not, why not?

Response: The Department of Justice has recognized that the accommodation process "is an obligation of each branch to make a principled effort to acknowledge and if possible to meet, the legitimate needs of the other branch." Opinion of the Attorney General for the President, Assertion of Executive Privilege in Response to a Congressional Subpoena, 5 Op. O.L.C. 27, 31 (1981). At the same time, the courts and others have distinguished between official requests from Committees and those from individual Members. See, e.g., *Exxon v. FTC*, 589 F.2d 582, 592-93 (D.C. Cir. 1978) (recognizing that the "principle is important that disclosure of information can only be compelled by authority of Congress, its committees or subcommittees, not solely by individual members . . ."); *Alissa M. Dolan et al., Cong. Research Serv., RL 30240, Congressional Oversight Manual* 65 (Dec. 19, 2014) ("[N]o judicial precedent has directly recognized an individual Member's right, other than a committee chair, to exercise the committee's oversight authority without the permission of a majority of the committee or its chair."). In my view, the Executive Branch should seek to satisfy the legislative needs of Members to the extent practicable and consistent with the confidentiality obligations of the Executive Branch.

7. Is a request from an individual, elected Member of Congress entitled to any greater weight than a FOIA request, given the Member's broad Constitutionally mandated legislative responsibilities? Why or why not?

Response: In view of the constitutional responsibilities of individual Members of Congress, the Executive Branch may well provide information to Members that goes beyond the requirements of the FOIA statute, and the Executive Branch has the discretion to provide information or documents even if it would be exempt from mandatory public disclosure under FOIA. I understand that the Executive Branch does not treat individual Member requests as requests under FOIA, and thus, the Executive Branch may provide more information about Executive Branch programs than it provides to FOIA requestors, who are entitled to receive only documents.

I appreciate your attention to these important questions. Please let me know if I may be of any more assistance on these issues, or on any other matters in the future.

Sincerely,

STEVEN A. ENGEL.

*Washington, DC, July 12, 2017.*

Hon. CHARLES E. GRASSLEY,  
Chairman, Committee on the Judiciary, U.S.  
Senate, Washington, DC.

DEAR CHAIRMAN GRASSLEY: I write in response to your June 27, 2017 letter, which continues our correspondence concerning the May 1, 2017 letter opinion of the Office of Legal Counsel ("OLC"). I understand your concerns with the legal opinion, as well as with recent reports concerning Executive Branch policies governing congressional oversight. Because I am currently in private practice, I had no role in drafting the May 1 opinion, and I likewise have no familiarity with the Administration's internal policies concerning congressional oversight requests. If I am confirmed as Assistant Attorney General for the Office of Legal Counsel, I will review the May 1 opinion and ensure that OLC's legal advice reflects my best judgment of the law and established practice in this area.

I provide here my responses to the six additional questions raised in your letter.

1. You acknowledged that the OLC opinion did not examine key additional authorities which recognize the constitutional role of individual Members to seek information from the Executive Branch. If confirmed, will you commit to a more careful study of this issue and other questions I have raised?

Response: Yes.

2. Will you commit to modifying this OLC opinion to be consistent with your own recognition that individual Members “are ‘authorized’ to seek . . . information [from the Executive Branch] in their roles as constitutional officers?” If not, why not?

Response: If I am confirmed, I will review the May 1 opinion and come to my best judgment of the law and established practice in this area, including with respect to any further guidance or clarifications to the May 1 opinion that may be appropriate.

3. You note in your response to Question 3 that “the Executive Branch should seek to satisfy the legislative interests reflected in the information requests of individual Members.” As I wrote in my June 7, 2017, letter to the President, the May 1 OLC opinion draws a distinction between “oversight” and “non-oversight” requests. I have never sent or seen a letter requesting information for “non-oversight” purposes, and I still do not understand what it means. As you know, courts have recognized that “oversight” is inherent in the legislative power and just as broad. As the Court recognized in *McGrain v. Daugherty*, 273 U.S. 135 (1927):

A legislative body cannot legislate wisely or effectively in the absence of information respecting the conditions which the legislation is intended to affect or change; and where the legislative body does not possess the requisite information—which not infrequently is true—recourse must be had to others who do possess it.

*Id.* at 175. This power of inquiry “encompasses inquiries concerning the administration of existing laws as well as proposed or possibly needed statutes.” *Watkins v. United States*, 354 U.S. 178, 187 (1957). Congressional oversight encompasses a myriad of legislative tools, processes, and purposes, and is not simply limited to investigations of waste, fraud, and abuse conducted by a Committee Chairman.

How exactly can a congressional inquiry be distinguished on the basis of whether it is an “oversight” or a “non-oversight” inquiry, to borrow the language from the May 1 opinion? More importantly, by what authority can the Executive Branch purport to make such a determination absent explicit direction from the Legislative Branch?

Response: If confirmed, I will review the distinction between “oversight” and “non-oversight” inquiries, as those terms are used in the May 1 opinion. The May 1 opinion appears to draw a procedural distinction between information requests made by “a committee, subcommittee, or chairman exercising delegated oversight authority” and those made by individual Members who are not acting pursuant to explicit authorization of the Standing Rules of the Senate or the Rules of the House of Representatives. See Office of Legal Counsel, Letter Opinion for the Counsel to the President, Authority of Individual Members of Congress to Conduct Oversight of the Executive Branch at 3 (May 1, 2017). In support, the May 1 opinion quotes the Congressional Research Service’s Congressional Oversight Manual, which advises that when individual Members request agency records “they are not acting pursuant to Congress’s constitutional authority to conduct oversight and investigations.” Alissa M. Dolan et al., Cong. Research Serv., RL30240, Congressional Oversight Manual 56 (Dec. 19, 2014)).

As we have previously discussed, the D.C. Circuit has recognized that individual Mem-

bers have a “constitutionally recognized status” that includes a legitimate need “to request such information from the executive agencies as will enable him to carry out the responsibilities of a legislator.” *Murphy v. Dep’t of the Army*, 613 F.2d 1151 (D.C. Cir. 1979). This would be true, no matter whether those requests are called “oversight” inquiries or something else. If confirmed, I will consider these issues in connection with my review of the May 1 opinion.

4. The Inspector General Empowerment Act of 2016 explicitly authorizes any member of Congress upon request to obtain information related to Inspector General reports that is not otherwise prohibited from public disclosure. Do you agree that such requests from individual Members are “oversight” requests? Why or why not?

Response: I have not previously studied the referenced provision of the Inspector General Empowerment Act. As a general matter, if a statute calls for the Executive Branch to provide information in response to a request from a Member of Congress, then the Executive Branch should respond—no matter whether the Member’s request would be characterized as “oversight” or something else—in a manner consistent with the Department’s other statutory and constitutional obligations, including its law enforcement, litigation, and national security responsibilities.

5. I asked in my June 12, 2017, letter whether the Executive Branch has any Constitutional responsibility to respond to individual Members of Congress. You noted, as the OLC opinion notes, that requests from individual Members cannot be compelled. But I did not ask whether individual Members have the power to compel responses. They clearly do not. As you noted in your response to question 4, “Congress rarely seeks the compulsory disclosure of information from a Department or agency.” Your experience matches my own. As I noted in my June 7, 2017 letter to the President, most responses to requests for information—from Chairmen or not—are received voluntarily. I also believe it is important to remember that many of the relevant case precedents examining questions related to congressional oversight arise in a compulsory context. By virtue of the fact that most responses are voluntary, a court has never had occasion to consider them.

What I want to understand is not whether the Executive Branch will pay a legal penalty for refusing to answer individual Member requests, but whether such requests, made as part of their wide-ranging Constitutional responsibilities, are due the best efforts of the Executive Branch given the nature of those responsibilities and the need and desire for comity between the branches. Do you agree? Is this what you mean by your response: “In my view the Executive Branch should seek to satisfy the legislative needs of Members to the extent practicable”?

Response: I agree that in the interest of comity, the Executive Branch should give due weight and sympathetic consideration to requests from individual Members of Congress, even where the executive official is not faced with a legal penalty for refusing to answer, and that is what I meant in my prior response.

6. I asked you whether an individual Member request was entitled to any greater weight than a Freedom of Information Act (FOIA) request. You responded that “the Executive Branch may well provide information to Members that goes beyond the requirements of the FOIA” and that you believe “the Executive Branch does not treat individual member requests as requests under FOIA, and thus, the Executive Branch may provide more information about Execu-

tive Branch programs than it provides to FOIA requestors, who are entitled to receive only documents.” However, in my experience, FOIA requestors with ready access to judicial review and experienced FOIA litigators often get more information even than Congressional Committees, let alone individual Members. Unlike FOIA litigants, a Member must first convince an entire House of Congress to hold an executive branch official in contempt before obtaining judicial review of an information request. Should the Executive Branch strive to meet a higher standard for voluntary cooperation with Congress, given its constitutional duties, than merely disclosure of that which could be judicially mandated? If so, what would you do to ensure that Executive Branch officials understand the Constitutional basis for the importance of voluntary cooperation with Congressional information requests?

Response: Yes, I agree that the measure of the Executive Branch’s cooperation should not be simply what could be judicially mandated. I believe that, in the interest and spirit of comity, the Executive Branch should seek to satisfy the legislative needs of Members, as indicated by my prior response. That may well include providing additional information about Executive Branch programs beyond what would be available to FOIA requestors. If confirmed, I will ensure that the Office of Legal Counsel’s legal advice in this area would be consistent with such principles.

I appreciate your interest in these important questions. Please let me know if I may be of any more assistance on these issues or on any other matters in the future.

Sincerely,

STEVEN A. ENGEL.

#### HONORING CAPTAIN ROBERT “BOB” HOLTON

Mr. TESTER. Mr. President, today I wish to honor the life of Air Force Capt. Robert “Bob” Holton, a lifelong resident of Butte, MT, and an intrepid Vietnam veteran.

To Bob’s family, on behalf of myself, my fellow Montanans, and my fellow Americans, I would like extend our deepest gratitude for Bob’s service to this Nation.

Bob was born on April 8, 1941, in Butte, MT. He graduated from Butte High School in 1959, a talented musician who excelled at the saxophone, clarinet, and piano.

Bob continued his education at the University of Montana, where he earned his pilot’s license and served as an outstanding military cadet with the ROTC. Bob went on to marry his high school classmate, Diane Eck, in 1962, and graduated with a business degree in 1965.

Bob proudly served his country during the Vietnam War, flying an F4 Phantom as an interceptor alongside his comrade Maj. William Campbell, a fighter-bomber. Their deployment took them near the border of Laos and Vietnam, where their plane was downed in enemy fire on January 29, 1969.

This disaster sparked a tragic mystery for the Holton family, who have been unable to find the site of the crash, nor fully confirm its outcome. The circumstances gave them no closure and left Bob’s family in pain.

Bob's memory has been tirelessly honored, with folks across the U.S. wearing MIA bracelets in recognition of his unfinished story. The National League of Families and the Air Force have continually supported the Holton family's search for Bill, for which they are endlessly grateful.

Now, 48 years after the crash, Butte's only Vietnam war Missing in Action has been found. Bob's remains have been recovered and will finally be returned to his home State. His life and light will be honored Saturday, July 22, in a ceremonial burial at the Sunset Memorial Park.

For Bob's family, the actions by so many have helped provide closure. On behalf of a grateful Nation, I want to thank them for their hope and continued support for Bob and all of our veterans who are missing in action.

Let us now take a moment to recognize the life of Capt. Robert Holton and the legacy he left behind. We deeply appreciate his service to the American people.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO SHANE DELANDE GILBERT

• Ms. HASSAN. Mr. President, today I wish to recognize Mr. Shane Delande Gilbert, born July 16, 2007, and wish him a happy 10th birthday. A Granite Stater from Merrimack, Shane possesses a deep love for our country and its history. Shane recently was graduated from Thorntons Ferry Elementary School, where he was an excellent student in Mrs. DeFrancisco's fourth grade class and enrolled in the school's gifted and talented program. This fall, Shane will enter the fifth grade at James Masticola Upper Elementary School in Merrimack.

Shane is deeply engaged in his community. He is a member of his school's Junior Lego League and is involved with the For Inspiration and Recognition of Science and Technology—FIRST—Lego League, as well as karate.

Shane has, with tremendous strength of spirit, shouldered the responsibility of fighting non-Hodgkin's lymphoma and every day exhibits remarkable bravery and courage. Shane is an active participant in the Greater Nahua Relay for Life. For his 10th birthday, in lieu of gifts, Shane asked that donations be made instead to his Relay for Life team "Spuddie's Against Cancer." He raised \$150 towards cancer research and achieved his personal best by walking 10 miles.

Shane's civic mindedness extends to all aspects of life. He is nicknamed, "The Mayor" due to his gregariousness and passion for helping others. A keen political observer and participant, Shane spoke to many Presidential candidates during New Hampshire's most recent primary season and has expressed interest in 1 day running for

that office himself. He is also a student of the American Civil War, and recently visited Gettysburg National Military Park in Pennsylvania and will be touring the U.S. Capitol today.

Shane's commitment to his community and his love of our country and its history gives me great hope for our future. I join Shane's parents, Laurie-Ann Gilbert and Christine Delande, in celebrating Shane on the occasion of his 10th birthday.●

##### REMEMBERING MAYNARD F. HAGEMEYER

• Mr. PORTMAN. Mr. President, today I wish to remember Maynard F. Hagemeyer, a WWII veteran and Ohio business and civic leader. Mr. Hagemeyer passed away on July 16, at the age of 98, at his home on Wilmington Road in Clarksville; he died in the same room he was born in on November 22, 1918.

Maynard Hagemeyer attended Spring Hill elementary school in a one-room schoolhouse and graduated from Massie Township High School in Harveysburg, OH in 1936. He attended the University of Cincinnati, studying business administration. He loved horses and, in his youth, showed Percheron and Belgian horses throughout the U.S., and in 1940, he traveled through the Panama Canal, transporting draft horses to Chile.

Drafted into the U.S. Army in 1941, Maynard served almost 5 years during WWII, half in deployment overseas. He attained the rank of captain and commanded a company in the 23rd replacement battalion in North Africa, serving under General George Patton. He also served under General Mark Clark in Italy.

Maynard took over the family farm in 1948 and operated various business ventures over the years. These included an excavation business, a feed mill, an anhydrous ammonia and fertilizer business, an egg business, and a Standardbred racing and breeding business he started in 1957 that still continues today.

Active in the community, Maynard was a member of the Clarksville Masonic Lodge since 1940, the Scottish Rite and Shrine since 1946, and he joined the Eastern Star in 1947 and served as "Worthy Patron" in 1952 and in 1962.

Maynard was on the Warren County Fair Board for 42 years and the Warren County Veterans Commission for 20 years. He also served as a director of the Ohio Harness Horsemen's Association and was the first president of the Harness Horse Youth Foundation.

He stepped into public service after the death of his father in 1948, completing the balance of his father's term as Warren County commissioner. He was also a member of the Warren County School Board for 10 years and served as a Washington township trustee for 32 years.

Maynard has been recognized many times over the years, including the

Pacer Grass Roots award in 1989, named a "Kentucky Colonel" at the age of 91, Masonic Lodge 75-year award in 2016, and the Harveysburg alumni 80-year award in 2016.

Maynard and his beloved wife, Stella, were married for 71 years and had 4 children, 8 grandchildren, and 10 great-grandchildren.

I would like to honor Maynard Hagemeyer for his contributions to his community, his country, and his family.●

##### TRIBUTE TO LIEUTENANT ZACHARY HODGES

• Mr. RUBIO. Mr. President, I would like to highlight the outstanding accomplishments of Lt. Zachary Hodges of Gainesville, FL. Four years ago, I nominated this impressive young man to attend the U.S. Air Force Academy.

I recently received a letter from Zachary letting me know that he has graduated from the U.S. Air Force Academy—a major milestone that his family and friends should be very proud of.

Zachary also said he plans to attend medical school at the University of Florida and looks forward to serving our Nation as an Air Force physician.

I am very proud to have nominated Zachary, who has already accomplished so much at the age of 22. His enduring commitment to his studies and his country is a testament to his will to succeed and serve. I have no doubt he will inspire others around him to do the same.

I wish Zachary the best of luck and look forward to hearing of his continued success; I am sure he has a very bright future ahead. May God bless him and all of the men and women who serve our Nation in the Armed Forces.●

##### TRIBUTE TO MACI BURKE

• Mr. THUNE. Mr. President, today I recognize the hard work of my Commerce, Science, and Transportation Committee intern Maci Burke. Maci hails from Chamberlain, SD, and is a rising sophomore at the University of Nebraska-Lincoln.

While interning on the Commerce Committee, Maci assisted the Surface Transportation Subcommittee. She is a dedicated worker who was committed to getting the most out of her internship. I extend my sincere thanks and appreciation to Maci for all of the fine work she did for the committee and wish her continued success in the years to come.●

##### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Ridgway, one of his secretaries.

##### EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages



from the President of the United States submitting sundry nominations and withdrawals which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

## PRESIDENTIAL MESSAGE

### REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SIGNIFICANT TRANSNATIONAL CRIMINAL ORGANIZATIONS THAT WAS ESTABLISHED IN EXECUTIVE ORDER 13581 ON JULY 24, 2011—PM 13

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days of the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to significant transnational criminal organizations declared in Executive Order 13581 of July 24, 2011, is to continue in effect beyond July 24, 2017.

Significant transnational criminal organizations continue to threaten the safety of the United States and its citizens through the scope and gravity of their actions. Such organizations derive revenue through widespread illegal conduct and overwhelmingly demonstrate a blatant disregard for human life through acts of violence and abuse. These organizations often facilitate and aggravate violent civil conflicts and increasingly facilitate the activities of other dangerous persons. As the sophistication of these organizations increases, they pose an increasing threat to the United States.

The activities of significant transnational criminal organizations continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 13581 with respect to transnational criminal organizations.

DONALD J. TRUMP.  
THE WHITE HOUSE, July 19, 2017.

## MESSAGE FROM THE HOUSE

At 10:01 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 806. An act to facilitate efficient State implementation of ground-level ozone standards, and for other purposes.

H.R. 2786. An act to amend the Federal Power Act with respect to the criteria and process to qualify as a qualifying conduit hydropower facility.

H.R. 2828. An act to extend the deadline for commencement of construction of a hydroelectric project.

H.R. 3050. An act to amend the Energy Policy and Conservation Act to provide Federal financial assistance to States to implement, review, and revise State energy security plans, 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. 806. An act to facilitate efficient State implementation of ground-level ozone standards, and for other purposes; to the Committee on Environment and Public Works.

H.R. 2786. An act to amend the Federal Power Act with respect to the criteria and process to qualify as a qualifying conduit hydropower facility; to the Committee on Energy and Natural Resources.

H.R. 2828. An act to extend the deadline for commencement of construction of a hydroelectric project; to the Committee on Energy and Natural Resources.

H.R. 3050. An act to amend the Energy Policy and Conservation Act to provide Federal financial assistance to States to implement, review, and revise State energy security plans, and for other purposes; to the Committee on Energy and Natural Resources.

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. ALEXANDER for the Committee on Health, Education, Labor, and Pensions.

\*Marvin Kaplan, of Kansas, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2020.

\*William J. Emanuel, of California, to be a Member of the National Labor Relations Board for the term of five years expiring August 27, 2021.

By Mr. JOHNSON for the Committee on Homeland Security and Governmental Affairs.

\*David P. Pekoske, of Maryland, to be an Assistant Secretary of Homeland Security.

\*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. PAUL (for himself and Mr. TESTER):

S. 1578. A bill to streamline the application process for H-2A employers and for other purposes; to the Committee on the Judiciary.

By Mr. ROUNDS (for himself and Mr. KING):

S. 1579. A bill to amend the Consumer Financial Protection Act of 2010 to establish advisory boards, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. RUBIO (for himself, Mr. MENENDEZ, and Mr. MANCHIN):

S. 1580. A bill to enhance the transparency, improve the coordination, and intensify the impact of assistance to support access to primary and secondary education for displaced children and persons, including women and girls, and for other purposes; to the Committee on Foreign Relations.

By Mrs. SHAHEEN:

S. 1581. A bill to amend the Internal Revenue Code of 1986 to allow a business credit for gain from the sale of real property for use as a manufactured home community, and for other purposes; to the Committee on Finance.

By Mr. VAN HOLLEN (for himself and Mr. CARDIN):

S. 1582. A bill to establish the Frederick Douglass Bicentennial Commission; to the Committee on the Judiciary.

By Mr. PAUL (for himself, Mr. ENZI, Mr. LEE, and Mr. STRANGE):

S. 1583. A bill to limit the period of authorization of new budget authority provided in appropriation Acts, to require analysis, appraisal, and evaluation of existing programs for which continued new budget authority is proposed to be authorized by committees of Congress, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. JOHNSON (for himself and Mrs. MCCASKILL):

S. 1584. A bill to amend the Ethics in Government Act of 1978 to reauthorize the Judicial Conference of the United States to redact sensitive information contained in financial disclosure reports of judicial officers and employees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WHITEHOUSE (for himself, Mr. SCHUMER, Mr. LEAHY, Mrs. FEINSTEIN, Mrs. MURRAY, Mr. DURBIN, Mr. REED, Mr. NELSON, Mr. CARPER, Ms. STABENOW, Mr. MENENDEZ, Mr. CARDIN, Mr. SANDERS, Mr. BROWN, Mr. CASEY, Mrs. MCCASKILL, Ms. KLOBUCHAR, Mr. TESTER, Mr. UDALL, Mrs. SHAHEEN, Mr. MERKLEY, Mr. BENNET, Mrs. GILLIBRAND, Mr. FRANKEN, Mr. COONS, Mr. BLUMENTHAL, Mr. SCHATZ, Ms. BALDWIN, Mr. MURPHY, Ms. HIRONO, Mr. HEINRICH, Mr. KING, Mr. KAINE, Ms. WARREN, Ms. HEITKAMP, Mr. MARKEY, Mr. BOOKER, Mr. PETERS, Mr. VAN HOLLEN, Ms. DUCKWORTH, Ms. HASSAN, Ms. HARRIS, Ms. CORTEZ MASTO, and Ms. CANTWELL):

S. 1585. A bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes; to the Committee on Rules and Administration.

By Mr. PETERS (for himself and Mr. YOUNG):

S. 1586. A bill to require the Under Secretary for Oceans and Atmosphere to update periodically the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal

area of the Great Lakes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CRUZ (for himself, Mr. LEAHY, and Mr. TILLIS):

S. 1587. A bill for the relief of Liu Xia; to the Committee on the Judiciary.

By Mr. CARDIN (for himself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. CASEY, Mr. COONS, Ms. DUCKWORTH, Mr. DURBIN, Mr. FRANKEN, Ms. HARRIS, Ms. HIRONO, Mr. LEAHY, Mr. MARKEY, Mr. SANDERS, Mr. VAN HOLLEN, Ms. WARREN, Mr. WHITEHOUSE, and Mr. WYDEN):

S. 1588. A bill to secure Federal voting rights of persons when released from incarceration; to the Committee on the Judiciary.

By Mr. ROBERTS (for himself, Mr. CARDIN, Mr. WHITEHOUSE, Ms. STABENOW, Mr. BLUNT, Mrs. GILLIBRAND, Ms. COLLINS, Mr. GRASSLEY, Ms. KLOBUCHAR, Mr. CASEY, Mr. FRANKEN, Mr. PORTMAN, Mr. CRAPO, Mr. THUNE, Mr. TESTER, Mr. BROWN, Mr. RISCH, Mr. MORAN, Ms. CANTWELL, Mr. ISAKSON, Ms. BALDWIN, and Mr. PETERS):

S. 1589. A bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes; to the Committee on Finance.

By Mr. SANDERS:

S. 1590. A bill to provide for youth jobs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VAN HOLLEN (for himself and Mr. TOOMEY):

S. 1591. A bill to impose sanctions with respect to the Democratic People's Republic of Korea, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KING (for himself, Ms. COLLINS, Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. MURPHY, Ms. HASSAN, Mr. REED, and Mr. MARKEY):

S. Res. 221. A resolution designating September 25, 2017, as "National Lobster Day"; to the Committee on the Judiciary.

By Mr. WARNER (for himself, Mr. BURR, Mrs. FEINSTEIN, Mr. RISCH, Mr. WYDEN, Mr. RUBIO, Mr. HEINRICH, Ms. COLLINS, Mr. KING, Mr. BLUNT, Mr. MANCHIN, Mr. LANKFORD, Ms. HARRIS, Mr. COTTON, and Mr. CORNYN):

S. Res. 222. A resolution designating July 26, 2017, as "United States Intelligence Professionals Day"; to the Committee on the Judiciary.

By Mr. CRUZ (for himself, Mrs. FEINSTEIN, and Mr. GARDNER):

S. Res. 223. A resolution honoring the life and legacy of Liu Xiaobo for his steadfast commitment to the protection of human rights, political freedoms, free markets, democratic elections, government accountability, and peaceful change in the People's Republic of China; to the Committee on Foreign Relations.

By Mr. DURBIN (for himself, Mr. NELSON, Mr. RUBIO, Mr. MENENDEZ, Mr. CRUZ, and Mr. MERKLEY):

S. Res. 224. A resolution recognizing the 5th anniversary of the death of Oswaldo Paya Sardinias, and commemorating his legacy and commitment to democratic values and principles; to the Committee on Foreign Relations.

## ADDITIONAL COSPONSORS

S. 372

At the request of Mr. PORTMAN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 372, a bill to amend the Tariff Act of 1930 to ensure that merchandise arriving through the mail shall be subject to review by U.S. Customs and Border Protection and to require the provision of advance electronic information on shipments of mail to U.S. Customs and Border Protection and for other purposes.

S. 382

At the request of Mr. MENENDEZ, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from New Mexico (Mr. HEINRICH) were added as cosponsors of S. 382, a bill to require the Secretary of Health and Human Services to develop a voluntary registry to collect data on cancer incidence among firefighters.

S. 720

At the request of Mr. CARDIN, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from Arkansas (Mr. COTTON) were added as cosponsors of S. 720, a bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

S. 910

At the request of Mr. SCHUMER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 910, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 916

At the request of Mr. BENNET, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 916, a bill to amend the Controlled Substances Act with regard to the provision of emergency medical services.

S. 926

At the request of Mrs. ERNST, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 926, a bill to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, and for other purposes.

S. 1024

At the request of Mr. ISAKSON, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1024, a bill to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 1050

At the request of Mr. COCHRAN, the name of the Senator from Florida (Mr.

RUBIO) was added as a cosponsor of S. 1050, a bill to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1113

At the request of Mrs. FEINSTEIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1113, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure the safety of cosmetics.

S. 1146

At the request of Mrs. SHAHEEN, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1146, a bill to enhance the ability of the Office of the National Ombudsman to assist small businesses in meeting regulatory requirements and develop outreach initiatives to promote awareness of the services the Office of the National Ombudsman provides, and for other purposes.

S. 1182

At the request of Mr. YOUNG, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

S. 1238

At the request of Ms. COLLINS, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1238, a bill to amend the Internal Revenue Code of 1986 to increase and make permanent the exclusion for benefits provided to volunteer firefighters and emergency medical responders.

S. 1312

At the request of Mr. GRASSLEY, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1312, a bill to prioritize the fight against human trafficking in the United States.

S. 1455

At the request of Mr. FLAKE, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1455, a bill to amend the United States Energy Storage Competitiveness Act of 2007 to direct the Secretary of Energy to establish new goals for the Department of Energy relating to energy storage and to carry out certain demonstration projects relating to energy storage.

S. 1507

At the request of Mr. REED, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1507, a bill to amend the National Flood Insurance Act of 1968 to allow the Administrator of the Federal Emergency Management Agency to provide capitalization grants to States to establish revolving funds to provide funding assistance to reduce flood risks, and for other purposes.

S. 1514

At the request of Mr. BARRASSO, the name of the Senator from Oklahoma

(Mr. INHOFE) was added as a cosponsor of S. 1514, a bill to amend certain Acts to reauthorize those Acts and to increase protections for wildlife, and for other purposes.

S.J. RES. 17

At the request of Mr. CORNYN, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Alabama (Mr. SHELBY) were added as cosponsors of S.J. Res. 17, a joint resolution approving the discontinuation of the process for consideration and automatic implementation of the annual proposal of the Independent Medicare Advisory Board under section 1899A of the Social Security Act.

S. CON. RES. 7

At the request of Mr. ROBERTS, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. VAN HOLLEN (for himself and Mr. CARDIN):

S. 1582. A bill to establish the Frederick Douglass Bicentennial Commission; to the Committee on the Judiciary.

Mr. VAN HOLLEN. Mr. President, I rise to join my colleague and friend, Congresswoman ELEANOR HOLMES NORTON, in introducing legislation that would establish a Bicentennial Commission to honor Frederick Douglass in 2018. Douglass was an extraordinary individual who was enslaved at birth in Talbot County, Maryland.

At a young age, Douglass learned to read and write. In 1838 he escaped from Maryland and moved to New York. Then, in 1845, he published his first autobiography called "The Narrative of the Life of Frederick Douglass: an American Slave".

He later escaped to Great Britain to avoid being tracked down and returned to slavery in Maryland. Ultimately, British Quakers paid for his freedom, which enabled him to return to United States, settling in Baltimore, Maryland in 1847. Frederick Douglass continued to be a strong Abolitionist who campaigned against slavery and in favor of the right to vote throughout the East and Mid-West. In 1850 he oversaw the Underground-Railroad in Rochester, New York.

As a Freeman he was able to hold significant positions within the Government. He served as an Advisor to President Lincoln. He was appointed to serve as the District of Columbia Legislative Council, the United States Marshall and the Recorder of Deeds. He subsequently became the Ambassador to Haiti from 1889 to 1891.

Despite his extensive travel, Douglass made four trips back to Talbot

County, Maryland. He reconciled with Captain Thomas Auld who had enslaved him in the past. He made a pilgrimage to Tappers Corner in search of his grandmother's cabin and his birthplace. As an entrepreneur, he invested in several enterprises, especially those that would benefit the African-American community. These included low-income housing developments in his old neighborhood in Fells Point (named Douglass Place) and at Highland Beach, a summer resort community outside of Annapolis popular with African Americans outside of Annapolis.

Two hundred years after Douglass' birth is a fitting time to reflect upon his work and achievements and pay tribute to a man who fought for his freedom and justice for all. He stated: "We have to do with the past only as we can make it useful to the present and the future."

In that spirit, it will be important to honor this man and explore how his legacy can help guide the future of our Country. As Douglass stated, "The life of the Nation is secure only while the Nation is honest, truthful and virtuous".

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 221—DESIGNATING SEPTEMBER 25, 2017, AS "NATIONAL LOBSTER DAY"

Mr. KING (for himself, Ms. COLLINS, Mrs. SHAHEEN, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. MURPHY, Ms. HASSAN, Mr. REED, and Mr. MARKEY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 221

Whereas the American lobster is recognized around the world as a prized and flavorful culinary delicacy;

Whereas lobster fishing has served as an economic engine and family tradition in the United States for centuries;

Whereas thousands of families in the United States make their livelihoods from lobster fishing and processing;

Whereas, with approximately 150,000,000 pounds of lobster landed each year in the United States, at an annual value of more than \$500,000,000, lobster represents one of the most valuable catches in the United States;

Whereas foreign markets for lobster from the United States are booming, with export values having nearly tripled since 2005;

Whereas historical lore notes that lobster likely joined turkey on the table at the very first Thanksgiving feast in 1621;

Whereas responsible lobstering practices beginning in the 1600s have created one of the most sustainable fisheries in the world;

Whereas 2017 marks the 145th anniversary of lobster conservation efforts in the United States, starting with a Maine law banning the harvest of egg-bearing females;

Whereas, throughout history, United States presidents have served lobster at their inaugural celebrations and state dinners with international leaders;

Whereas lobster is an excellent, versatile source of lean protein that is low in saturated fat and high in vitamin B12;

Whereas the peak of the lobstering season in the United States occurs in the late summer;

Whereas the preservation and long distance transportation of lobster meat was first achieved 175 years ago with the advent of a canning process;

Whereas lobster has become a culinary icon, with the lobster roll featured at the 2015 World Food Expo in Milan, Italy; and

Whereas lobster is enjoyed at casual beachside lobster boils and also revered as a delicacy at fine dining restaurants: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 25, 2017, as "National Lobster Day"; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

SENATE RESOLUTION 222—DESIGNATING JULY 26, 2017, AS "UNITED STATES INTELLIGENCE PROFESSIONALS DAY"

Mr. WARNER (for himself, Mr. BURR, Mrs. FEINSTEIN, Mr. RISCH, Mr. WYDEN, Mr. RUBIO, Mr. HEINRICH, Ms. COLLINS, Mr. KING, Mr. BLUNT, Mr. MANCHIN, Mr. LANKFORD, Ms. HARRIS, Mr. COTTON, and Mr. CORNYN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 222

Whereas on July 26, 1908, Attorney General Charles Bonaparte ordered newly-hired Federal investigators to report to the Office of the Chief Examiner of the Department of Justice, which subsequently was renamed the Federal Bureau of Investigation;

Whereas on July 26, 1947, President Truman signed the National Security Act of 1947 (50 U.S.C. 3001 et seq.), creating the Department of Defense, the National Security Council, the Central Intelligence Agency, and the Joint Chiefs of Staff, thereby laying the foundation for today's intelligence community;

Whereas the National Security Act of 1947, which appears in title 50 of the United States Code, governs the definition, composition, responsibilities, authorities, and oversight of the intelligence community of the United States;

Whereas the intelligence community is defined by section 3 of the National Security Act of 1947 (50 U.S.C. 3003) to include the Office of the Director of National Intelligence, the Central Intelligence Agency, the National Security Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Reconnaissance Office, other offices within the Department of Defense for the collection of specialized national intelligence through reconnaissance programs, the intelligence elements of the Army, the Navy, the Air Force, the Marine Corps, the Coast Guard, the Federal Bureau of Investigation, the Drug Enforcement Administration, and the Department of Energy, the Bureau of Intelligence and Research of the Department of State, the Office of Intelligence and Analysis of the Department of the Treasury, the elements of the Department of Homeland Security concerned with the analysis of intelligence information, and other elements as may be designated;

Whereas July 26, 2017, is the 70th anniversary of the signing of the National Security Act of 1947 (50 U.S.C. 3001 et seq.);

Whereas the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458; 118 Stat. 3638) created the position of

the Director of National Intelligence to serve as the head of the intelligence community and to ensure that national intelligence be timely, objective, independent of political considerations, and based upon all sources available;

Whereas Congress has previously passed joint resolutions, signed by the President, to designate Peace Officers Memorial Day on May 15, Patriot Day on September 11, and other commemorative occasions, to honor the sacrifices of law enforcement officers and of those who lost their lives on September 11, 2001;

Whereas the United States has increasingly relied upon the men and women of the intelligence community to protect and defend the security of the United States in the years since the attacks of September 11, 2001;

Whereas the men and women of the intelligence community, both civilian and military, have been increasingly called upon to deploy to theaters of war in Iraq, Afghanistan, and elsewhere since September 11, 2001;

Whereas numerous intelligence officers of the elements of the intelligence community have been injured or killed in the line of duty;

Whereas intelligence officers of the United States are routinely called upon to accept personal hardship and sacrifice in the furtherance of their mission to protect the United States, to undertake dangerous assignments in the defense of the interests of the United States, to collect reliable information within prescribed legal authorities upon which the leaders of the United States rely in life-and-death situations, and to “speak truth to power” by providing their best assessments to decision makers, regardless of political and policy considerations;

Whereas the men and women of the intelligence community have on numerous occasions succeeded in preventing attacks upon the United States and allies of the United States, saving numerous innocent lives; and

Whereas intelligence officers of the United States must of necessity often remain unknown and unrecognized for their substantial achievements and successes: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates July 26, 2017, as “United States Intelligence Professionals Day”;

(2) acknowledges the courage, fidelity, sacrifice, and professionalism of the men and women of the intelligence community of the United States; and

(3) encourages the people of the United States to observe this day with appropriate ceremonies and activities.

