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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 28, 2017.

I hereby appoint the Honorable ROB WOODALL 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, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

SUPPORTING RECLAIM ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. JENKINS) for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Speaker, coal communities in my district and across America and across Appalachia are struggling. The war on coal has decimated many small towns and left thousands of hardworking coal miners without jobs.

Help is on the way—the RECLAIM Act, introduced by Congressman HAL ROGERS. I am proud to be a sponsor with him.

The RECLAIM Act will send $1 billion in Federal funds to Appalachia to revitalize and diversify coal communities and to create new jobs. For West Virginia, that means nearly $200 million over 5 years to invest in our coalfields. This money will allow us to redevelop abandoned mine lands, bring new companies and industries to West Virginia, and provide more jobs for our people.

Now, the RECLAIM Act doesn't mean we are giving up on coal. Far from it. Coal is our heritage and must play an important part in our State's future. But while we are bringing back our coal jobs, we must also look at how we can redevelop these former mine sites.

Many of these sites are currently sitting vacant, and our towns and counties just don't have the funds to redevelop these sites so that their job-creating potential can be unleashed. The RECLAIM Act will prioritize hard hit States like West Virginia and help employ hundreds of laid-off West Virginians to prepare these sites for new developments and new industries.

In addition, once these sites are open for business, new employers will create hundreds, if not thousands, of good-paying jobs. The RECLAIM Act can be and should be part of the solution to revitalize our coal fields.

I want to say thank you to Leader MCCONNELL and Senator CAPITO in the Senate for their leadership on this measure as well.

Mr. Speaker, I urge my colleagues in both the House and the Senate to join us in supporting this important legislation and helping Appalachia.

SNAP-ED HELPS LOW-INCOME FAMILIES

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise to highlight a program that helps low-income families lead healthier lives through education.

SNAP-Ed works to help individuals who benefit from the Supplemental Nutrition Assistance Program, SNAP. It aims to help people make healthy choices within a limited budget and choose active lifestyles consistent with the current dietary guidelines for Americans.

As chairman of the Agriculture Committee's Nutrition Subcommittee, we have been examining SNAP and how we can improve it in the next farm bill. SNAP-Ed is an important part of this, and the results show that it works.

In my home State of Pennsylvania, 17 percent of people are living below the poverty line; 1.8 million Pennsylvanians are eligible for SNAP; 85 percent of Pennsylvania adults do not eat the recommended daily amounts of fruits and vegetables; and 14 percent of Pennsylvanians are food insecure, meaning they lack reliable access to a sufficient quantity of affordable, nutritious food.

Mr. Speaker, SNAP-Ed helps low-income families stretch tight budgets and bring home healthy foods from the grocery store. It teaches low-income families how to prepare nutritious meals.

SNAP-Ed is a $400 million program awarded through Federal grants to State agencies. SNAP-Ed has the flexibility to work in schools, grocery stores, parks, even public gyms. SNAP-Ed offers many different forms of direct education and takes community input into consideration when developing education programs.

Another food education program authorized through the farm bill is the Expanded Food and Nutrition Education Program. This program is an approximately $68 million initiative operated through the Cooperative Extension Service of land grant universities. It delivers direct education via peer educators in a series of interactive hands-on lessons to improve four core

areas: diet quality and physical activity, food resource management, food safety, and food security.

The Expanded Food and Nutrition Education Program tends to be less flexible in how it delivers services than SNAP-Ed, but it has the capacity to reach more people than SNAP-Ed because it operates in more areas, both urban and rural, across this country.

Mr. Speaker, both of these educational programs are helping low-income families lead healthier lives and make better choices when it comes to nutritious food. Through education we can help ensure that American families—especially children—learn about the importance of a balanced diet as part of a healthy lifestyle and the joy of preparing their own meals.

Mr. Speaker, I look forward to strengthening these programs in the next farm bill so that we can continue to educate and serve American families.

CONCERNS BREWING ABOUT NUCLEAR POWER PLANT CONSTRUCTION

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

Mr. SHIMKUS. Mr. Speaker, I rise to address concerns brewing in Lithuania and other Baltic States about the construction of a nuclear power plant. This plant is 12½ miles from the Lithuanian border and in sight of Vilnius, Lithuania's capital and largest city.

I speak here not only as a friend of the Baltic people and as a descendant of Lithuanian immigrants, but also as co-chair of the Baltic Caucus and chairman of the Subcommittee on Environment.

Like all my colleagues here, I am concerned about ensuring the security, integrity, and safety of nuclear projects in Europe and around the world. Here is the capital of Lithuania, Vilnius, and that is where the power plant is being built.

This site was first chosen during the era of the Soviet Union but was halted after the Chernobyl disaster in 1986, which contaminated a quarter of Belarus. Now, in 2019, Belarus is supposed to house a different Moscow-run nuclear power plant, this one run by the Russian state-owned company Rosatom.

This project is very environmentally sensitive. Both Lithuania and Belarus are signatures to the Espoo Convention. The Espoo Convention calls for member states to consult with bordering countries about such projects, to allow experts to review information about the projects, and to share information with bordering countries about safety and security of these projects.