# SENATE RESOLUTION 223—HONORING THE LIFE AND LEGACY OF LIU XIAOBO FOR HIS STEADFAST COMMITMENT TO THE PROTECTION OF HUMAN RIGHTS, POLITICAL FREEDOMS, FREE MARKETS, DEMOCRATIC ELECTIONS, GOVERNMENT ACCOUNTABILITY, AND PEACEFUL CHANGE IN THE PEOPLE’S REPUBLIC OF CHINA

Mr. CRUZ (for himself, Mrs. FEINSTEIN, and Mr. GARDNER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 223

Whereas Liu Xiaobo was born on December 28, 1955, in Changchun, People’s Republic of China;

Whereas Liu Xiaobo received his bachelor’s degree in literature from Jilin University in

1982, his master’s degree at Beijing Normal University in 1984, and his doctorate degree in 1988 in literature, after publishing several best-selling books over the course of pursuing his doctorate degree;

Whereas Liu Xiaobo began his work as a visiting lecturer at universities across the world, including Columbia University in New York, New York;

Whereas over the tenure of his career, Liu Xiaobo authored 18 major publications;

Whereas Liu Xiaobo was active in the Tiananmen Square protests, where he initiated the Tiananmen Four Gentlemen Hunger Strike, which lasted 3 days;

Whereas Liu Xiaobo has been credited for saving many students’ lives by helping to negotiate their evacuation from Tiananmen Square;

Whereas Liu Xiaobo was detained and jailed in 1989 through 1991 for his role in the protests, and then jailed again in 1996 through 1999 for advocating that the Government of the People’s Republic of China redress its wrongdoings in the student protest;

Whereas Liu Xiaobo married Liu Xia in 1996, who has stood bravely by his side as a partner and fellow activist;

Whereas, on December 9, 2008, a diverse group of more than 300 Chinese scholars, writers, lawyers, and activists issued Charter 08, a manifesto calling on the Communist Party of China to abandon authoritarian rule in favor of democracy, the guarantee of human rights, and the rule of law;

Whereas Liu Xiaobo was 1 of the original drafters of Charter 08 and was taken into custody just days before the manifesto was released;

Whereas in December 2009, a court in Beijing sentenced Liu Xiaobo to 11 years in prison for “inciting subversion of state power” for his involvement in drafting Charter 08;

Whereas Liu Xiaobo was awarded the Nobel Peace Prize on October 8, 2010, “for his long and non-violent struggle for fundamental human rights in China”;

Whereas Liu Xiaobo’s wife, Liu Xia, has been held in extra-legal home confinement since October 2010, 2 weeks after her husband’s Nobel Peace Prize award was announced, and has reportedly suffered severe health problems over the years that required hospitalization;

Whereas in May 2011, the United Nations Working Group on Arbitrary Detention issued opinions declaring that the imprisonment of Liu Xiaobo and the detention of Liu Xia by the Government of the People’s Republic of China contravened the Universal Declaration of Human Rights;

Whereas Liu Xiaobo has also received more than a dozen awards and honors from several international groups for his work as a defender of the press, an outstanding democratic activist, and a defender of human rights;

Whereas Liu Xiaobo was diagnosed with terminal liver cancer in May 2017;

Whereas Liu Xiaobo died on July 13, 2017, while serving his 11-year prison sentence; and

Whereas Liu Xiaobo dedicated his life to human rights, not only in his own country, but across the globe: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the life and accomplishments of Liu Xiaobo; and

(2) calls for the Government of the People’s Republic of China to release Liu Xiaobo’s wife, Liu Xia, from house arrest, and allow her to settle in a place or country of her own choosing.

## SENATE RESOLUTION 224—RECOGNIZING THE 5TH ANNIVERSARY OF THE DEATH OF OSWALDO PAYÁ SARDIÑAS, AND COMMEMORATING HIS LEGACY AND COMMITMENT TO DEMOCRATIC VALUES AND PRINCIPLES

Mr. DURBIN (for himself, Mr. NELSON, Mr. RUBIO, Mr. MENENDEZ, Mr. CRUZ, and Mr. MERKLEY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 224

Whereas Oswaldo Payá Sardiñas was born in Havana, Cuba, in 1952 and became a non-violent critic of the communist government as a teenager, resulting in 3 years of imprisonment in 1969 at a work camp in Cuba, formerly known as “Isla de Pinos”;

Whereas, in 1987, Oswaldo Payá Sardiñas founded the Christian Liberation Movement that called for peaceful civil disobedience against the rule of the Communist Party of Cuba and advocated for civil liberties;

Whereas, in 1992 and 1997, attempts by Oswaldo Payá Sardiñas to run as a candidate for the National Assembly of People’s Power were rejected by Cuban authorities;

Whereas, in 1998, Oswaldo Payá Sardiñas and other leaders of the Christian Liberation Movement established the Varela Project in order to circulate a legal proposal to advocate for democratic political reforms within Cuba, including the establishment of freedom of association, freedom of speech, freedom of the press, free elections, freedom to start private businesses, and amnesty for political prisoners;

Whereas, in 2002, the Varela Project delivered a petition to the National Assembly of People’s Power with 11,020 signatures from Cuban citizens calling for a referendum on safeguarding basic freedoms, an end to one-party rule, and citing Article 88 of the Constitution of Cuba that allows Cuban citizens to propose laws if the proposal is made by at least 10,000 Cuban citizens who are eligible to vote;

Whereas, in 2003, Oswaldo Payá Sardiñas redelivered the petition to the National Assembly of People’s Power with an additional 14,384 signatures, establishing the biggest nonviolent campaign to oppose the Communist Party of Cuba;

Whereas, in March 2003, the crackdown on Cuban dissidents by the Government of Cuba, referred to as the “Black Spring”, led to the imprisonment of 75 individuals, including 25 members of the Varela Project and 40 members of the Christian Liberation Movement, and the formation of the Ladies in White movement by the wives of the imprisoned activists;

Whereas, in 2007, Oswaldo Payá Sardiñas called on the National Assembly of People’s Power to grant amnesty to nonviolent political prisoners and to allow Cubans to travel freely without a government permit;

Whereas, in 2009, Oswaldo Payá Sardiñas developed a Call for the National Dialogue;

Whereas petitions and calls by Oswaldo Payá Sardiñas to the National Assembly of People’s Power were repeatedly dismissed and disparaged by the Government of Cuba;

Whereas Oswaldo Payá Sardiñas, his family, and friends endured years of harassment and intimidation for the peaceful political activism of Oswaldo Payá Sardiñas;

Whereas Oswaldo Payá Sardiñas has been formally recognized in the past for his dedication to the promotion of human rights and democracy, including by receiving the Homo Homini Award in 1999, the Sakharov Prize for Freedom of Thought in 2002, the W. Averell Harriman Democracy Award from the

United States National Democratic Institute for International Affairs in 2003, and being nominated for the Nobel Peace Prize by Václav Havel, the former president of the Czech Republic, in 2005;

Whereas, on July 22, 2012, Oswaldo Payá Sardiñas and Harold Cepero, a fellow pro-democracy activist, died in a troubling car crash in Granma Province, Cuba after being followed by government agents;

Whereas the Government of Cuba has failed to conduct a credible investigation into the car crash that led to the death of Oswaldo Payá Sardiñas;

Whereas the trial and conviction of Ángel Carromero, a youth leader of the People's Party who was visiting Cuba and driving the car at the time of the crash, did not include testimony from key witnesses, and did not resolve questions about whether another car was involved or whether Mr. Carromero was coerced by the Government of Cuba into signing a false statement of guilt;

Whereas, in 2012, the United States Senate unanimously passed Senate Resolution 525, 112th Congress, agreed to July 24, 2012, honoring the life and legacy of Oswaldo Payá Sardiñas;

Whereas, in 2013, a number of United States Senators and the United States Department of State called for an impartial, third-party investigation by the Inter-American Commission on Human Rights of the Organization of American States into the circumstances surrounding the death of Oswaldo Payá Sardiñas;

Whereas, in 2013, Ángel Carromero spoke in detail during an interview with The Washington Post about being hit by another car during the crash, being mistreated and coerced by Cuban authorities following the crash, and being made the "scapegoat" by the Government of Cuba for the death of Oswaldo Payá Sardiñas;

Whereas the dissidents of the "Black Spring" have been released from prison, but many political prisoners remain imprisoned in Cuba despite trails that failed to meet international due process standards; and

Whereas the 2016 Human Rights Report on Cuba by the United States Department of State cited ongoing human rights abuses by the Government of Cuba, namely "the abridgement of the ability of citizens to choose their government; the use of government threats, physical assault, intimidation, and violent government-organized counter protests against peaceful dissent; and harassment and detentions to prevent free expression and peaceful assembly." Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes and commemorates the legacy of Oswaldo Payá Sardiñas on the 5th anniversary of his death on July 22, 2017;

(2) honors the commitment of Oswaldo Payá Sardiñas to democratic values and principles;

(3) calls on the Government of Cuba to allow an impartial, third-party investigation into the circumstances surrounding the death of Oswaldo Payá Sardiñas;

(4) urges the United States to continue to support policies and programs that promote respect for human rights and democratic principles in Cuba in a manner that is consistent with the aspirations of the Cuban people;

(5) urges the Inter-American Commission on Human Rights of the Organization of American States to continue reporting on human rights issues in Cuba, and to request a visit to Cuba in order to investigate the circumstances surrounding the death of Oswaldo Payá Sardiñas; and

(6) calls on the Government of Cuba to cease violating human rights and to begin providing democratic political freedoms to

Cuban citizens, including freedom of association, freedom of speech, freedom of the press, free elections, freedom to start private businesses, and amnesty for political prisoners.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have two requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Wednesday July 19, 2017, at 10 a.m. in room G50 of the Dirksen Senate Office Building, to hold a "Nominations Hearing."

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

That the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, July 19, 2017, at 10 a.m., in room 406 of the Dirksen Senate Office building, to conduct a hearing entitled, "Legislative Hearing on S. 1514, the Hunting Heritage and Environmental Legacy Preservation (HELP) for Wildlife Act."

##### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, July 19, 2017 at 2 p.m., to hold a hearing entitled "Nominations."

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet in executive session during the session of the Senate on Wednesday, July 19, at 10 a.m. in SD-430. We will be considering the following: Nomination of Marvin Kaplan to be a Member of the National Labor Relations Board Nomination of William Emanuel to be a Member of the National Labor Relations Board.

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, July 19, 2017, at 10 a.m. for a business meeting to consider pending committee business.

##### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, July 19, 2017, upon conclusion of the preceding business meeting, in order to conduct a hearing titled "The Postal Service's Actions During the 2016 Campaign Season: Implications for the Hatch Act."

##### COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, July 19, 2017, at 1:30 p.m., in SR-418, to conduct a hearing on pending nominations.

##### COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Wednesday, July 19, 2017 from 9 a.m. in room SH-216 of the Senate Hart Office Building to hold an open hearing entitled "Open Hearing on the Nomination of Susan Gordon to be Principal Deputy Director of National Intelligence at the Office of the Director of National Intelligence preceded by Robert P. Storch to be Inspector General of the National Security Agency, and Isabela Patelunas to be Assistant Secretary for Intelligence and Analysis at the Department of the Treasury."

##### COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence authorized to meet during the session of the 115th Congress of the U.S. Senate on Wednesday, July 19, 2017 from 2 p.m. in room SH-219 of the Senate Hart Office Building to hold a Closed Hearing.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES SUBCOMMITTEE ON NATIONAL PARKS

The Senate Committee on Energy and Natural Resources; Subcommittee on National Parks is authorized to meet during the session of the Senate in order to hold a hearing on Wednesday, July 19, 2017 at 10:15 a.m. in Room 366 of the Dirksen Senate Office Building in Washington, DC.

##### SUBCOMMITTEE ON WESTERN HEMISPHERE, TRANSNATIONAL CRIME; CIVILIAN SECURITY, DEMOCRACY, HUMAN RIGHTS AND GLOBAL WOMEN'S ISSUES

The Committee on Foreign Relations Subcommittee on Western Hemisphere, Transnational Crime; Civilian Security, Democracy, Human Rights and Global Women's Issues is authorized to meet during the session of the Senate on Wednesday, July 19, 2017 at 4:15 p.m., to hold a hearing entitled "The Collapse of the Rule of Law in Venezuela: What the United States and the International Community Can Do to Restore Democracy."

#### PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Janine Kritschgau, be granted privileges of the floor for the remainder of the day.

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

#### APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 9355(a), appoints the following Senator to the Board of Visitors of the U. S. Air Force Academy: the Honorable STEVE DAINES of

Montana (Committee on Appropriations).

# ORDERS FOR THURSDAY, JULY 20, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, July 20; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Bush nomination; further, that all postcloture time on the Bush nomination expire at 12:15 p.m.; finally, that notwithstanding the provisions of rule XXII, the cloture vote with respect to the Bernhardt nomination occur at 1:45 p.m. tomorrow.

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

## ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 5:32 p.m., adjourned until Thursday, July 20, 2017, at 10 a.m.

## NOMINATIONS

Executive nominations received by the Senate:

### DEPARTMENT OF AGRICULTURE

STEPHEN CENSKY, OF MISSOURI, TO BE DEPUTY SECRETARY OF AGRICULTURE, VICE KRYSTA L. HARDEN, RESIGNED.

### DEPARTMENT OF DEFENSE

JOSEPH KERNAN, OF FLORIDA, TO BE UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE, VICE MARCEL JOHN LETTRE II.

GUY B. ROBERTS, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE ANDREW CHARLES WEBER.

### SECURITIES AND EXCHANGE COMMISSION

HESTER MARIA PEIRCE, OF OHIO, TO BE A MEMBER OF THE SECURITIES AND EXCHANGE COMMISSION FOR A TERM EXPIRING JUNE 5, 2020, VICE LUIS AGUILAR, RESIGNED.

### ENVIRONMENTAL PROTECTION AGENCY

MICHAEL DOURSON, OF OHIO, TO BE ASSISTANT ADMINISTRATOR FOR TOXIC SUBSTANCES OF THE ENVIRONMENTAL PROTECTION AGENCY, VICE JAMES J. JONES.

### DEPARTMENT OF HEALTH AND HUMAN SERVICES

JOHN J. BARTRUM, OF INDIANA, TO BE AN ASSISTANT SECRETARY OF HEALTH AND HUMAN SERVICES, VICE ELLEN GLONINGER MURRAY.

### DEPARTMENT OF STATE

PETER HENRY BARLERIN, OF COLORADO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CAMEROON.

### DEPARTMENT OF HOMELAND SECURITY

DANIEL J. KANIEWSKI, OF MINNESOTA, TO BE DEPUTY ADMINISTRATOR FOR NATIONAL PREPAREDNESS, FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF HOMELAND SECURITY, VICE TIMOTHY W. MANNING.

### DEPARTMENT OF JUSTICE

KURT G. ALME, OF MONTANA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF MONTANA FOR THE TERM OF FOUR YEARS, VICE MICHAEL W. COTTER, RESIGNED.

### THE JUDICIARY

ANNEMARIE CARNEY AXON, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN

DISTRICT OF ALABAMA, VICE SHARON LOVELACE BLACKBURN, RETIRED.

LILES CLIFTON BURKE, OF ALABAMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ALABAMA, VICE C. LYNWOOD SMITH, JR., RETIRED.

### DEPARTMENT OF JUSTICE

DONALD Q. COCHRAN, JR., OF TENNESSEE, TO BE UNITED STATES ATTORNEY FOR THE MIDDLE DISTRICT OF TENNESSEE FOR THE TERM OF FOUR YEARS, VICE DAVID RIVERA, RESIGNED.

RUSSELL M. COLEMAN, OF KENTUCKY, TO BE UNITED STATES ATTORNEY FOR THE WESTERN DISTRICT OF KENTUCKY FOR THE TERM OF FOUR YEARS, VICE DAVID J. HALE, RESIGNED.

PETER E. DEEGAN, JR., OF IOWA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF IOWA FOR THE TERM OF FOUR YEARS, VICE KEVIN W. TECHAU, RESIGNED.

J. CODY HILAND, OF ARKANSAS, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF ARKANSAS FOR THE TERM OF FOUR YEARS, VICE CHRISTOPHER R. THYER, RESIGNED.

MARC KRICKBAUM, OF IOWA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF IOWA FOR THE TERM OF FOUR YEARS, VICE NICHOLAS A. KLINEFELDT, RESIGNED.

BRIAN J. KUESTER, OF OKLAHOMA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF OKLAHOMA FOR THE TERM OF FOUR YEARS, VICE MARK F. GREEN, RESIGNED.

R. TRENT SHORES, OF OKLAHOMA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF OKLAHOMA FOR THE TERM OF FOUR YEARS, VICE DANNY CHAPPELLE WILLIAMS, SR., RESIGNED.

## WITHDRAWALS

Executive Message transmitted by the President to the Senate on July 19, 2017 withdrawing from further Senate consideration the following nominations:

JAMES CLINGER, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION FOR A TERM OF SIX YEARS, VICE JEREMIAH O'HEAR NORTON, RESIGNED, WHICH WAS SENT TO THE SENATE ON JUNE 19, 2017.

JAMES CLINGER, OF PENNSYLVANIA, TO BE CHAIRPERSON OF THE BOARD OF DIRECTORS OF THE FEDERAL DEPOSIT INSURANCE CORPORATION FOR A TERM OF FIVE YEARS, VICE MARTIN J. GRUENBERG, TERM EXPIRING, WHICH WAS SENT TO THE SENATE ON JUNE 19, 2017.



## EXTENSIONS OF REMARKS

VISIT TO HINDU HERITAGE DAY IN  
ELK GROVE VILLAGE, ILLINOIS  
ON JULY 23RD

**HON. RAJA KRISHNAMOORTHY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. KRISHNAMOORTHY. Mr. Speaker, today I honor the work and community engagement of the organizers of and participants in Hindu Heritage Day on Sunday, July 23 in Elk Grove Village, Illinois.

Hinduism is one of the world's oldest living religions, and the faith is richly diverse with traditions stretching back thousands of years. Hinduism is a religion that prides itself on plurality, inclusion, tolerance, non-violence, and the embrace of diversity. These same values line up with our shared American values, and it is without question that in these times, we must defend these values. When people try to divide Americans or separate us, we need to remember that all of us belong together and that diversity and inclusion make us stronger as a country.

Every time I visit with members of the Hindu community, I am inspired by their devotion and their commitment to making our communities stronger all over the nation. Mr. Speaker, as a Hindu-American, I am also proud to support my many friends and family who celebrate their religion and culture throughout the country.

I honor Hindu Heritage Day on July 23, 2017 in the metropolitan Chicago area.

IN HONOR OF PAUL W. SANBORN

**HON. FRANCIS ROONEY**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today to honor the memory of a true pioneer and icon for the City of Cape Coral. Paul Warren Sanborn was a man of commitment; to his wife of 70 years, Mildred, to his daughters, Carol, Donna, and Mary, to his friends, and to the community he loved, and that loved him back. There are far too many accomplishments in a life well lived to fit into this writing, but to put it simply, Paul was Mr. Cape Coral.

Paul Sanborn served his country as a B-24 gunner and radio operator with the U.S. Army Air Corps during World War II. Upon moving to Cape Coral in 1962, Paul immediately turned his service towards the small community of 1,100 people; as a charter member of the Rotary Club of Cape Coral and American Legion Post 90, Chamber of Commerce President, Cape Coral Hospital Board member, Lee County Mosquito Control official, Cape Coral High School task force member, and official city historian. During his 55 years in Cape Coral, countless other charitable, business

and civic organizations benefited from his generosity. Paul was named citizen of the year in both 1968 and 1992. By the time that Paul Sanborn Park was dedicated in 2008, the city had grown to a population of over 160,000.

Mr. Speaker, there is no greater example of service over self than Paul Sanborn. His wit, wisdom, generosity and friendship will be missed by all.

CONGRATULATING CATHY GERALI

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. PERLMUTTER. Mr. Speaker, I rise to congratulate Cathy Gerali, the District Manager of the Metro Wastewater Reclamation District (Metro District) in Colorado, on her election as the President of the National Association of Clean Water Agencies (NACWA). The Metro District was formed in 1961 and provides wholesale wastewater transmission and treatment services to 59 local governments and approximately 1.7 million people across the Denver metro area.

Cathy started her successful career at Metro District 35 years ago as an account clerk. Through her strong work ethic and dedication, she moved up the ranks to serve as the strategic planning and internal control officer and Deputy Manager before being selected as District Manager in 2008.

Cathy is known as a dynamic leader who believes in recognizing her staff for their important work protecting the environment, protecting public health and allowing the region to thrive. Each year for Earth Day, Cathy hosts a special breakfast to celebrate employees. She is known for always being on the front lines, being accessible to employees, and checking on facility operations. She has also played key leadership roles nationally with a number of water organizations helping advance both research and advocacy for municipal clean water utilities.

Cathy understands when we invest in our public water infrastructure we are investing in the health of our environment, our communities, and our economy. Cathy's fundamental understanding of the importance of advancing today's clean water agencies as utilities of the future will make her an invaluable leader at NACWA.

Once again, I congratulate Cathy Gerali on her election as the President of NACWA. As she has done with the Metro District, I am confident she will lead NACWA with integrity, a spirit of collaboration, and an eye toward innovation and progress.

IMPLEMENTING THE GLOBAL  
FOOD SECURITY ACT

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. SMITH of New Jersey. Mr. Speaker, yesterday I held a hearing to assess the impact of the Global Food Security Act and judge how it is being implemented. We examined it with an eye toward reauthorization later this Congress.

By way of background, as many of you know, the Global Food Security Act was a standout piece of bipartisan legislation that was passed in the last Congress. I was the author of the House version of the bill, which had the support of Ms. BASS and Mr. MEADOWS from our subcommittee.

While GFSA was only signed into law in 2016, it codified a policy that had a far longer history. Like the landmark PEPFAR program, it also bridges multiple administrations.

By way of history, it was President Bush, who beginning in 2002, started to elevate the importance of food security in U.S. foreign policy, especially in Africa, via the Initiative to End Hunger in Africa (IEHA), which was funded through development assistance and implemented through USAID. At the same time, the Millennium Challenge Corporation began making substantial investments in agriculture-led economic growth programs, particularly in Africa.

It was from this foundation that President Obama instituted the Feed the Future Initiative, launched at the G8 Meeting in L'Aquila, Italy, in 2009. By that time, food insecurity as a national security issue had come to the fore. The years 2007 through 2008 saw a rise in food prices across the world, and the ensuing political turmoil this caused led to the rise, for example, of the Muslim Brotherhood in Egypt.

Today, we see President Trump and his administration continuing to implement the GFSA. We are also at a point where we can begin to assess the success of implementation, underscoring an important point for us legislators; it is never sufficient simply to pass legislation, but Congress has a constitutionally-mandated duty to make sure that the executive branch faithfully executes the laws that it passes.

Among the things we heard about are results from our efforts. Have we been successful, for example, in reducing stunting, one of the key purposes of the Act and an outcome that is measurable?

We also heard about the country selection process. How are countries that we decide to partner with chosen? What criteria do we use, and is the criteria measurable and objective?

Also, how faithfully is the GFSA's mandate to work with small-holder farmers being implemented?

As we look toward reauthorization, we need to ask ourselves what is working, what isn't working, and what can we do better to maximize the effect of our investment.

• 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.

Consider, for example, our nutrition programs aimed at mothers and children during the first 1,000 days of life window, from conception to the second birthday. We know that this period is absolutely critical for achieving healthy outcomes in children that stays with them throughout their lives, helping boost their natural immunities to ward off diseases and giving them a head start in life. We hope to hear from USAID on the successes of our nutrition interventions during the first 1,000 days.

But we need to ask ourselves, are we truly firing on all cylinders? Are we achieving the best possible results in terms of nutrition and stunting reduction, or are we failing to maximize our investments.

USAID, for example, has a neglected tropical diseases program that addresses intestinal worms and parasites that affect close to one billion people. If this work, however, is siloed—if worms are not addressed concomitantly with our nutrition interventions—the question arises: Are we maximizing our nutrition interventions? In other words, are we feeding the future, or simply feeding the worms?

It is relatively inexpensive to conduct deworming interventions among affected populations. The gains, however, can be enormous. One recent study on cost-effectiveness concluded that “deworming’s effect is robustly positive, with a weight gain per dollar spent more than 35 times greater” than those found in simple school feeding programs.

Thus, we need to ask whether we are taking advantage of synergies in our nutrition efforts, by not only including deworming, but also following up with behavior changing WaSH, or water and sanitation/health instruction. Sometimes the solution of how to keep reinfestation by worms from happening can be as simple as providing children with a pair of shoes, as worms often enter the body through a foot that comes into contact with infected soil, or making sure vegetables are washed thoroughly and peeled.

The question for USAID is whether we are fully utilizing such synergies. Tomorrow, the question for us here in Congress will be what we can do in our reauthorization legislation to ensure that USAID is given the necessary direction and tools to prioritize such synergies.

**CONGRATULATING ANNA VOLLET  
OF THE HELIAS CATHOLIC HIGH  
SCHOOL LADY CRUSADERS**

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Anna Vollet of the Helias Catholic High School Lady Crusaders on her second place finish at the 2017 Class 4 Missouri Track and Field State Championship in the 200-meter sprint.

Anna and her coach should be commended for all of their hard work throughout this past year and for Anna’s success at the State Championship.

I ask you to join me in recognizing Anna Vollet of the Helias Catholic High School Lady Crusaders for a job well done.

**HONORING DR. STANLEY DUDRICK**

**HON. LOU BARLETTA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. BARLETTA. Mr. Speaker, it is my great honor to join the town of Nanticoke and the medical community at-large in recognizing Dr. Stanley Dudrick for his many years of selfless medical service and innovative work. Through Dr. Dudrick’s passion for surgery and his invention of the total parenteral nutrition (TPN) intravenous feeding method, he has saved millions of lives and earned the distinction of being one the most influential doctors in the world.

Raised in Nanticoke, Dr. Dudrick inherited the values and work ethic of his coal mining family. He drew encouragement from those in his community, including his mother’s doctors, who inspired him to pursue a higher education in medicine. After graduating from Franklin and Marshall College, he became a research fellow and surgical resident at the University of Pennsylvania School of Medicine. It was there, at the age of 32, that Dr. Dudrick made his historic breakthrough by inventing the revolutionary TPN system in 1967.

While his invention revolutionized the medical field, it was just the beginning of Dr. Dudrick’s storied career. He went on to become a professor of surgery at UPenn, and helped to launch the University of Texas Medical School’s Department of Surgery, becoming its chief of surgery. He also served as chairman of the surgery department at the Pennsylvania Hospital and later at the Yale University School of Medicine.

In 2011, Dr. Dudrick returned home with all of this experience and success to give back to the community where his renowned career began. He is currently a professor at Misericordia University in Dallas and at Geisinger Commonwealth School of Medicine in Scranton. This month marks 50 years since Dr. Dudrick revolutionized the medical community, and the city of Nanticoke will recognize today as “Dr. Dudrick Day” by unveiling a historical marker to be displayed outside of his childhood home.

Mr. Speaker, please join me in recognizing Dr. Dudrick for his revolutionary contributions to the medical community and his selfless dedication to saving the lives of others.

**IN APPRECIATION OF THE SERVICE  
OF JOSEPH EHRENKRANTZ**

**HON. JOHN CONYERS, JR.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. CONYERS. Mr. Speaker, I rise to recognize Joseph Ehrenkrantz for his dedicated service to the House of Representatives. Over the past two years, he has diligently served the House Judiciary Committee.

A 2014 graduate of the University of Maryland, Joe majored in English and Political Science. He began his career with the House Judiciary Committee Democrats shortly after

graduation—initially as an intern and subsequently as a Professional Staff member.

Joe has worked tirelessly on the full range of issues that come before the Committee. These include civil rights and voting rights, state and local taxation, constitutional issues, and investor visas. Joe was also charged with keeping track of innumerable legislative and oversight details concerning the Committee. He has performed all of these tasks with his customary energy and enthusiasm.

Joe has also served the Committee with regard to a number of administrative matters. These include coordinating briefings, staffing hearings, organizing Minority forums, providing information technology assistance, clerking markups, helping coordinate the intern program, and providing general office management. His knowledge of Committee proceedings and procedure, coupled with his dedication to progressive priorities, has made him an integral member of our staff.

We thank Joe for his many outstanding contributions to the House Judiciary Committee and the U.S. House of Representatives, and wish him well as he begins law school at Georgetown University this fall. He will surely be greatly missed.

**HONORING THE STANISLAUS  
COUNTY POLICE ACTIVITIES  
LEAGUE (PAL)**

**HON. JEFF DENHAM**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. DENHAM. Mr. Speaker, I rise today to honor the Stanislaus County Police Activities League (PAL) for its dedication to educating our youth in public safety. It has served as an extraordinary step in promoting strong communities throughout Stanislaus County.

Originally known as the Stanislaus County Police Athletics League, PAL was created 25 years ago in 1992 by then-Sheriff Les Weidman. He saw the negative impact that drug addiction, gang violence, and other criminal activity was having in Stanislaus County, and wanted to do something about it. So, together with Stanislaus County Superintendent of Schools Martin Peterson, they started PAL. The first event they debuted was a boxing program at Mae Hensley Junior High in Ceres. Since then, PAL has continued to grow.

The pursuit of opportunities that get kids involved in their community is paramount to the success of Stanislaus County. Children involved in this program will attain the skills necessary to be successful both in their classroom and in their future career-making decisions. Additionally, kids coming out of the PAL program will learn skills and activities that set an example for younger generations. These are just a few of the reasons why PAL is deserving of praise.

Mr. Speaker, please join me in commending everyone involved in the great work that PAL does for our community. Also, I want to congratulate the Stanislaus County Police Activities League on its 25th Anniversary in supporting our youth.

## RECOGNIZING BARBARA CLELAND

**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. COFFMAN. Mr. Speaker, I rise today to express my gratitude for Barbara Cleland, the Aurora City Councilwoman at-large, for her extraordinary work and dedication to the city of Aurora for the past three decades. Her leadership has contributed to many of Aurora's most successful programs and initiatives.

Barb Cleland has made the decision to retire from politics so that she may spend more time with her family and five grand-children. Her tenure in local politics was one that brought positive change and development to a city that has experienced great growth since she was first elected.

Throughout her tenure, Councilwoman Cleland has sought to advance this city to its greatest potential. From relocating the University of Colorado Health Center, to putting stop signs on a street, her work is as meticulous as it is beneficial to the community around her. Despite retiring from the City Council, she will continue serving on the board for the Aurora Housing Authority, the Colorado State Housing Board, and as the Legislative and Community Relations director at Aurora Mental Health. Her focus on Public Safety, Courts, and Civil Service during her decades of dedicated service on the City Council for the City of Aurora reveals her commitment to her constituents and to their well-being.

Barb Cleland has enhanced the quality of life for every citizen in the City of Aurora. Her leadership during the last 28 years have made the City of Aurora the great place it is today.

Mr. Speaker, a great nation cannot exist without great representatives in local government. I believe that Ms. Barbara Cleland is among the very best and I am very grateful for her unyielding dedication to public service.

## INTRODUCTION OF HOUSE RESOLUTION SUPPORTING THE DEVELOPMENT OF PROGRAMS THAT PREPARE STUDENTS FOR CAREERS IN CYBERSECURITY

**HON. J. LUIS CORREA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. CORREA. Mr. Speaker, today, I am introducing a House Resolution supporting the development of programs that prepare students for careers in cybersecurity.

As a Member of the Committee on Homeland Security, I have come to understand that we need to invest in our nation's students to make sure our country is prepared to combat the cyber challenges of the 21st century. It is critical that the United States develop cybersecurity programs that allow students to keep up with the demands of rapidly evolving technology and to address the risks associated with cyber threats.

The United States faces a critical shortage of trained cybersecurity professionals, a shortage that includes an estimated 10,000 cybersecurity employment openings in the Federal Government alone. This number is likely to

grow to as many as one million unfilled positions throughout the United States by 2019. Educating and training our students is vital to bolster the cyber capabilities of our government, military, and private sector.