Building a nuclear power plant is hard, especially when it is a country's first. That is why the International Atomic Energy Agency has recommended a six-step review process meant to prevent disasters like Chernobyl's and the more recent one in Fukushima, Japan. But Belarus has chosen to skip four of the six steps, including crucial steps, and ignore the people in the land of Lithuania.

There is a real concern that the main purpose behind the project is to grow Russian influence and power, especially over energy, in the European Union. The President of Belarus said that the Astravets plant and another Russian plant are a fishbone in the throat of the European Union and the Baltic States.

Nuclear power plants in sensitive areas should be discussed within the Espoo Convention. Nearly all of Lithuania is within 186 miles of the plant, which means that, if a disaster were to strike, the land of Lithuania could be affected. The country's drinking water could also be affected since the plant is supposed to draw water from the Neris River that supplies drinking water to Lithuania.

But incidents are occurring that cast doubt on Belarus' commitment to working with neighbors and ensuring the plant is safe. In 2016, four accidents occurred, and Belarus has failed to be upfront with Lithuania about any of them.

A 330-ton nuclear reactor shell was allegedly dropped from about 13 feet last summer. Belarus did not reveal anything about the incident until independent media reported it, and then downplayed it.

Building a nuclear power plant requires care in construction according to the most stringent standards with the utmost transparency, and for the best reasons. This plant fails on all four counts. It is in the wrong location. It has been irresponsibly handled.

Instead of transparency, we have seen stonewalling and obfuscation. Instead of making the most economic sense, this plant seems to make good geopolitical sense—and for Russia, not for Belarus.

Mr. Speaker, let me be clear. No one here objects to the safe, secure design, construction, and running of a nuclear power plant. But the people of Lithuania are firmly opposed to irresponsible attitudes toward nuclear power, particularly so close to their most populous city.

This concern makes sense. As chairman of the House Subcommittee on Environment and long-time observer of Eastern Europe, Mr. Speaker, I can assure you that the people of the United States have no better friend than the people of Lithuania.

Lithuanians have the right and the responsibility to ensure their and their children's environmental security. They should not be expected to accept inadequate or misleading information about a serious, environmentally sensitive project right on their borders. The Government of Belarus should respect the commitments it has made, including with its neighbors.

Until these issues are resolved, Mr. Speaker, I cannot fault the Lithuanian people for their concerns about the Astravets nuclear power plant. I share their concerns. I hope Belarus will calm their fears by allowing in international experts and representatives.

Belarus should also comply with the International Atomic Energy Agency's recommendations for the design, construction, and running of safe nuclear power plants.

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

□ 1200

AFTER RECESS

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

PRAYER

Rabbi Sanford D. Akselrad, Congregation Ner Tamid, Henderson, Nevada, offered the following prayer:

O source of wisdom, gathered before this august body, I ask Your blessings upon us.

Decisions impacting the fate of our country weigh heavily upon our leaders. They stand here with backs bowed, eyes turned downward, shoulders formed into an amorphous shrug.

I pray, therefore, that You will grant our leaders strength to stand tall.

With eyes raised skyward, seeing today, tomorrow, and the next, let them govern our country with compassion, courage, and insight.

Let them stand tall to give voice to those who feel unheard and presence to those too long ignored.

Let the pursuit of justice and mercy lift them with heavenly wings, closer still to Heaven than before.

Let them stand tall.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New York (Mr. HIGGINS) come forward and lead the House in the Pledge of Allegiance.

Mr. HIGGINS of New York 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 RABBI SANFORD AKSELRAD

The SPEAKER pro tempore. Without objection, the gentlewoman from Nevada (Ms. ROSEN) is recognized for 1 minute.

There was no objection.

Ms. ROSEN. Mr. Speaker, I am proud to stand here today and introduce my friend, Rabbi Sanford Akselrad. As leader of Congregation Ner Tamid, he has been a friend, a mentor, and my rabbi for 25 years.

His vision for a campus, a spiritual hub, has been realized in his nearly 30-year career at Congregation Ner Tamid. He has led us with strength, with poise, and with wisdom as he has shared in the sorrows and joys—from the simchas to the shivas—of our entire community.

His work in both the outreach and interfaith communities has left impact and meaning on so many lives across the Las Vegas Valley and beyond.

May he continue to serve us all with grace, compassion, and strength.

Mr. Speaker, as leader of Congregation Ner Tamid, he has been a friend, a mentor, and my rabbi for 25 years.

Since moving to Las Vegas in 1988, Rabbi Akselrad has served as the spiritual leader of Congregation Ner Tamid.

His vision for a campus, a spiritual hub has been realized in his nearly 30-year career at Congregation Ner Tamid.

He has led us with strength, with poise, and with wisdom and has shared in the sorrows and joys from the simchas to the shivas of our entire community.

His work in both the Interfaith and Outreach communities has left impact and meaning on so many families across the Las Vegas Valley.