By encouraging students to develop cyber skills, we can begin to work towards building robust cybersecurity education. It is well known that early exposure to skills such as computer programming and ethical hacking increases accessibility to higher education and can encourage students to pursue a career in cybersecurity.

Over the years, the United States has become a target of a growing number of malicious cyber attacks, including large-scale breaches that compromise the personal identities and personal information of millions of Americans. These cyber threats pose a significant risk to the protection of our critical infrastructure, privacy, and national security.

It is essential that our country continues to support the development of cybersecurity education programs to ensure the United States is protected from cyber attacks. Our students are the key to the future, and we must do everything we can to make sure they are equipped with the skills necessary to combat the cyber challenges of the 21st century.

## CONGRATULATING THE JEFFERSON CITY JAYS' BASEBALL TEAM

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Jefferson City Jays' Baseball Team for their 2017 Missouri Class 5 Baseball State Championship.

This team and their coach should be commended for all of their hard work throughout this past year and for bringing home the State championship to their school and community.

I ask you to join me in recognizing the Jefferson City Jays' Baseball Team for a job well done.

## H.R. 2810, THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018

**HON. PETER A. DeFAZIO**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. DeFAZIO. Mr. Speaker, last Friday, I voted against H.R. 2810, the National Defense Authorization Act for Fiscal Year (FY) 2018.

The legislation includes several provisions that I strongly support, including giving servicemen and women a well-deserved raise of 2.4 percent. Those who serve in uniform have made extraordinary sacrifices for our country and have earned and deserve a pay raise. It also includes funding for Ukraine and Eastern Europe security initiatives to counter Russia's heightened military provocations and annexation of Crimea.

Despite these important initiatives, I have strong concerns with H.R. 2810. This legisla-

tion authorizes more than \$688.3 billion, which is \$70.4 billion more than the FY 2017 authorized level and \$28.5 billion more than the president's request. This includes \$74.6 billion to the Overseas Contingency Operations (OCO) fund, an account which is not counted in the budget and is not paid for. It adds to the deficit and is used as a slush fund by the Pentagon.

Unlike every other federal agency, the Department of Defense (DOD) refuses to complete a financial audit so taxpayers know how the biggest bureaucracy in the federal government spends their money. In fact, a shocking report released last December exposed \$125 billion in administrative waste that the Pentagon tried to bury from being viewed by the public.

I refuse to support increased bureaucratic waste at the expense of American taxpayers and our men and women in uniform. A more accountable and transparent department would ensure taxpayer dollars are directed towards the needs of our troops and the benefits they deserve, rather than buying unnecessary weapon systems, sustaining a Cold War era military force, and giving the president a blank check to fund wars Congress hasn't authorized.

I have always advocated for maintaining Congress's constitutionally-confirmed prerogative to declare war under the War Powers Act and limiting the President's authority to engage in armed conflict without the consent of Congress. I strongly oppose the NDAA's continued authorization of spending for wars that are not congressionally approved. The Pentagon uses the 2001 Authorization of Use of Military Force (AUMF) to continue to justify the 16 years our troops have been fighting in the Middle East. In his short time in office, President Trump has already sent troops to Iraq, Syria and elsewhere without seeking a new Authorization of Use of Military Force (AUMF), a violation of the War Powers Act.

Additionally, the bill prohibits the closing of Guantanamo Bay, which costs more than \$100 million each year to house 41 prisoners and has been used as a top recruiting tool by terrorists. Frankly, the prison at Guantanamo Bay has been a black eye for the United States, has eroded relationships with our allies, undermined U.S. missions abroad, and put U.S. citizens and our troops at risk of retaliation.

Congress can make responsible cuts to our defense budget without jeopardizing the safety of our troops or undermining our national security. Fiscal responsibility and accountability at the Pentagon would allow for funds to be better spent supporting the basic needs of our troops, meeting our obligations to veterans of past wars, and ensuring our true defense needs are prioritized.

## PERSONAL EXPLANATION

**HON. KAY GRANGER**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Ms. GRANGER. Mr. Speaker, I was unable to attend votes in the afternoon of July 18, 2017. Had I been present, I would have voted NAY on Roll Call No. 385; NAY on Roll Call No. 386; NAY on Roll Call No. 387; NAY on

Roll Call No. 398, and NAY on Roll Call No. 389.

RECOGNIZING THE LIFE OF  
LOUISE LITTLE

**HON. DOUG COLLINS**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize the life of Louise Little, a native of Morganton who passed away on June 30.

Louise was born and raised in our home of northeast Georgia. After graduating from Sacred Heart College, she moved back to the area to care for her friends and loved ones as a lab technician at the Rockford Clinic.

With a passion for service, Louise used her time away from work to immerse herself in her community. She was actively involved in the Lions Club, where she received numerous awards for her dedication and selflessness towards others.

On the political front, Louise was a leader who encouraged women to get more involved in politics. Her commitment to women earned her the position of president at her local chapter of the National Federation of Republican Women.

Between that and her work with the local Republican party, she encouraged others to speak out and share their ideas. She believed that every voice matters and that every individual has the power to make a difference.

Mr. Speaker, northeast Georgia is grateful for Louise Little. This woman lived a life committed to helping others. She was determined to make her community and country a better place for everyone.

While I'm sad to see the story of such an outstanding woman come to a close, I am thankful that Mrs. Little's legacy will carry on among her neighbors.

HONORING THE LIFE OF MARION  
WALSINGHAM

**HON. NEAL P. DUNN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. DUNN. Mr. Speaker, I rise today to honor the memory of Marion Walsingham, a pillar of the Bay County, Florida community who recently passed away at the age of 94.

Marion and her husband, Alvin, opened "Alvin's 5 and Dime" in St. Andrews in 1950. The store later became "Alvin's Island Stores," with locations on Panama City Beach, Destin, Fort Walton, Pensacola Beach, Orange Beach, Alabama, and Gulf Shores, Alabama.

Marion was an active member of St. Andrew United Methodist Church, the founding member of the Panama City Beach Women's Club, and a member of the first Library Committee to bring a Public Library to Panama City Beach. She was instrumental in starting the first Chapter of the Order of the Eastern Star in Panama City Beach, working her way through the leadership within the Chapter, and eventually serving as the Chairman of the Cancer Fund from 2009 to 2010.

Aside from her work in the community, Marion enjoyed spending time traveling with her grandchildren and supporting her great-grandchildren at local events.

Mr. Speaker, please join me in honoring a life well-lived. Marion Walsingham dedicated her life to the Bay County community and we will forever be grateful.

INTRODUCTION OF THE  
BIKESHARE TRANSIT ACT OF 2017

**HON. EARL BLUMENAUER**

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. BLUMENAUER. Mr. Speaker, America is in the middle of a bikeshare revolution. More than 100 communities have bikeshare systems, supporting a network of 4,800 stations and over 42,000 bikes. Since 2010, riders have taken more than 88 million trips, with the number of trips and systems increasing each year.

Today, my community is celebrating the one-year anniversary of its BIKETOWN bikeshare launch. In the last year, more than 75,000 Portlanders and visitors have taken hundreds of thousands of trips, covering more than half a million miles and removing untold numbers of automobiles from city streets. The system's success has already led to its expansion, giving more communities access to efficient, carbon-free transportation.

The increased commercial investment around bikeshare stations and networks is driving economic development across the country. Systems are opening in communities of all sizes from Los Angeles and Cleveland to Topeka and Birmingham. While some existing bikeshare programs received federal dollars to develop their systems, the lack of an established funding source has proved an impediment to many other projects. Since the term "bikeshare" is not defined in U.S. code or described by law as a form of transit, existing bikeshare systems and departments of transportation are forced to operate in a gray area, creating challenges for funding, maintaining, and administering these programs.

Today, I am introducing the Bikeshare Transit Act, legislation that will eliminate this gray area by defining bikeshare in statute and making bikeshare systems eligible to receive funding to enhance related public transportation service or transit facilities. The bill allows federal funding to be used for acquiring or replacing bikeshare-related equipment and constructing bikeshare facilities. Bikeshare systems will also be listed as eligible projects under the Congestion Mitigation and Air Quality (CMAQ) Improvement Program.

The Bikeshare Transit Act will remove significant barriers facing new and existing bikeshare projects applying for federal funding while underscoring that bikeshare programs drive economic development and are an important part of bringing choice and adding value to America's transportation system.

CONGRATULATING THE SOUTH  
CALLAWAY BULLDOGS' BASE-  
BALL TEAM

**HON. BLAINE LUETKEMEYER**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the South Callaway Bulldogs' Baseball Team for their 2017 Missouri Class 3 Baseball State Championship.

This team includes Adam Albaugh, Austin Loucks, BJ Moffat, Braden Lallier, Caleb Hall, Clayton Knipfel, Cole Shoemaker, Devin Borghardt, Drake Davidson, Dustin Loucks, Dylan Lepper, Grayson Peneston, Jerod Mistler, Josh Johnson, Kaden Helsel, Landon Horstman, Nickalas Mealy, Nicolas Moffat, Peyton Leeper, Treysen Gray, Tyklen Salmmons, Tyler Lepper, and their coach, Heath Lepper. They should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing the South Callaway Bulldogs' Baseball Team for a job well done.

RECOGNIZING THE ACHIEVEMENTS  
OF RACHEL HECK

**HON. STEVE COHEN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. COHEN. Mr. Speaker, I rise today to recognize Rachel Heck who made Memphis proud over the weekend at the U.S. Women's Golf Open. At 15 years of age, Rachel was the youngest player in the 2017 U.S. Women's Open field.

Rachel Heck is a sophomore at St. Agnes Academy with a stellar 4.7 GPA and has already committed to attend Stanford University. She was selected to be the USA Today high school golfer of the year and The Commercial Appeal's High School Golfer of the Year. Rachel qualified for the U.S. Women's Open on her first attempt, taking one of two spots in the Braselton, Ga., sectional qualifier.

Last September, Rachel won the TSSAA Division II-AA girls state title. In June, she won the 2017 Rolex Girls Junior Championship. She's No. 3 in the Golfweek/Sagarin Junior Rankings and is ranked second by the American Junior Golf Association.

Rachel Heck finished her first appearance at the U.S. Women's Open at 2-over-290. Overall, Rachel posted rounds of 72-74-72-72 while battling difficult conditions throughout, including heavy rains on Thursday and Friday. She finished 33rd in a six-way tie and placed 3rd amongst amateurs.

Rachel Heck is one of the greatest, if not the greatest, Memphis golfers ever. Dr. Carey Middlecoff (born in Hall, TN) won the U.S. Open Championship in 1949 and the Masters Tournament in 1955 and Shaun Micheel (born in Orlando, FL) won the PGA Championship in 2003, but Rachel is a native, born and raised in Memphis.

I joined thousands of Memphians watching Rachel, who had one of the best human interest stories of the tournament. I wish her the

best as she continues her golf career at St. Agnes and at Stanford University.

**HONORING THE LIFE AND LEGACY  
OF MRS. LORI ANN GLASSER**

**HON. ALCEE L. HASTINGS**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. HASTINGS. Mr. Speaker, I rise today to honor the life and legacy of Mrs. Lori Ann Glasser, whom we sadly lost on July 18, 2017. Lori was a constituent and friend of mine, and I will miss her dearly. My thoughts and prayers are with her family and friends in this undoubtedly difficult time.

Lori contributed greatly to the growth of Democratic politics in Florida, specifically in Broward County. She was the president of the Sunrise Regular Democratic Club, and the past president of the Council of Democratic Club Presidents for Broward County. She held that position for 5 years, becoming the longest serving president in that organization's history. She was also the past president of the Gold Coast Women's Democratic Club of Broward County, and the Broward Democratic Party Area Leader for Sunrise, Plantation, North Lauderdale, and Tamarac.

She was an elected Florida Delegate representing the 20th and 23rd Congressional Districts at every Democratic National Convention from 1992 to 2008, and proudly served on numerous boards and committees both political and civil.

Lori's contributions to our community will be remembered for years to come. She is survived by her husband, Craig Glasser of Sunrise, Florida, and her son. May their faith bring comfort to them in their time of grief, and know that Lori's spirit and loving memory will always live on.

**RECOGNIZING THE NATIONAL  
IMMIGRATION LAW CENTER**

**HON. LUIS V. GUTIÉRREZ**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. GUTIÉRREZ. Mr. Speaker, I rise today to recognize the National Immigration Law Center for its leadership and decades-long commitment to defending and advancing the rights of immigrants with low income.

On July 25th, the Coalition on Human Needs will rightfully honor the National Immigration Law Center as one of its Human Needs Heroes for the year. Since 1979, NILC has grown to be one of the premier immigrants' rights organizations, strategically using a combination of litigation, policy, communications, and alliance-building strategies to effect social change.

During my years in office, I have been proud to work with NILC to advance fair and moral immigration policies. During a debate that all too often plays to fear rather than fact, NILC works to make sure that policymakers remember the humanity of immigrants, their irreplaceable contributions to our economy and culture, and the real effects these laws have on their lives. By defending immigrants' rights

to due process, fair treatment as workers, and preventing racial profiling, NILC has benefited our communities and strengthened our democracy.

I have been proud to work with NILC on many important bills and advocacy efforts. Over the years, we have worked tirelessly to keep families together through deportation defense. We have fought to reverse cuts to immigrant families' welfare benefits. We have put our heads together to draft smart, fair, and humane Comprehensive Immigration Reform and DREAM legislation to make immigration legal again and to protect young immigrants. We have advocated for immigrants' health by creating legislation that would allow undocumented immigrants to obtain healthcare through the Affordable Care Act. Today, we continue to work together to protect our country's immigrant community that is under the threat of mass detention, deportation, and overall criminalization of immigrants. Together, we have not and we will not back down from this threat. I am proud to be an ally of NILC, and I applaud them in their tireless commitment to creating fair and just immigration policies.

The National Immigration Law Center has been a trusted source of policy on the intersection of poverty and immigration, an unyielding voice for making sure the debate on immigration reflects the lives of those that it affects, and a staunch defender of immigrant rights. It is my honor today to recognize the National Immigration Law Center for its dedication and skill, as well as to thank them for all that they have done on behalf of immigrants.

**CONGRATULATIONS TO THE 2017  
SERVICE ACADEMY APPOINTEES  
FROM THE 21ST CONGRESSIONAL  
DISTRICT OF TEXAS**

**HON. LAMAR SMITH**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. SMITH of Texas. Mr. Speaker, today we congratulate the 2017 Service Academy appointees from the 21st Congressional District of Texas.

The following individuals accepted Academy appointments:

Mia Elizabeth Bean, Canyon Lake High School, United States Military Academy; Kerrilee A. Berger, Smithson Valley High School, United States Air Force Academy; Hannah Kay Boubel, Fredericksburg High School, United States Military Academy; Madison K. Dean-Von Stultz, Smithson Valley High School, United States Merchant Marine Academy; Jack Daniel Dunworth, Westlake High School, United States Naval Academy; JC Matthew Engel, Westlake High School, Greystone Preparatory School at Schreiner University, United States Merchant Marine Academy; Matthew Joseph Friedel, Central Catholic High School, United States Naval Academy; Alexander Russell Heldstab, Katherine Anne Porter School, Greystone Preparatory School at Schreiner University, United States Military Academy; James Bailey Marshall, Saint Mary's Hall, United States Military Academy; Julie Ann Padilla, Cole High School, United States Air Force Academy;

Benjamin Lewis Parrish, Saint Mary's Hall, United States Military Academy; Shamus Kennedy Phelan, SHAPE American High School (Belgium), United States Air Force Academy; Jazmin Alexis Robinson, Claudia Taylor Johnson High School, United States Air Force Academy; and Jesse Alan Zimmel, Bandera High School, United States Merchant Marine Academy.

These outstanding students have much to give to their Academy and to our country. We appreciate their talents and their patriotism.

**HONORING THE SERVICE OF  
JUDGE DAMON J. KEITH**

**HON. JOHN CONYERS, Jr.**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. CONYERS. Mr. Speaker, I rise to recognize a great public servant and a brilliant jurist, Judge Damon J. Keith. Throughout his 50 years on the federal bench, Judge Keith has steadfastly and courageously protected the constitutional and civil rights of all Americans, and I am pleased that he will be honored tonight in a special event at the Supreme Court celebrating his outstanding career, and his service to the United States.

Judge Keith was born on the Fourth of July in 1922. From an early age, he stood out as a scholar and an athlete. He graduated from Northwestern High School in Detroit, where he excelled in track and he went on to become the first in his family to earn a college degree, graduating from West Virginia State College in 1943. After serving in the U.S. Army for three years, he continued his education and earned his law degree from Howard University Law School in 1949.

Judge Keith started his legal career in Detroit with the African-American law firm of Loomis, Jones, Piper & Colden, and he was one of six Detroit attorneys invited to the White House in 1963 by President John F. Kennedy to discuss the role of lawyers in the civil rights struggle.