His unwavering commitment to building a strong community as our Congregation's spiritual leader and in creating a vibrant Jewish community in Southern Nevada has not gone unnoticed.

During this time, the Synagogue grew from approximately 60 to over 600 families, becoming the largest Reform Synagogue in the State of Nevada. In his nearly 27 years of service to our Congregation, Rabbi Akselrad has served on a wide variety of community boards including the Humana Hospital Pastoral Advisory Board, the Jewish Federation of Las Vegas, Jewish Family Services and the National Conference of Community and Justice.

A firm believer in K'lal Israel and building a strong Jewish community, Rabbi Akselrad has spearheaded many community-wide boards, commissions, and organizations that have helped shape the Jewish community we live in today.

In the wake of the Great Recession of the late 2000's, Rabbi Akselrad envisioned Project Ezra, a partnership between the Jewish Federation of Las Vegas, the Board of Rabbis, and Jewish Family Service Agency. Project Ezra helps people of all faiths secure new employment in this changing economic climate.

Rabbi Akselrad is currently a board member of the Anti-Defamation League of Las Vegas and the Interfaith Council of Southern Nevada. Rabbi Akselrad has served on the National Commission on Jewish Living, Worship and Music for the Union of Reform Judaism (URJ) since 1999. He has also served on the Outreach Committee (to interfaith families) of the URJ.

Rabbi Akselrad's community contributions and leadership are the best example of Congregation Ner Tamid's commitment to Tikkun Olam and Social Justice.

May he continue to serve us all with grace, compassion, and strength.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

NATIONAL MEDAL OF HONOR DAY

(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, last Saturday, March 25, marked National Medal of Honor Day. Designated by Congress in 1990, the National Medal of Honor Day celebrates each of the men and women who have earned America's highest, most prestigious military decoration.

I am grateful that South Carolina has a long tradition of military service, with 34 Medal of Honor recipients, including the youngest living honoree, Corporal Kyle Carpenter of Gilbert.

To mark National Medal of Honor Day, I join Medal of Honor recipient Major General James Livingston and South Carolina Attorney General Alan Wilson with a wreath-laying ceremony at Mount Pleasant Memorial Garden. The inspiring program was organized by the Fort Sullivan Chapter, National Society Daughters of the American Revolution, led by Regent Nancy Herritage.

Additionally, congratulations to the University of South Carolina women's basketball team and head coach Dawn Staley on their victory in the Elite Eight last night. I am happy to cheer for the Gamecocks as they head to Dallas, Texas, for their second Final Four appearance in just 3 years.

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

USE LEVERAGE OF FEDERAL GOVERNMENT TO IMPROVE QUALITY AND COST OF HEALTH CARE

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

Mr. HIGGINS of New York. Mr. Speaker, last week's healthcare disaster was instructive because, in the end, it was never really about health care at all.

Your plan was a thinly-veiled scheme to deliver a massive tax cut to health insurance executives and their cronies. UnitedHealthcare is one of America's largest, private healthcare insurance companies. UnitedHealthcare is under investigation for defrauding Medicare and the Federal Government out of billions of dollars. UnitedHealthcare's CEO made $66 million in 2014—one man, one salary, in 1 year—$66 million under investigation for defrauding the Medicare program; and your bill, on page 67, in seven simple words, would have rewarded this potentially criminal behavior with a massive tax cut.

Mr. Speaker, Americans, on average, will pay more than $10,000 per person for health care this year. Let's use the enormous leverage of the Federal Government to drive down those costs and to drive up quality for all Americans.

REMEMBERING JOHN CRUTCHER

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

Ms. FOXX. Mr. Speaker, today I rise to mourn the loss of John Crutcher, who passed away on March 12, 2017, at the age of 100.

A native of Kansas, John spent many years in public service, including teaching in a one-room school on the prairie. He was elected to a seat in the Kansas Senate and served two terms as Lieutenant Governor in his home State. In 1982, President Reagan appointed him to the Federal Postal Rate Commission, where he gained a reputation as an outspoken critic of the Postal Service.

In World War II he served as a Navy officer in the Pacific theater and Korea. He retired as a captain in the U.S. Naval Reserve and always remained active in Navy organizations.

A true, very modest gentleman, John was respected and beloved by all who knew him. He will be greatly missed in the mountains of North Carolina, which he came to call home after marrying his lovely wife, Edith.

KEEP THE CLEAN POWER PLAN INTACT

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

Mr. WELCH. Mr. Speaker, President Trump today plans to unravel the Clean Power Plan that, once implemented, would reduce carbon emissions by 870 million tons, the equivalent of 166 million cars.

Why? False science, false economics.

Some of the best minds of the 18th century apparently are advising President Trump on science matters. This planet is melting. We have had the worst wild weather in centuries; the three hottest years on record. Let's not deny what is before our very eyes, false economics.

President Trump apparently believes we have to make a choice: either jobs or a clean environment. The exact opposite is true; 8.1 million people worldwide work in clean energy. It will be 24 million in 2030. Solar jobs in Vermont grew at the fastest pace of any jobs.