In 1967, he was appointed to the federal bench by President Lyndon Johnson, becoming only the second African-American to sit on the U.S. District Court for the Eastern District of Michigan, and in 1975, he rose to become Chief Judge of that court. During his tenure on the District Court, Judge Keith delivered several key civil rights rulings on such important issues as school desegregation, employment and housing discrimination, and affirmative action.

In 1971, Judge Keith issued a landmark civil liberties ruling in *U.S. v. Sinclair*, which found wiretap surveillance absent a court order in domestic security cases to be unconstitutional. This case came to be known as the "Keith decision" and it was unanimously upheld by the United States Supreme Court. His ruling is also widely acknowledged as contributing to passage of the Foreign Intelligence Surveillance Act in 1975, which placed important restrictions on government surveillance of Americans.

In 1977, President Jimmy Carter appointed Judge Keith to the United States Court of Appeals for the Sixth Circuit, where he has served with distinction. He took senior status in 1995, but he continues to be a vital member

of that Court. Just last year, his impassioned dissent in a voting rights case gained national recognition, as he recounted the ugly history of voter suppression in this country, and he stood up for the rights of all Americans to have their voices heard at the ballot box.

Judge Keith is well deserving of the numerous honors and awards he has received throughout his career, including: the National Association for the Advancement of Colored People's highest award, the Spingarn Medal, in 1974; the American Bar Association's Thurgood Marshall Award in 1997; the Edward J. Devitt Award for Distinguished Service to Justice in 1998, presented by a panel comprised of a United States Supreme Court Justice, a federal circuit court judge, and a federal district court judge; and honorary degrees from Harvard University, Yale University, Georgetown University, the University of Michigan, Tuskegee University, and over thirty other institutions.

Tonight, a distinguished panel that includes former Attorney General Eric Holder will bestow one more honor, in recognition of his lifetime of service as a defender of the Constitution and the civil rights of all people. I am proud to call Judge Keith a mentor, a friend, and an inspiration.

#### CONGRATULATING HERMANN HIGH SCHOOL BEARCATS BOYS GOLF TEAM

#### HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating the Hermann High School Bearcats Boys Golf Team on their first place win in the 2017 Class 2 Missouri State Golf Tournament.

This team includes Andrew Budnik, Justin Grosse, Matthew Heidger, Thomas Henson, Ross Henson, and their coach, Jeremy Hosick. They should be commended for all of their hard work throughout this past year and for bringing home the state championship to their school and community.

I ask you to join me in recognizing the Hermann High School Bearcats Boys Golf Team on a job well done.

#### HONOR FLIGHT NORTHERN COLORADO'S 18TH HONOR FLIGHT

#### HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. BUCK. Mr. Speaker, in honor of America's heroic veterans, the Honor Flight Network conducts two annual Honor Flight ceremonies to Washington, D.C. to give our nation's heroes a day to visit and reflect at their war memorials. On May 7, 2017, Honor Flight Northern Colorado held its 18th Honor Flight that gave many of our courageous veterans this extraordinary opportunity. I am pleased to recognize the Honor Flight on May 7, 2017, honoring World War II, Korean War, and Vietnam War veterans of Northern Colorado.

Mr. Speaker, those who participated in this flight are as follows:

World War II: Cecil Carlisle, Richard Crum, Edgar Darrow, Charles Davis, Eugene Doering, Muriel Elijah, Armand Hansen, Nathan Stiewig, William Thousand, Willard Williams, Richard Zisch.

Korean War: Richard Anema, John Baker, Edwin Boggie, Robert Brethauer, George Browning, Ralph Crockett, Gary Crouch, Marvin Elwood, John Fickes, Harold Hogness, LaVern Hueske, Harry Kembel, Neville Kempkes, Harold Krug, Louis Lambdin, Robert Lebsack, Arthur Meyer, LeRoy Odell, Loren Postlewait, Frank Shipman, Wayne Sodman, Irvin Trout, Wayne Wallis, Lois Wolfson.

Vietnam War: Jose Abeyta, Tony Abeyta, Timothy Ahern, Daniel Aliries, Nelson Bachus, James Barnett, John Barslund, Stephen Bartels, Les Bates, Bernard Bay, David Beard, David Becker, Gary Becker, Mark Becker, Stephen Bernardo, Howard Bostrom, William Bradford, Darrell Brasier, Robert Brevig, Timothy Camps, Thomas Chagolla, Eric Christensen, Marvin Clark, Norris Clark, Richard Conley, David Cowan, Wesley Craig, Lorraine Davison, Gary Dorsey, Christopher Erickson, Stanley Fisher, Jerome Folse, Patricia Folse, Douglas Frost, Aurthur Gallegos, Theodore Gilbert, Leroy Gonzales, Raymond Gonzales, Albert Guse, Lowell Hill, Richard Istas, Timothy Jachowski, Joseph Kolicko Jr, Robert Krasznai, James Kuehl, Gary La-Crosse, Patrick Lennon, Gary Littlefield, Robert Loos, Malcom Macaulay, Robert Maciel, Ronald Martinez, Jonathan Mason, Douglas Mayeda, Joseph McKeon, Lee McCain, Donald McKinley, Michael McPherson, Lawrence Montoya, Tobias Morales, Marjorie Morningstar, Warren Morrow, John Niehoff, Everett Noble Jr., Jeffrey Nuce, Danny Oppie, Robert Ortega, William Pierson, William Post Jr., Anthony Quintana, Jimmy Rahm, Rudolph Ramirez, Constantino Ramos, Ronald Ray, Abel Razo, James Rose, Stephen Ryan, William Sheahan, Jimmie Shipp, William Springsteel, John Swens, Rolland Trauernicht, Vernon Turner, Daniel Valdez, Dwight Van Beber, William Weaver, Warren Wienke, Richard Wyatt.

It is my distinct pleasure as the U.S. Representative of the 4th District of Colorado to recognize the honor, courage, and sacrifice of these heroes, along with all members of America's Armed Forces. I thank them for their dedication and service to this nation.

#### RECOGNIZING MRS. REBECCA WATTLEWORTH

#### HON. RODNEY DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to recognize Mrs. Rebecca Wattleworth, who was recently named a finalist for Illinois Teacher of the Year by the National Network of State Teachers of the Year.

Each year, this organization recognizes the outstanding teachers that help improve student learning and the teaching profession.

Mrs. Wattleworth is a math and science teacher at Warrensburg-Latham High School in my district. Like many in her profession, she takes a personal interest in her students, ensuring they have all the tools they need to succeed in the classroom and beyond. She

has received many distinctions for her commitment to education, including previously being named a finalist for this same honor in 2012.

Mrs. Wattleworth is among the best educators in the state of Illinois and I am proud to recognize her dedication to her students and her community.

Congratulations Mrs. Wattleworth, on this well-deserved award. I thank her for all she does.

#### HONORING THE 30TH ANNIVERSARY OF JUBILEE HOMES OF SYRACUSE, INC.

#### HON. JOHN KATKO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. KATKO. Mr. Speaker, I rise today to honor the 30th Anniversary of Jubilee Homes of Syracuse, Inc.

Jubilee Homes of Syracuse, Inc. was founded with the goal of revitalizing Syracuse's Southwest neighborhood with long-term solutions for its residents to achieve adequate and affordable housing. For the last 30 years, Jubilee Homes, led by Executive Director Walter Dixie, has collaborated with community partners to construct over 100 affordable new homes and expanded its efforts to include economic, youth, and workforce development in Southwest Syracuse. By creating a sense of community among the residents of Southwest Syracuse and through its initiatives increasing homeownership and expanding business development, Jubilee Homes has helped to stabilize the neighborhoods in Southwest Syracuse and improve the quality of life for countless residents.

I am proud to recognize Jubilee Homes for celebrating its 30th anniversary. Jubilee Homes has become a staple for the Syracuse community and I wish this outstanding organization continued success in the years to come.

#### HONORING THE LIFE AND LEGACY OF JAIME MARTINEZ

#### HON. JOAQUIN CASTRO

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. CASTRO of Texas. Mr. Speaker, I rise today to honor the life and legacy of Jaime Martinez, a son of San Antonio and civil rights leader who left an indelible mark on our city and nation. He was raised on the West Side of San Antonio by his grandparents, immigrants to the United States who had an appreciation for President Franklin Delano Roosevelt that resonated with Jaime in his youth. They involved him at an early age in La Sociedad Mutualista Mexicana, which taught Jaime the importance of serving the community and helping others.

After attending Lanier High School, Jaime pursued his passion for music, and toured with a number of bands across the United States and Canada before returning to San Antonio in 1966. Shortly after, he joined the International Union of Electrical Workers (IUE, now the IUE-AFL-CIO) Local 780. Jaime went on



to become the Secretary Treasurer for the Executive Board of IUE District 11, the first Mexican American to do so at the national level, and served as the National Labor Coordinator for Coordinadora 96.

A talented and passionate organizer, Jaime served as first vice president for the Central Labor Council of the AFL-CIO and as president of the national Labor Council of Latin American Advancement (LCLAA). Also a strong advocate for immigrant rights, Jaime founded and was president of the League of United Latin American Citizens (LULAC) Council No. 4626 in San Antonio. Later, he became the National Chairperson of the Immigration Committee for LCLAA and treasurer of LULAC at the national level. For nearly two decades, until his passing, Jaime also served as the founder and chairman of the Cesar Chavez Legacy and Educational Foundation.

Jaime is survived by his wife, Maria Guadalupe Martinez; his daughter, Sarah Marie Martinez; his sons Ernest J. Martinez and Christopher Michael Martinez; his daughter-in-law Joyce A. Martinez; and his granddaughters Erika, Kayla, Amanda, and Sophia. I wish the entire Martinez family comfort and solace at this difficult time. Jaime's life of leadership and service improved the lives of workers and immigrants across the country. He will be missed.

#### RECOGNIZING THE LIFE OF PHILIP FOREST

##### HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize the life of Philip Forest, a native of Ellijay, who passed away on July 1. Mr. Forest lived a life committed to serving his country and helping his fellow citizens.

When Philip graduated high school, he enlisted in the U.S. Army where he served in the Medical Services Unit and, over time, became an Intelligence Officer. After 16 years of service, Mr. Forest retired and began a new career—a career that spanned from the U.S. Department of Housing and Urban Development to the National Association of Homebuilders.

Despite his demanding career, Mr. Forest still prioritized time for his friends and neighbors. When he moved to northeast Georgia, he became involved in the Georgia High Country Builders Association, from which he received a Lifetime Achievement Award, and was an active member at his local Republican Party.

When I think of Philip Forest, I think of a man who wanted to serve his country in any and every capacity. Mr. Forest's service was inexhaustible, and I hope his legacy encourages northeast Georgians for years to come.

#### PERSONAL EXPLANATION

##### HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Ms. GRANGER. Mr. Speaker, I was unable to attend votes in the afternoon of July 18,

2017. Had I been present, I would have voted NAY on Roll Call No. 390 and YEA on Roll Call No. 391.

#### CONGRATULATING GANNON WITHERS OF THE NEW BLOOMFIELD WILDCATS

##### HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in congratulating Gannon Withers of the New Bloomfield Wildcats for his second place finish in the 2017 Missouri Class 1 Boys Individual Golf State Championship.

Gannon and his coach should be commended for all of their hard work throughout this past year and for bringing home the team state championship to their school and community.

I ask you to join me in recognizing Gannon Withers of the New Bloomfield Wildcats for a job well done.

#### RELATING TO A RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

##### HON. DAVID N. CICILLINE

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 19, 2017*

Mr. CICILLINE. Mr. Speaker, my resolution raises the question of the privileges of the House pursuant to Rule IX, clause 1, as it affects "the rights of the House collectively, its dignity, and the integrity of its proceedings."

Insofar as it raises the House's failure to undertake its constitutional responsibility of oversight and the obligation of all elected officials to ensure decisions are made free of conflicts and with the public interest in mind.

In particular, matters related to the House's constitutionally granted powers have been recognized as valid questions of the privileges of the House. The Origination Clause that requests revenue bills to originate in the House includes the issues related to revenues generated by our tax code. Clearly the issues raised by this resolution cover those matters contemplated by the Origination Clause.

There is nothing more of a threat to the integrity of the House than ignoring our duty to provide a check and balance to the executive branch. To restore the dignity of the House, we must use our authority to request President Trump's tax returns and give the American people the transparency they deserve.

The stunning conflicts of interest are piling up as the President, his family, and his friends profit in their personal business endeavors while serving in public office.

President Trump has not divested himself from his businesses as was recommended by the Office of Government Ethics. He is the sole beneficiary of the trust his sons now manage and can still pull funds from it at any time.

We need to see how the President would personally benefit from changes to our tax code. Tax code changes proposed by his administration could lower his own personal tax

bill by tens of millions of dollars. The American people have a right to know.

Mr. Trump fired the Director of the FBI, James Comey, and admitted he did so because he didn't like the investigation into the Trump campaign's possible collusion with Russian officials. The following day, he welcomed the Russian foreign minister and Russian ambassador to the Oval Office with open arms, and revealed highly sensitive, classified information to them.

And now we know that several members of the Trump Campaign and President Trump's inner circle met with a Russian lawyer and intelligence agent during the campaign, hoping to get incriminating information against Hillary Clinton.

Yet to this day, we have no way of knowing President Trump's or the various Trump organizations' ties to Russia. We don't know whether Trump or his firms have received Russian income or loans or entered into Russian-linked partnerships. A "certified" letter from paid attorneys does nothing to assuage these concerns.

The Legislative Branch has the responsibility and the authority to check the Executive Branch and Section 6103 of the tax code allows for an examination of his tax returns—authority put in place specifically so Congress could examine conflicts of interest in the Executive following the Teapot Dome scandal.

We cannot ignore our duty to fully examine the personal financial entanglements this President may have with Russian entities and individuals and whether he has abused the tax laws of this country.

We have nothing but evidence to justify such an examination. If and when such conflicts are revealed, I do not want to say to our constituents that we had the power to review these conflicts, but we did nothing. I for one do not want my integrity or the integrity of my colleagues in this body to be demeaned by such a shameful failure.

To restore the dignity of the House, we must use our authority to request President Trump's tax returns and give the American people the transparency they deserve.

#### 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, July 20, 2017 may be found in the Daily Digest of today's RECORD.

## MEETINGS SCHEDULED

JULY 25

Time to be announced

Committee on Agriculture, Nutrition, and Forestry

To hold hearings to examine commodities, credit, and crop insurance, focusing on perspectives on risk management tools and trends for the 2018 Farm Bill.

SD-106

10 a.m.

Committee on Commerce, Science, and Transportation

Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard

To hold hearings to examine efforts on marine debris in the oceans and Great Lakes.

SR-253

Committee on Environment and Public Works

Subcommittee on Clean Air and Nuclear Safety

To hold hearings to examine developing and deploying advanced clean energy technologies.

SD-306

Committee on the Judiciary

To hold hearings to examine the nominations of Ralph R. Erickson, of North Dakota, to be United States Circuit Judge for the Eighth Circuit, Dabney Langhorne Friedrich, of California, to be United States District Judge for the District of Columbia, Stephen S. Schwartz, of Virginia, to be a Judge of the United States Court of Federal Claims, and Brian Allen Benczkowski, of Virginia, to be an Assistant Attorney General, Department of Justice.

SD-226

2:30 p.m.

Committee on Armed Services

Subcommittee on SeaPower

To hold hearings to receive testimony on options and considerations for achieving a 355-ship Navy from naval analysts.

SR-222

JULY 26

9:30 a.m.

Special Committee on Aging

To hold hearings to examine progress toward a cure for Type I Diabetes, focusing on research and the artificial pancreas.

SD-106

10 a.m.

Committee on Appropriations

Subcommittee on Financial Services and General Government

To hold hearings to examine proposed budget estimates and justification for fiscal year 2018 for the Department of the Treasury.

SD-138

Committee on Commerce, Science, and Transportation

To hold hearings to examine the nominations of Karen Dunn Kelley, of Pennsylvania, to be Under Secretary for Economic Affairs, and Peter B. Davidson, of Virginia, to be General Counsel, both of the Department of Commerce, and Mark H. Buzby, of Virginia, to be Administrator of the Maritime Administration, and Ronald L. Batory, of New Jersey, to be Administrator of the Federal Railroad Administration, both of the Department of Transportation.

SR-253

Committee on Energy and Natural Resources

Subcommittee on Public Lands, Forests, and Mining

To hold hearings to examine S. 32, to provide for conservation, enhanced recreation opportunities, and development of renewable energy in the California Desert Conservation Area, S. 90, to survey the gradient boundary along the Red River in the States of Oklahoma and Texas, S. 357, to direct the Secretary of the Interior to convey certain public lands in San Bernardino County, California, to the San Bernardino Valley Water Conservation District, and to accept in return certain exchanged non-public lands, S. 436, to authorize the Secretary of the Interior to retire coal preference right lease applications for which the Secretary has made an affirmative commercial quantities determination, to substitute certain land selections of the Navajo Nation, to designate certain wilderness areas, S. 467, to provide for the disposal of certain Bureau of Land Management land in Mohave County, Arizona, S. 468, to establish a procedure for resolving claims to certain rights-of-way, S. 614, to require the Secretary of the Interior to establish a pilot program for commercial recreation concessions on certain land managed by the Bureau of Land Management, S. 785, to amend the Alaska Native Claims Settlement Act to provide for equitable allotment of land to Alaska Native veterans, S. 837, to provide for the conveyance of certain land to Washington County, Utah, to authorize the exchange of Federal land and non-Federal land in the State of Utah, S. 884, to amend the Omnibus Budget Reconciliation Act of 1993 to require the Bureau of Land Management to provide a claimant of a small miner waiver from claim maintenance fees with a period of 60 days after written receipt of 1 or more defects is provided to the claimant by registered mail to cure the 1 or more defects or pay the claim maintenance fee, S. 941, to withdraw certain National Forest System land in the Emigrant Crevice area located in the Custer Gallatin National Forest, Park County, Montana, from the mining and mineral leasing laws of the United States, S. 1149, to amend the Alaska Native Claims Settlement Act to repeal a provision limiting the export of timber harvested from land conveyed to the Kake Tribal Corporation under that Act, S. 1230, to prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretaries of the Interior and Agriculture, S. 1271, to designate certain mountain peaks in the State of Colorado as "Fowler Peak" and "Boskoff Peak", and S. 1548, to designate certain land administered by the Bureau of Land Management and the Forest Service in the State of Oregon as wilderness and national recreation areas and to make additional wild and scenic river designations in the State of Oregon.

SD-366

Committee on Homeland Security and Governmental Affairs

Business meeting to consider S. 873, to amend section 8433 of title 5, United States Code, to provide for flexibility in making withdrawals from the Thrift Savings Fund, S. 288, to require notice and comment for certain interpretative

rules, S. 886, to amend the Homeland Security Act of 2002 to establish an Acquisition Review Board in the Department of Homeland Security, S. 906, to amend the Homeland Security Act of 2002 to provide for congressional notification regarding major acquisition program breaches, S. 1199, to amend the Homeland Security Act of 2002 to reauthorize the Border Enforcement Security Task Force program within the Department of Homeland Security, S. 938, to require notice of cost-free Federal procurement technical assistance in connection with registration of small business concerns in procurement systems, S. 1208, to direct the Secretary of Homeland Security to provide for an option under the Secure Mail Initiative under which a person to whom a document is sent under that initiative may elect to have the United States Postal Service use the Hold for Pickup service or the Signature Confirmation service in delivering the document, S. Con. Res. 15, expressing support for the designation of October 28, 2017, as "Honoring the Nation's First Responders Day", H.R. 1293, to amend title 5, United States Code, to require that the Office of Personnel Management submit an annual report to Congress relating to the use of official time by Federal employees, H.R. 1117, to require the Administrator of the Federal Emergency Management Agency to submit a report regarding certain plans regarding assistance to applicants and grantees during the response to an emergency or disaster, H.R. 1679, to ensure that the Federal Emergency Management Agency's current efforts to modernize its grant management system includes applicant accessibility and transparency, H.R. 195, to amend title 44, United States Code, to restrict the distribution of free printed copies of the Federal Register to Members of Congress and other officers and employees of the United States, H.R. 194, to ensure the effective processing of mail by Federal agencies, and an original bill to amend the Ethics in Government Act of 1978 to reauthorize the Judicial Conference of the United States to redact sensitive information contained in financial disclosure reports of judicial officers and employees.

SD-342

Committee on the Judiciary

To hold an oversight hearing to examine the Foreign Agents Registration Act and attempts to influence United States elections, focusing on lessons learned from current and prior administrations.

SD-226

2:30 p.m.

Committee on Homeland Security and Governmental Affairs

Permanent Subcommittee on Investigations

To hold an oversight hearing to examine Federal infrastructure permitting and the Federal Permitting Improvement Steering Council.

SD-342

Committee on Indian Affairs

To hold an oversight hearing to examine the Government Accountability Office reports on human trafficking of American Indian and Alaska Natives in the United States.

SD-628

JULY 27

10 a.m.

Committee on Banking, Housing, and  
Urban Affairs

To hold hearings to examine the nomina-  
tions of Joseph Otting, of Nevada, to be

Comptroller of the Currency, Depart-  
ment of the Treasury, and Randal  
Quarles, of Colorado, to be a Member of  
the Board of Governors of the Federal  
Reserve System, to be a Member of the  
Board of Governors of the Federal Re-

serve System (Reappointment), and to  
be Vice Chairman for Supervision of  
the Board of Governors of the Federal  
Reserve System.

SD-538

# Daily Digest

## Senate

### Chamber Action

#### *Routine Proceedings, pages S4061–S4086*

**Measures Introduced:** Fourteen bills and four resolutions were introduced, as follows: S. 1578–1591, and S. Res. 221–224. **Pages S4081–82**

#### **Appointments:**

***Board of Visitors of the U.S. Air Force Academy:*** The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 9355(a), appointed the following Senator to the Board of Visitors of the U.S. Air Force Academy: Senator Daines (Committee on Appropriations). **Pages S4085–86**

**Message from the President:** Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to significant transnational criminal organizations that was established in Executive Order 13581 on July 24, 2011; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–13) **Page S4081**

**Bush Nomination—Agreement:** Senate continued consideration of the nomination of John Kenneth Bush, of Kentucky, to be United States Circuit Judge for the Sixth Circuit. **Pages S4061–77**

During consideration of this nomination today, Senate also took the following action:

By 51 yeas to 48 nays (Vote No. 163), Senate agreed to the motion to close further debate on the nomination. **Page S4064**

A unanimous-consent agreement was reached providing that all time during morning business, recess, adjournment, and Leader remarks count post-cloture on the nomination. **Page S4086**

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at approximately 10 a.m., on Thursday, July 20, 2017; that all post-cloture time on the nomination expire at 12:15 p.m.; and that notwithstanding the provisions of Rule XXII, the vote on the motion to invoke cloture on the nomination of

David Bernhardt, of Virginia, to be Deputy Secretary of the Interior occur at 1:45 p.m. **Page S4086**

**Nominations Received:** Senate received the following nominations:

Stephen Censky, of Missouri, to be Deputy Secretary of Agriculture.

Joseph Kernan, of Florida, to be Under Secretary of Defense for Intelligence.

Guy B. Roberts, of Virginia, to be an Assistant Secretary of Defense.

Hester Maria Peirce, of Ohio, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2020.

Michael Dourson, of Ohio, to be Assistant Administrator for Toxic Substances of the Environmental Protection Agency.

John J. Bartrum, of Indiana, to be an Assistant Secretary of Health and Human Services.

Peter Henry Barlerin, of Colorado, to be Ambassador to the Republic of Cameroon.

Daniel J. Kaniewski, of Minnesota, to be Deputy Administrator for National Preparedness, Federal Emergency Management Agency, Department of Homeland Security.

Kurt G. Alme, of Montana, to be United States Attorney for the District of Montana for the term of four years.

Annemarie Carney Axon, of Alabama, to be United States District Judge for the Northern District of Alabama.

Liles Clifton Burke, of Alabama, to be United States District Judge for the Northern District of Alabama.

Donald Q. Cochran, Jr., of Tennessee, to be United States Attorney for the Middle District of Tennessee for the term of four years.

Russell M. Coleman, of Kentucky, to be United States Attorney for the Western District of Kentucky for the term of four years.

Peter E. Deegan, Jr., of Iowa, to be United States Attorney for the Northern District of Iowa for the term of four years.

J. Cody Hiland, of Arkansas, to be United States Attorney for the Eastern District of Arkansas for the term of four years.

Marc Krickbaum, of Iowa, to be United States Attorney for the Southern District of Iowa for the term of four years.

Brian J. Kuester, of Oklahoma, to be United States Attorney for the Eastern District of Oklahoma for the term of four years.

R. Trent Shores, of Oklahoma, to be United States Attorney for the Northern District of Oklahoma for the term of four years. **Page S4086**

**Nominations Withdrawn:** Senate received notification of withdrawal of the following nominations:

James Clinger, of Pennsylvania, to be a Member of the Board of Directors of the Federal Deposit Insurance Corporation for a term of six years, which was sent to the Senate on June 19, 2017.

James Clinger, of Pennsylvania, to be Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation for a term of five years, which was sent to the Senate on June 19, 2017. **Page S4086**

**Messages from the House:** **Page S4081**

**Measures Referred:** **Page S4081**

**Executive Reports of Committees:** **Page S4081**

**Additional Cosponsors:** **Pages S4082–83**

**Statements on Introduced Bills/Resolutions:** **Pages S4083–85**

**Additional Statements:** **Page S4080**

**Authorities for Committees to Meet:** **Page S4085**

**Privileges of the Floor:** **Page S4085**

**Record Votes:** One record vote was taken today. (Total—163) **Page S4064**

**Adjournment:** Senate convened at 9:30 a.m. and adjourned at 5:32 p.m., until 10 a.m. on Thursday, July 20, 2017. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S4086.)

## Committee Meetings

(Committees not listed did not meet)

### NOMINATIONS

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine the nominations of Ajit Varadaraj Pai, of Kansas, who was introduced by Senators Roberts and Moran, Jessica Rosenworcel, of Connecticut, who was introduced by Senator Blumenthal, and Brendan Carr, of Virginia, who was introduced by Senator Gardner, each to be a Member of the Federal Communications Commission, after the nominees testified and answered questions in their own behalf.

### NATIONAL PARKS LEGISLATION

*Committee on Energy and Natural Resources:* Subcommittee on National Parks concluded a hearing to examine S. 257, to clarify the boundary of Acadia National Park, S. 312, to redesignate the Saint-Gaudens National Historic Site as the "Saint-Gaudens National Historical Park", S. 355, to amend the Federal Lands Recreation Enhancement Act to provide for a lifetime National Recreational Pass for any veteran with a service-connected disability, S. 391, to establish the African Burial Ground International Memorial Museum and Educational Center in New York, New York, S. 841, to designate the Veterans Memorial and Museum in Columbus, Ohio, as the National Veterans Memorial and Museum, S. 926, to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, S. 1073, to authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconveyance, S. 1202, to modify the boundary of the Little Rock Central High School National Historic Site, S. 1403, to amend the Public Lands Corps Act of 1993 to establish the 21st Century Conservation Service Corps to place youth and veterans in national service positions to conserve, restore, and enhance the great outdoors of the United States, S. 1438, to redesignate the Jefferson National Expansion Memorial in the State of Missouri as the "Gateway Arch National Park", S. 1459, to establish Fort Sumter and Fort Moultrie National Park in the State of South Carolina, and S. 1522, to establish an Every Kid Outdoors program, after receiving testimony from Robert Vogel, Acting Deputy Director, National Park Service, Department of the Interior.

### HELP FOR WILDLIFE ACT

*Committee on Environment and Public Works:* Committee concluded a hearing to examine S. 1514, to amend certain Acts to reauthorize those Acts and to increase protections for wildlife, after receiving testimony from Brian R. Nesvik, Wyoming Game and Fish Department Chief Game Warden and Chief of the Wildlife Division, Cheyenne; Jeff Crow, Arkansas Game and Fish Commission Director, Little Rock; H. Dale Hall, Ducks Unlimited, Inc., Memphis, Tennessee; Kim Coble, Chesapeake Bay Foundation, Annapolis, Maryland; and John A. Vucetich, Michigan Technological University School of Forest Resources and Environmental Science, Houghton.

## NOMINATIONS

*Committee on Foreign Relations:* Committee concluded a hearing to examine the nominations of Luis E. Arreaga, of Virginia, to be Ambassador to the Republic of Guatemala, Sharon Day, of Florida, to be Ambassador to the Republic of Costa Rica, and Krishna R. Urs, of Connecticut, to be Ambassador to the Republic of Peru, all of the Department of State, after the nominees testified and answered questions in their own behalf.

## RULE OF LAW IN VENEZUELA

*Committee on Foreign Relations:* Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues concluded a hearing to examine the collapse of the rule of law in Venezuela, focusing on what the United States and the international community can do to restore democracy, after receiving testimony from Luis Almagro Lemes, Organization of American States, Washington, D.C.

## BUSINESS MEETING

*Committee on Homeland Security and Governmental Affairs:* Committee ordered favorably reported the nomination of David P. Pekoske, of Maryland, to be an Assistant Secretary of Homeland Security.

## USPS ACTIONS DURING 2016 CAMPAIGN SEASON

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine the Postal Service's actions during the 2016 campaign season, focusing on implications for the Hatch Act, after receiving testimony from Timm Kopp, Letter Carrier, William Siemer, Acting Deputy Inspector General, and Megan J. Brennan, Postmaster General and Chief Executive Officer, all of the Postal Service; and Adam Miles, Acting Special Counsel, Office of Special Counsel.

## BUSINESS MEETING

*Committee on Health, Education, Labor, and Pensions:* Committee ordered favorably reported the nominations of Marvin Kaplan, of Kansas, and William J. Emanuel, of California, both to be a Member of the National Labor Relations Board.

## NOMINATIONS

*Committee on Veterans' Affairs:* Committee concluded a hearing to examine the nominations of Thomas G. Bowman, of Florida, to be Deputy Secretary, Brooks D. Tucker, of Maryland, to be an Assistant Secretary (Congressional and Legislative Affairs), and James Byrne, of Virginia, to be General Counsel, all of the Department of Veterans Affairs, and Michael P. Allen, of Florida, Amanda L. Meredith, of Virginia, and Joseph L. Toth, of Wisconsin, each to be a Judge of the United States Court of Appeals for Veterans Claims, after the nominees testified and answered questions in their own behalf.

## NOMINATIONS

*Select Committee on Intelligence:* Committee concluded a hearing to examine the nominations of Susan M. Gordon, of Virginia, to be Principal Deputy Director of National Intelligence, Robert P. Storch, of the District of Columbia, to be Inspector General of the National Security Agency, Department of Defense, and Isabel Marie Keenan Patelunas, of Pennsylvania, to be Assistant Secretary for Intelligence and Analysis, Department of the Treasury, after the nominees testified and answered questions in their own behalf.

## INTELLIGENCE

*Select Committee on Intelligence:* Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

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# House of Representatives

*Chamber Action*

**Public Bills and Resolutions Introduced:** 27 public bills, H.R. 3294–3320; and 9 resolutions, H.J. Res. 109–110; H. Con. Res. 69; and H. Res. 456–461, were introduced. **Pages H6040–42**

**Additional Cosponsors:** **Pages H6043–44**

**Reports Filed:** There were no reports filed today.

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Westerman to act as Speaker pro tempore for today. **Page H5981**

**Recess:** The House recessed at 10:53 a.m. and reconvened at 12 noon. **Page H5987**

**Guest Chaplain:** The prayer was offered by the Guest Chaplain, Chaplain Marshall Dunbar, Christian Community Action, Lewisville, TX. **Page H5987**



**Journal:** The House agreed to the Speaker's approval of the Journal by voice vote. **Pages H5987, H6001**

**Question of Privilege:** Representative Cicilline rose to a question of the privileges of the House and submitted a resolution. The Chair ruled that the resolution did not present a question of the privileges of the House. Subsequently, Representative Cicilline appealed the ruling of the chair and Representative Cheney moved to table the appeal. Agreed to the motion to table the appeal of the ruling of the Chair by a yea-and-nay vote of 235 yeas to 190 nays with one answering "present", Roll No. 392.

**Pages H5997–99**

**Promoting Cross-Border Energy Infrastructure Act:** The House passed H.R. 2883, to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity, by a yea-and-nay vote of 254 yeas to 175 nays, Roll No. 398.

**Page H6010–23**

Rejected the O'Halleran motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 193 yeas to 232 noes, Roll No. 397.

**Pages H6021–23**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–29 shall be considered as an original bill for the purpose of amendment under the five-minute rule, in lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill.

**Page H6017**

Agreed to:

Gene Green (TX) amendment (No. 3 printed in part B of H. Rept. 115–235) that clarifies the applicability of the National Environmental Policy Act of 1969 (NEPA) to projects affected by the bill.

**Pages H6019–20**

Rejected:

Engel amendment (No. 1 printed in part B of H. Rept. 115–235) that sought to ensure that permitting authority for cross-border pipelines remains with the Department of State (by a recorded vote of 182 yeas to 246 noes, Roll No. 395); and

**Pages H6018–19, H6020–21**

Tsongas amendment (No. 2 printed in part B of H. Rept. 115–235) that sought to state FERC may not issue a certificate of crossing if any part of the oil or natural gas pipeline project is to be located on lands required under Federal, State, or local law to be managed for purposes of natural resource con-

servation or recreation (by a recorded vote of 179 yeas to 247 noes, Roll No. 396). **Pages H6019, H6021**

H. Res. 454, the rule providing for consideration of the bills (H.R. 2910), (H.R. 2883), and (H.R. 218) was agreed to by a yea-and-nay vote of 234 yeas to 194 nays, Roll No. 394, after the previous question was ordered by a yea-and-nay vote of 236 yeas to 192 nays, Roll No. 393.

**Pages H5991–97, H5999–H6001**

**Promoting Interagency Coordination for Review of Natural Gas Pipelines Act:** The House passed H.R. 2910, to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, by a yea-and-nay vote of 248 yeas to 179 nays, Roll No. 402.