President Trump believes we either have jobs or a clean environment. He has it exactly wrong. We have both or we have neither.

A confident nation faces its problems. It doesn't deny them. Keep the Clean Power Plan intact.

CELEBRATING THE LIFE OF ANAND NALLATHAMBI

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

Mrs. MIMI WALTERS of California. Mr. Speaker, I rise in memory of Anand Nallathambi, who passed away on March 2. Mr. Nallathambi epitomized the American Dream, rising from humble beginnings to become the president and CEO of CoreLogic, a global company based in Irvine.

He led CoreLogic from its 2010 launch as a public company and transformed it into a high-performing leader in the housing market, employing over 5,000 Americans. Beyond his business leadership, Mr. Nallathambi volunteered his time generously with many organizations, including Operation HOPE and Cal State Fullerton.

He will long be remembered for his outstanding leadership, warm personality, integrity, devotion to his family and faith, and service to the community.

Please join me in celebrating the life of Mr. Nallathambi.

LEAVE REPEAL AND REPLACE EFFORTS BEHIND

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

Mr. KILDEE. Mr. Speaker, on Friday, when House Republicans withdrew TrumpCare, it was a victory for American families. It was a victory for 24 million people who would have lost coverage under that plan. It was also a victory for the millions of Americans who attended townhall meetings, who wrote letters and emails, who spoke up. Their voices were heard. But we have more work to do, Democrats and Republicans, in order to make sure that all Americans have access to affordable health care.

We need now to turn our attention to doing what we can to improve the Affordable Care Act in a bipartisan way. We have ways to make this work better. It is not a perfect bill; of course it isn't. Nothing we do here is perfect. It needs improvement, significant improvement. We have ways to make that happen that I think Democrats and Republicans can come together on.

For example, improving access to prescription drugs by reducing the cost of those drugs in the marketplace. There are so many things we can do, Republicans and Democrats. We have got to roll up our sleeves and get to work.

WAUSAU-AREA TRAGEDY

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

Mr. DUFFY. Mr. Speaker, it is with a heavy heart that I rise today to recognize the loss of four members of our greater-Wausau community. It was last week that four lives were taken from us all too early.

Karen Barclay was warm and caring to everyone around her. At Marathon Savings Bank, she made sure that no child left the bank without a lollipop.

Dianne Look, known as Dee-Dee, celebrated her 25th wedding anniversary last month. Dianne loved to make jewelry, raising money for the American Cancer Society.

Sara Quirt-Sann had an infectious laugh. She ran her own law practice, and she proudly served as a guardian ad litem for kids in our community.

We also lost Detective Jason Weiland of the Everest Metro Police Department, who was killed in the line of duty. Serving 18 years in what was described as his dream job, Detective Weiland wore the Everest Metro PD uniform because he wanted to protect people and keep his community safe.

On behalf of this institution, I rise to extend my deepest regrets to their families, their mothers and fathers, husbands and wives, and children, who no longer have a special member in their homes.

COMPLETE INVESTIGATION NEEDED INTO RUSSIAN CONNECTION

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

Mr. RASKIN. Mr. Speaker, every American who loves freedom, democracy, and public integrity this week is expressing solidarity with the hundreds of thousands of anticorruption protesters in Russia who took to the streets on Sunday. That huge throng of brave Russians, including hundreds arrested and jailed by agents of Vladimir Putin, were protesting the autocrats and kleptocrats running their country, a key target being Prime Minister Dmitry Medvedev, who has amassed vineyards, luxury yachts, and mansions worth more than $1 billion.

We should be standing with the protesters, but the corrupt autocrats of Russia have found good friends in the billionaire Cabinet of international businessman Donald Trump, whose administration is administering a spreading staph infection: disgraced former National Security Adviser Michael Flynn, who was paid by Russian companies to appear at Russian events; Secretary of State Rex Tillerson, former CEO of ExxonMobil and a close friend of Vladimir Putin who was awarded in 2013 a title of nobility called the Russian Order of Friendship; Paul Manafort, the former Trump campaign manager who collected $10 million a year to advance the agenda of Russia and Russian oligarchs.

We should be standing with the protesters. Two-thirds of Americans want to see a complete, independent 9/11-style investigation into the Russian connection, and we owe them no less.

□ 1215

HONORING THE LIFE OF NEYLE WILSON

(Mr. RICE of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. RICE of South Carolina. Mr. Speaker, I rise today to recognize my friend and an outstanding man from my home in Horry County, South Carolina, who has dedicated his entire life to education and public service. Mr. Neyle Wilson retired last month after 14 years of serving as the president of Horry Georgetown Technical College and leaves behind a great legacy of selflessness and devotion to education in the community.

Under Mr. WILSON's direction, Horry County Technical College added nine new buildings, 40 new programs of study, and saw enrollment double. He never failed to go above and beyond to complete the task at hand. Often he was called on at the last minute to provide education or skilled workplace training to fill spots at existing local businesses or businesses looking to move to Horry County to employ South Carolinians, and he always came through.