**Pages H6001–10, H6023–27**

Rejected the Watson Coleman motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 189 yeas to 239 noes, Roll No. 401.

**Pages H6025–26**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–28 shall be considered as an original bill for the purpose of amendment under the five-minute rule.

**Page H6006**

Agreed to:

Lynch amendment (No. 2 printed in part A of H. Rept. 115–235) that directs FERC, in considering an application for an authorization or certificate covered by the bill, to consult with the Administrator of the Transportation Security Administration regarding the extent of the applicant's compliance with security guidance and best practice recommendations issued by TSA on pipeline infrastructure security, pipeline cybersecurity, pipeline personnel security, and other pipeline security measures designed to ensure the public safety. **Pages H6008–09**

Rejected:

Tsongas amendment (No. 1 printed in part A of H. Rept. 115–235) that sought to prohibit the application of section 3 if any part of a pipeline facility that is a subject of the application is to be located on lands required under Federal, State, or local law to be managed for purposes of natural resource conservation or recreation (by a recorded vote of 180 yeas to 249 noes, Roll No. 399); and

**Pages H6007–08, H6923–24**

Beyer amendment (No. 3 printed in part A of H. Rept. 115–235) that sought to improve FERC's public comment and transparency process (by a recorded vote of 192 yeas to 236 noes, Roll No. 400).

**Pages H6009–10, H6024–25**

H. Res. 454, the rule providing for consideration of the bills (H.R. 2910), (H.R. 2883), and (H.R.

218) was agreed to by a yea-and-nay vote of 234 yeas to 194 nays, Roll No. 394, after the previous question was ordered by a yea-and-nay vote of 236 yeas to 192 nays, Roll No. 393.

**Pages H5991–97, H5999–H6001**

**Meeting Hour:** Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, July 20. **Page H6030**

**Presidential Message:** Read a message from the President wherein he notified Congress that the national emergency declared in Executive Order 13581 with respect to significant transnational criminal organizations is to continue in effect beyond July 24, 2017—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 115–55).

**Page H6001**

**Quorum Calls—Votes:** Five yea-and-nay votes and six recorded votes developed during the proceedings of today and appear on pages H5998–99, H5999–H6000, H6000–01, H6020–21, H6021, H6022–23, H6023, H6024, H6024–25, H6026, and H6026–27. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 8:01 p.m.

## *Committee Meetings*

### THE STATE OF INFRASTRUCTURE IN RURAL AMERICA

*Committee on Agriculture:* Full Committee held a hearing entitled “The State of Infrastructure in Rural America”. Testimony was heard from public witnesses.

### MISCELLANEOUS MEASURES

*Committee on Appropriations:* Full Committee held a markup on the State, Foreign Operations, and Related Programs Appropriations Bill, FY 2018; the Labor, Health and Human Services, Education, and Related Agencies Appropriations Bill, FY 2018; and the Report on the Revised Interim Suballocation of Budget Allocations. The State, Foreign Operations, and Related Programs Appropriations Bill, FY 2018; and the Labor, Health and Human Services, Education, and Related Agencies Appropriations Bill, FY 2018 were ordered reported, as amended. The Report on the Revised Interim Suballocation of Budget Allocations passed.

### MISCELLANEOUS MEASURE

*Committee on the Budget:* Full Committee held a markup on the Concurrent Resolution on the Budget for Fiscal Year 2018. The concurrent resolution was ordered reported, without amendment.

### MISCELLANEOUS MEASURE

*Committee on Education and the Workforce:* Full Committee held a markup on H.R. 2823, the “Affordable Retirement Advice for Savers Act”. H.R. 2823 was ordered reported, as amended.

### MISCELLANEOUS MEASURE

*Committee on Energy and Commerce:* Subcommittee on Digital Commerce and Consumer Protection held a markup on legislation on the Highly Automated Vehicle Testing and Deployment Act of 2017. The legislation was forwarded to the full committee, as amended.

### RESTRICTING NORTH KOREA’S ACCESS TO FINANCE

*Committee on Financial Services:* Subcommittee on Monetary Policy and Trade held a hearing entitled “Restricting North Korea’s Access to Finance”. Testimony was heard from public witnesses.

### IMPLEMENTING THE U.S.-CARIBBEAN STRATEGIC ENGAGEMENT ACT

*Committee on Foreign Affairs:* Subcommittee on the Western Hemisphere held a hearing entitled “Implementing the U.S.-Caribbean Strategic Engagement Act”. Testimony was heard from Kenneth H. Merten, Acting Principal Deputy Assistant Secretary, Special Coordinator for Haiti, Bureau of Western Hemisphere Affairs, Department of State.

### MISCELLANEOUS MEASURE

*Committee on Foreign Affairs:* Subcommittee on Terrorism, Nonproliferation, and Trade held a markup on H.R. 425, the “FTO Passport Revocation Act of 2017”; and H.R. 1196, the “Counterterrorism Screening and Assistance Act of 2017”. H.R. 425 and H.R. 1196 were forwarded to the full committee, as amended.

### SAUDI ARABIA’S TROUBLING EDUCATIONAL CURRICULUM

*Committee on Foreign Affairs:* Subcommittee on Terrorism, Nonproliferation held a hearing entitled “Saudi Arabia’s Troubling Educational Curriculum”. Testimony was heard from former Member Frank Wolf and public witnesses.

### AGRICULTURAL GUESTWORKERS: MEETING THE GROWING NEEDS OF AMERICAN AGRICULTURE

*Committee on the Judiciary:* Subcommittee on Immigration and Border Security held a hearing entitled “Agricultural Guestworkers: Meeting the Growing Needs of American Agriculture”. Testimony was

heard from David Valadao, Congressman, 21st District, California House of Representatives; and public witnesses.

#### LEGISLATIVE MEASURES

*Committee on Natural Resources:* Full Committee held a hearing on H.R. 424, the “Gray Wolf State Management Act of 2017”; H.R. 717, the “Listing Reform Act”; H.R. 1274, the “State, Tribal, and Local Species Transparency and Recovery Act”; H.R. 2603, the “SAVES Act”; and H.R. 3131, the “Endangered Species Litigation Reasonableness Act”. Testimony was heard from Representatives Newhouse, Peterson, Olson, Gohmert, and Huizenga; Glenn Hegar, Comptroller of Public Accounts, Texas; Greg Sheehan, Deputy Director, Fish and Wildlife Service; David Willms, Policy Advisor for Governor, Wyoming; and public witnesses.

#### EXPLORING THE SUCCESSES AND CHALLENGES OF THE MAGNUSON-STEVENS ACT

*Committee on Natural Resources:* Subcommittee on Water, Power and Oceans held a hearing entitled “Exploring the Successes and Challenges of the Magnuson-Stevens Act”. Testimony was heard from Nick Wiley, Executive Director, Florida Fish and Wildlife Conservation Commission; and public witnesses.

#### MISCELLANEOUS MEASURES

*Committee on Oversight and Government Reform:* Full Committee held a markup on H.R. 378, the “Bonuses for Cost-Cutters Act of 2017”; H.R. 2897, to authorize the Mayor of the District of Columbia and the Director of the National Park Service to enter into cooperative management agreements for the operation, maintenance, and management of units of the National Park System in the District of Columbia, and for other purposes; H.R. 2989, the “Frederick Douglass Bicentennial Commission Act”; H.R. 3031, the “TSP Modernization Act of 2017”; H.R. 3210, the “Securely Expediting Clearances Through Reporting Transparency Act of 2017”; H.R. 3243, the “FITARA Enhancement Act of 2017”; and H.R. 3244, to amend title 5, United States Code, to provide for annual surveys of Federal employees, and for other purposes. H.R. 378, H.R. 2989, H.R. 3210, and H.R. 3244 were ordered reported, as amended. H.R. 2897, H.R. 3031, and H.R. 3243 were ordered reported, without amendment.

#### ENERGY INNOVATION: LETTING TECHNOLOGY LEAD

*Committee on Science, Space, and Technology:* Full Committee held a hearing on “Energy Innovation: Letting Technology Lead”. Testimony was heard from public witnesses.

#### REVERSING THE ENTREPRENEURSHIP DECLINE

*Committee on Small Business:* Full Committee held a hearing entitled “Reversing the Entrepreneurship Decline”. Testimony was heard from public witnesses.

#### BUILDING A 21ST CENTURY INFRASTRUCTURE FOR AMERICA: IMPLEMENTATION OF THE WATER RESOURCES REFORM AND DEVELOPMENT ACT OF 2014 AND THE WATER RESOURCES DEVELOPMENT ACT OF 2016

*Committee on Transportation and Infrastructure:* Subcommittee on Water Resources and Environment held a hearing entitled “Building a 21st Century Infrastructure for America: Implementation of the Water Resources Reform and Development Act of 2014 and the Water Resources Development Act of 2016”. Testimony was heard from Douglas W. Lamont, Senior Official Performing the Duties of the Assistant Secretary, Office of the Assistant Secretary of the Army—Civil Works; and Lieutenant General Todd T. Semonite, Commanding General, Chief of Engineers, U.S. Army Corps of Engineers.

#### MISCELLANEOUS MEASURES

*Committee on Veterans' Affairs:* Full Committee held a markup on H.R. 95, the “Veterans' Access to Child Care Act”; H.R. 282, the “Military Residency Choice Act”; H.R. 918, the “Veteran Urgent Access to Mental Healthcare Act”; H.R. 1058, the “VA Provider Equity Act”; H.R. 1690, the “Department of Veterans Affairs Bonus Transparency Act”; H.R. 2006, the “VA Procurement Efficiency and Transparency Act”; H.R. 2749, the “Protecting Business Opportunities for Veterans Act of 2017”; H.R. 2772, the “SEA Act”; H.R. 2781, the “Ensuring Veteran Enterprise Participation in Strategic Sourcing Act”; H.R. 3218, the “Harry W. Colmery Veterans Educational Assistance Act of 2017”; and H.R. 3262, to require the Secretary of Veterans Affairs to carry out a pilot program to provide educational assistance to certain former members of the Armed Forces for education and training as physician assistants of the Department of Veterans Affairs, to establish pay grades and require competitive pay for physician assistants of the Department, and for other purposes. H.R. 95, H.R. 918, H.R. 1058, H.R. 2781, H.R. 3218, and H.R. 3262 were ordered reported, as amended. H.R. 1690, H.R. 282, H.R. 2006, H.R. 2749, and H.R. 2772 were ordered reported, without amendment.

## EFFORTS TO COMBAT WASTE, FRAUD, AND ABUSE IN THE MEDICARE PROGRAM

*Committee on Ways and Means:* Subcommittee on Oversight held a hearing entitled “Efforts to Combat Waste, Fraud, and Abuse in the Medicare Program”. Testimony was heard from James Cosgrove, Director, Health Care, Government Accountability Office; and Jonathan Morse, Acting Director, Center for Program Integrity, Centers for Medicare and Medicaid Services.

## HOW TAX REFORM WILL SIMPLIFY OUR BROKEN TAX CODE AND HELP INDIVIDUALS AND FAMILIES

*Committee on Ways and Means:* Subcommittee on Tax Policy held a hearing entitled “How Tax Reform Will Simplify Our Broken Tax Code and Help Individuals and Families”. Testimony was heard from former Member Bill Archer and public witnesses.

## Joint Meetings

### CIGARETTE SMUGGLING IN THE OSCE REGION

*Commission on Security and Cooperation in Europe:* Commission concluded a hearing to examine illicit cigarette smuggling in the Organization for Security and Co-operation in Europe region, after receiving testimony from Louise Shelley, George Mason University Terrorism, Transnational Crime and Corruption Center, Williamsburg, Virginia; David T. Sweanor, University of Ottawa Centre for Health Law, Policy, and Ethics, Ottawa, Canada; and Marc Firestone, Philip Morris International, Inc., Lausanne, Switzerland.

## COMMITTEE MEETINGS FOR THURSDAY, JULY 20, 2017

(Committee meetings are open unless otherwise indicated)

### Senate

*Committee on Appropriations:* business meeting to markup an original bill entitled, “Energy and Water Development Appropriations Act, 2018”, an original bill entitled “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2018”, and subcommittee funding guidance, 10:30 a.m., SD-106.

*Committee on Banking, Housing, and Urban Affairs:* to hold hearings to examine housing finance reform, focusing on maintaining access for small lenders, 10 a.m., SD-538.

*Committee on Commerce, Science, and Transportation:* Subcommittee on Communications, Technology, Innovation, and the Internet, to hold hearings to examine an update on FirstNet, 10 a.m., SR-253.

*Committee on Energy and Natural Resources:* to hold hearings to examine the nominations of Brenda Burman, of

Arizona, to be Commissioner of Reclamation, and Susan Combs, of Texas, and Douglas W. Domenech, of Virginia, both to be an Assistant Secretary, all of the Department of the Interior, and Paul Dabbar, of New York, to be Under Secretary for Science, David S. Jonas, of Virginia, to be General Counsel, and Mark Wesley Menezes, of Virginia, to be Under Secretary, all of the Department of Energy, 10 a.m., SD-366.

*Committee on Environment and Public Works:* Subcommittee on Fisheries, Water, and Wildlife, to hold hearings to examine innovative financing and funding, focusing on addressing America’s crumbling water infrastructure, 10 a.m., SD-406.

*Committee on Finance:* business meeting to consider the nomination of David J. Kautter, of Virginia, to be an Assistant Secretary of the Treasury, 10 a.m., SD-215.

*Committee on Foreign Relations:* to hold hearings to examine the nominations of Kay Bailey Hutchison, of Texas, to be United States Permanent Representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador, Kelly Knight Craft, of Kentucky, to be Ambassador to Canada, Robert Wood Johnson IV, of New York, to be Ambassador to the United Kingdom of Great Britain and Northern Ireland, Lewis M. Eisenberg, of Florida, to be Ambassador to the Italian Republic, and to serve concurrently and without additional compensation as Ambassador to the Republic of San Marino, and Kathleen Troia McFarland, of New York, to be Ambassador to the Republic of Singapore, all of the Department of State, 9:30 a.m., SD-419.

*Committee on the Judiciary:* business meeting to consider the nominations of Christopher A. Wray, of Georgia, to be Director of the Federal Bureau of Investigation, Jeffrey Bossert Clark, of Virginia, and Beth Ann Williams, of New Jersey, both to be an Assistant Attorney General, John W. Huber, to be United States Attorney for the District of Utah, Justin E. Herdman, to be United States Attorney for the Northern District of Ohio, and John E. Town, to be United States Attorney for the Northern District of Alabama, all of the Department of Justice, and Trevor N. McFadden, of Virginia, to be United States District Judge for the District of Columbia, 9:30 a.m., SD-226.

*Committee on Veterans’ Affairs:* business meeting to consider the nominations of Thomas G. Bowman, of Florida, to be Deputy Secretary, Brooks D. Tucker, of Maryland, to be an Assistant Secretary (Congressional and Legislative Affairs), and James Byrne, of Virginia, to be General Counsel, all of the Department of Veterans Affairs, and Michael P. Allen, of Florida, Amanda L. Meredith, of Virginia, and Joseph L. Toth, of Wisconsin, each to be a Judge of the United States Court of Appeals for Veterans Claims, Time to be announced, Room to be announced.

*Select Committee on Intelligence:* to hold closed hearings to examine certain intelligence matters, 2 p.m., SH-219.

**House**

*Committee on Energy and Commerce*, Subcommittee on Health, hearing entitled “Examining Bipartisan Legislation to Improve the Medicare Program”, 10 a.m., 2123 Rayburn.

*Committee on Financial Services*, Subcommittee on Monetary Policy and Trade, hearing entitled “Monetary Policy v. Fiscal Policy: Risks to Price Stability and the Economy”, 9:30 a.m., 2128 Rayburn.

*Committee on the Judiciary*, Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, hear-

ing entitled “Gangs in Our Communities: Drugs, Human Trafficking, and Violence”, 10 a.m., 2141 Rayburn.

*Committee on Natural Resources*, Subcommittee on Energy and Mineral Resources, hearing entitled “Seeking Innovative Solutions for the Future of Hardrock Mining”, 9 a.m., 1324 Longworth.

*Committee on Small Business*, Subcommittee on Agriculture, Energy, and Trade; and Subcommittee on Health and Technology, joint hearing entitled “21st Century Medicine: How Telehealth Can Help Rural Communities”, 10 a.m., 2360 Rayburn.

*Next Meeting of the SENATE*

10 a.m., Thursday, July 20

*Next Meeting of the HOUSE OF REPRESENTATIVES*

9 a.m., Thursday, July 20

## Senate Chamber

**Program for Thursday:** Senate will continue consideration of the nomination of John Kenneth Bush, of Kentucky, to be United States Circuit Judge for the Sixth Circuit, post-cloture, and vote on confirmation of the nomination at 12:15 p.m.

At 1:45 p.m., Senate will vote on the motion to invoke cloture on the nomination of David Bernhardt, of Virginia, to be Deputy Secretary of the Interior.

## House Chamber

**Program for Thursday:** Consideration of H.R. 218—King Cove Road Land Exchange Act. Consideration of measures under suspension of the Rules.

## Extensions of Remarks, as inserted in this issue

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# Congressional Record

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