Mr. WILSON was a credit to Horry County Technical College and the entire Grand Strand community. He led thousands of South Carolinians to meaningful jobs. Through these and his many other meaningful contributions, he will always be remembered.

CELEBRATING MONROE COUNTY DUCKS UNLIMITED

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

Mr. WALBERG. Mr. Speaker, this past weekend I had the privilege of attending the Monroe County Ducks Unlimited annual dinner. More than 1,000 people came out to the MB&T Expo Center to celebrate our hunting and fishing heritage.

As a lifelong outdoorsman, I have been a proud supporter of conservation policies that protect our wetlands and wildlife habitats. The Great Lakes Restoration Initiative is a model example of a public-private partnership that has been invaluable to the health of the Great Lakes ecosystem.

The GLRI has received widespread bipartisan support because of the economic and environmental benefits it brings to Lake Erie, the State of Michigan, and the entire Great Lakes region. Mr. Speaker, this critical initiative is getting results and needs to be preserved.

I want to thank Monroe County Ducks Unlimited for all of their conservation efforts, and I will continue

working to ensure that future generations can enjoy our precious natural resources just like we do today.

Mr. Speaker, in a point of personal privilege, I want to welcome my newest granddaughter, Hanna Belle, born less than 2 hours ago in Africa. I welcome her to this life, and God bless her.

ADDRESSING THE FAITH-BASED COMMUNITY CENTER PROTECTION ACT

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

Mr. MAST. Mr. Speaker, a few weeks ago, I spoke in this Chamber about the threats made against Jewish community centers across this country. I rise today because, this week, we have taken bipartisan action to address these threats.

As Members of Congress, we have a responsibility not only to speak out against hate, but to take real action to put an end to bigotry and violence. This week, I joined with a bipartisan group of my colleagues introducing the Faith-Based Community Center Protection Act.

I also want to thank Senator HEINRICH for his leadership on this issue in the Senate.

Our bill provides over $20 million in additional funding to the Department of Homeland Security specifically dedicated to safeguarding faith-based community centers, and it would double the Federal penalty against making bomb threats from 5 years to 10 years. Think about that, bomb threats from just 5 years to 10 years. These are commonsense changes, and this is a simple, affordable solution to a very serious problem.

Mr. Speaker, today I am calling on my colleagues to join us as defenders of human dignity because it is the decent, humane thing to do.

TIME FOR IMMIGRATION REFORM IS NOW

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

Mr. POLIS. Mr. Speaker, the time for immigration reform is now.

If we want to increase the growth rate of our economy, fixing our broken immigration system will do that.

If we want to restore the rule of law and improve our national security so we know who is here, immigration reform will do that.

If we want to prevent undocumented workers from undermining wages for American workers, immigration reform will do that by making sure that people who work here are registered and get right with the law and can move forward in a legal manner.

There are so many reasons to pass a bipartisan immigration reform bill similar to the one that passed the United States Senate with more than two-thirds support just a few years ago.

I hope that my Democratic and Republican colleagues hear the outcry from across this country that says enough is enough. Let's fix our broken immigration system.

We are, after all, a nation of immigrants and a nation of laws. It is the work of this body to reconcile those two to make sure that, moving forward, we can do immigration in a legal way rather than an illegal way, a way that benefits our economy, American workers, and American businesses.

Let's move forward on comprehensive immigration reform now.

CONGRATULATING ELLWOOD NATIONAL CRANKSHAFT

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize Ellwood National Crankshaft on receiving STAR certification in the OSHA Voluntary Protection Program.

Ellwood National Crankshaft, located in Irvine, Pennsylvania, is a unique manufacturer of new and reconditioned crankshafts for medium-speed engines in the 800- to 6,000-horsepower range.

Mr. Speaker, in order to attain this distinguished certification, a facility has met or exceeded the performance-based criteria for a managed safety and health system. It also passed the rigorous onsite evaluation conducted by a team of OSHA safety and health experts.

This recognition is even more significant, knowing that Ellwood National Crankshaft is one of only a few forging and process safety management facilities to obtain the STAR status. Its motto, ''Injury free every day,'' echoes the importance of safety throughout the plant.

I commend Ellwood National Crankshaft for making safety a top priority. Everyone wins when there are fewer days missed due to injuries or illness.

Congratulations on earning this prestigious certification and for placing such a high standard on the welfare of all the people employed at Ellwood National Crankshaft.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 28, 2017.

Hon. PAUL D. RYAN,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 28, 2017, at 9:14 a.m.:

That the Senate agreed to S.J. Res. 30.

That the Senate agreed to S.J. Res. 35.

That the Senate agreed to S.J. Res. 36.

Appointments:

Congressional-Executive Commission on the People's Republic of China.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 1430, HONEST AND OPEN NEW EPA SCIENCE TREATMENT ACT OF 2017

Mr. WOODALL. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 229 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 229

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 1430) to prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Science, Space, and Technology; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 1 hour.

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

GENERAL LEAVE

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

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

There was no objection.

Mr. WOODALL. Mr. Speaker, I hold in my hand House Resolution 229. You heard the Clerk read it moments ago. Page 1 and page 2. Folks can find it on rules.house.gov if they haven't had a chance to see it already. It provides a closed rule for consideration of H.R. 1430, Honest and Open New EPA Science Treatment Act of 2017.

If you work through that title, Mr. Speaker, the Honest and Open New EPA Science Treatment Act, you will find that ''honest'' is what those letters spell out. It is the HONEST Act.

In the past, the Rules Committee has reported structured rules for consideration of this very bill. In this case, Mr. Speaker, there were no amendments offered in committee. There were no amendments presented in the Rules Committee last night. We have reported a closed rule for consideration of this bill.

Science is, Mr. Speaker, in the EPA's own words, the backbone of EPA's decisionmaking. President Obama, in 2011, issued an executive order about how agencies should go about making the regulatory process more effective. He said, and I quote: ''Each agency shall ensure the objectivity of any scientific and technological information and processes used to support the agency's regulatory actions.''

We talk so much about what divides us in this institution, in this town, sometimes even in this country, Mr. Speaker, I think that point is worth dwelling on.

Again, quoting from former President Barack Obama: ''Each agency shall ensure the objectivity of any scientific and technological information and processes used to support the agency's regulatory actions.''

It is what the HONEST Act aims to do, Mr. Speaker. It aims to provide the American public with the data that the EPA uses in each of its regulatory actions.

It would come as a surprise to many Americans, Mr. Speaker, to learn that there are Agency actions that take place based entirely on undisclosed data sets, that the regulatory arm of government can be at work based on secret data that will never be released to the American public to verify, to confirm in this what is often, in scientific communities, referred to as peer-reviewed literature.

We believe that, if we are making the rules, we should be able to expose the data on which those rules are based to scrutiny and, in fact, to challenge, Mr. Speaker.

One thing I have learned in this job is sometimes I am not as smart as I think I am. I don't know if that has ever happened to you, Mr. Speaker. I am sure it has never happened to my friend from Colorado. But sometimes we are not as smart as we think we are. Sometimes being challenged makes us better.

The HONEST Act, Mr. Speaker, aims to provide the opportunity simply by looking at the data for any American citizen to understand the regulatory actions being taken at the EPA, and, yes, if necessary, to challenge those actions if they believe they are not based on sound science.

Mr. Speaker, I know what you are thinking. You are thinking: Is this bill necessary? The EPA's mission is to protect the environment and public health, so, of course, it is going to use the best science.

The answer should be yes. The answer should be yes that in every set of circumstances we are always using the very best data. But as you know, time and time again, you can bring an expert into your office. A scientist on one side of the issue will tell you one thing; a scientist on the other will bring an equally compelling compendium of information to tell you the next. It is left to us, to the American people, to decide who is right and who is wrong.

This is nothing to be feared. This is something to be embraced. It has certainly been a characteristic of our great country for over 200 years.

But in these days of information pouring out of the administration at the speed of the internet, it is more critical than ever that we make that information available to the public. With the ability today to understand that information, to process that information, to compile that information, to inspect that information in details never before imagined, it is incumbent upon us to make sure that America has that opportunity.

With that, Mr. Speaker, I would encourage my colleagues to support this rule to bring the bill to the floor and then to support the underlying legislation so that we can pass the HONEST Act, bringing clarity and transparency to the EPA rulemaking process.

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

□ 1230

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

Mr. Speaker, I rise in opposition to the rule and the underlying legislation. First, when the gentleman from Georgia said there were no amendments brought forward on this in the Rules Committee, that is partial truth but not the entire truth.

The entire truth is, when we have a process whereby Members believe that there might be an amendment process, there is something called a call for amendments which is issued. Often our chair, Mr. SESSIONS, and my friend from Georgia has heard Mr. SESSIONS come down to the floor and say: We are calling for amendments on this bill. Submit them. The Rules Committee will consider them and allow some of them to advance to the floor. At least you know you have a fair shot.

In this particular case, there was no call for amendments issued, which means, yes, Members could have spun their wheels, and sometimes you feel like a hamster doing that, just running around and not moving anywhere in one of those circles. And if we thought there was any realistic hope that amendments could be included, I, myself, would have been happy to submit one, as would many of my colleagues.

Chairman SMITH actually requested a closed rule on this. So, again, the chairman of the committee and the Rules Committee gave every indication that we are not allowing any amendments to this bill; and that is what discourages Members from going through the work of submitting an amendment if they have a good idea what the outcome is already going to be.

So this is a closed rule. This is an antiscience bill. It is another example of how we go around the ability of Members to improve bills and, instead, work in a partisan, smoky, backroom manner where this bill emerges fully formed. The chair of the committee of jurisdiction himself didn't want any amendments or any changes to this rule, and the Rules Committee never called for those amendments.

Now, if the goal of this bill is somehow to increase government transparency, why don't we start with the lawmaking process and have an open rule that allows Democrats and Republicans to improve a bill and offer their best ideas forward? And if they are good ideas, they will be incorporated into the bill. If they are bad ideas and can't command a majority of this body, they will be defeated.

But, unfortunately, these partisan tactics that were seen trying to ram through legislation last week that failed when the Speaker and the President refused to work across the aisle with us on healthcare reform and now on improving the process at the EPA, instead of working with us to improve science, they are seeking to undermine the integrity of the important scientific work done at the Environmental Protection Agency and bury the Environmental Protection Agency in red tape.

The underlying legislation that this rule talks about has a lot of problems, Mr. Speaker, and so many problems, in fact, I won't even be able to talk about them all during my limited time for debate here. Hopefully they will be able to cover some more during the debate on the bill.

The first issue I want to address that is highly problematic with this bill, and it is something that is so important to the American people—liberal, conservative, and moderate—and that is the issue of privacy.

This bill would undermine the privacy of American families in a number of ways. What it would do is prohibit the Environmental Protection Agency, an agency that exists to protect our health, from taking any action unless it is based on data that is fully available to the public. Now, that sounds good, ''fully available to the public.'' But what does that mean?

You see, normally the EPA has relied on peer-reviewed, scientifically valid research to inform its actions. Now that is something that the process of science across the world informs. It is a very important, well-founded process that respects the efforts of scientists everywhere and the diligence of a peer-reviewed process.

Much of these bodies of work utilize personal health information and confidential data which, currently, are legally protected from public disclosure. The EPA identifies the academic papers that it uses in the Federal Register so we have that transparency, but it doesn't release the legally protected private data—participants in studies, health of people—to the general public nor is there any scientific value to that personal information.

The value is in the studies, which are done scientifically and are already made public. This bill would force the EPA to either ignore these valuable studies because they utilize private

data or violate Federal law by sharing confidential patient information with the general public. We are talking about everything ranging from Social Security numbers, to whether you got cancer from something you were drinking as a child, to our most intimate health or lifestyle issues that are researched by the agency.

The majority here, the Republicans, are trying to include a provision in the bill that allows personally identifiable information to be redacted prior to the EPA making the information available. I am sure my colleague from Georgia will cite that, but that is woefully inefficient because it has a loophole in that very provision that basically negates that provision in another section by allowing the EPA administrator to allow any person who signs a confidentiality agreement to have access to all the redacted data.

So, again, basically, at the whim of the administrator, they can allow companies and people in there—the information can be put in front of people who have access to it, to use it in any way they want, and that is highly personal information.

Again, whether it is under the coverage of a confidentiality agreement or not, it is shown with unknown partners. This is not the Federal agency itself. This is perhaps even the company that caused the pollution that wants to come in and look at it or just various Americans with prurient interests who want to know intimate health details, and there is effectively no protection for that. It is entirely at the whim of the administrator of the Environmental Protection Agency.

So that is an enormous setback for the privacy of American families and a woefully insufficient privacy protection with a loophole that is big enough to drive a truck through. There is not even a numerical limit on the amount of people or corporations that would be allowed access of that data. There could be a blanket permission from the administrator allowing thousands, tens of thousands of people, again, to see the individually identifiable data, including your Social Security Number, including your health details or medical records, including things that affect property value and affect health.

Another major issue with this bill, major fault, is it actually undermines the goal of the Agency itself. The Environmental Protection Agency, which has the congressional mandate to keep our air and water clean, to protect our health, this bill actually does the opposite by burying the Agency under a mountain of red tape and bureaucracy.

This bill removes sound, scientific, objective decisionmaking and replaces it with ridiculous amounts of red tape, adding to the process of regulations, adding to the process of rules, requiring the Environmental Protection Agency to jump through additional bureaucratic hoops to use certain information, and making their entire goal of fulfilling their mission less efficient than if this bill were not the law.

The Environmental Protection Agency already uses a peer-reviewed scientific process. They publish in the Federal Register the reference of the works that they are basing their opinions on, just as the rest of America's scientific community does. This bill undermines the scientific process, is unscientific, and is opposed by so many scientific advocacy organizations, including opposed by the Union of Concerned Scientists who are strongly opposed to this legislation.

Now, on top of the red tape and antiscience aspects of the bill, this would also cost the government $1 billion of EPA funds; that is according to analysis of a very similar bill last Congress. These are funds that would be diverted away from protecting our health and safety, which is what they are doing now, toward creating more red tape and bureaucracy for the very agency that the American people entrust with the goal of keeping our air and water clean and the American people healthy.

Look, we all know what this bill is. It is a thinly veiled attack on science, part of the antiscience agenda that we are seeing from the Republican Party.

The budget that the President offered earlier this month cuts science funding to the bone. Enormous setbacks in the very research into lifesaving science in the future that would help improve our quality of life and duration of life and help our economy boom are being devastated under the President's budgets.

Scientific research creates billions of dollars of economic impact and innovation in States like mine, Colorado, and every other State. Science helps keep us healthy. It keeps crops alive and productive. It keeps our businesses open and keeps America as a global leader in innovation.

I also want to take a moment to highlight that, while this bill is being heard on the floor today, President Trump is signing an executive order that effectively repeals all of the work that the Environmental Protection Agency and other Federal agencies have done in the last 8 years to protect our planet from the impacts of climate change.

Unfortunately, while we focus on a bill that forces scientists to not use the best science available, the President has signed an executive order that will essentially begin the repeal process of the Clean Power Plan. The Clean Power Plan is a basic requirement for States to bring their emissions down to a sustainable level to protect Americans' health, to reduce the amount of pollution in our air and water, and to reduce the human impact on climate change.

The executive order also, unfortunately, undermines some of the commonsense protections we have with regard to fracking, something that is near and dear to my constituents and people in Colorado, as an area that is impacted by extraction activities.

This repeal, for example, would allow oil and gas companies to hide the chemicals that they use when producing oil and natural gas. Picture that: fracking wells near homes and schools who would no longer have to report what chemicals could potentially be leaking into drinking water or groundwater. How can that possibly further our goal to protect the health and welfare of the American people?

So, at the same time, we have this legislation undermining the scientific process of the Environmental Protection Agency and burying the Environmental Protection Agency under red tape, coordinated the same week with the President's disastrous executive order that will hurt the health of the American people and, ultimately, cost lives.

These are just another step in the undermining of science and the work to improve and protect the health of the people of our country. The Environmental Protection Agency relies on the best science available when developing new standards, and they are fully transparent about posting those scientific studies.

However, because many of the studies that this bill requires would impact legally protected private data, like personal medical records, to reach their findings, the Environmental Protection Agency could even be prohibited from considering that research.

This ridiculous restriction would force the EPA to ignore a lot of relevant information because of the desire of the researchers and the legal imperative of the researchers to protect the private data of the participants, ultimately leading to policies that are ineffective and are not based on sound facts or science.

Mr. Speaker, facts exist. Science and the pursuit of truth is an incredibly important human endeavor, and we can't afford to disregard that quest for truth in the name of a fiction-based reality that we increasingly seem to be headed toward as a nation.

Without sound and strong science, America will fall behind in the world. Americans will—our lifespans will be of lower quality and lower duration, and our economy will be hurt as we cede our leadership role to more forward-looking countries willing to invest in the future.

If this bill had been in place over the last few decades, I am pretty sure that the cloud of smog over Denver, Colorado, would probably still be there. Rivers and lakes across this country would suffer from pollution in a significantly worse way, and that is not the future that the American people want.

If the EPA is prevented from using the best available peer-reviewed research data on air quality, asthma will be causing more attacks and, yes, even deaths of children across our country.

Let's see this legislation for what it is—an attack on science, a giveaway to corporations who benefit from pollution, who don't like the fact that the EPA is using sound silence, who want to create and live in their own fictional

reality, where the externalities of their actions somehow don't matter.

We need the truth. The American people deserve the truth. We deserve the benefit of the outcome of the process of objective science, and this bill undermines that by burying the Environmental Protection Agency under immense red tape, while preventing them from using some of the very peer-reviewed studies that would lead to the very best decisionmaking possible to protect the health of the American people.

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

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

Mr. Speaker, you know that I consider the gentleman from Colorado to be a good friend of mine. I find myself, after that presentation, though, wondering if that was a cloud of smog over Denver or if it was another cloud of smoke over Denver in these days.

That is just not true. It is just not true. I will start with what I am proud about because I think we do focus too often on divisions.

Mr. Speaker, you know that we wanted to hold the Obama administration accountable for sound science. And now that there is a Republican in the White House, we want to hold a Republican administration accountable for sound science.

□ 1245

So often in this town, we see one set of rules when you agree with the person in office and another set of rules when you disagree with the person in office. I don't think that is the right way to govern a country. I am proud that we are not falling into that trap. If it is good for the Obama administration, it is good for the Trump administration.

Number two, there is no smoke-filled backroom deal here. Number one, there is no smoke-filled room anywhere on Capitol Hill. Speaker Boehner is gone, and smoking is banned from all of our spaces. This bill went through a full committee hearing, the full committee process. So often, Mr. Speaker, you know at the beginning of a year like this one, we are trying to move legislation to the floor quickly. Some things that we have already had hearings and debate on, like this bill, from last Congress, we bring to the floor outside of regular order, and we skip the committee hearing process. Not so with this bill. It went through the Science, Space, and Technology Committee for a full hearing.

Mr. Speaker, we talk about transparency as if it exists at the EPA. I will remind my friend from Colorado, Mr. Speaker, we have to issue subpoenas from the United States Congress to get the EPA to share its data with us, notwithstanding to get them to share it with the University of Georgia or Georgia Tech or Caltech, or wherever the best scientific minds of the day are. We have to issue subpoenas to get them to share that information. Clearly, transparency is not the norm, it is the exception.

We talk about costs. My friend references $1 billion in costs from some study, apparently, not a peer-review study. I have not seen the data backing up this study. But the good news is I don't actually need the study. I have the bill itself, Mr. Speaker, and I will turn to the relevant part here. Paragraph 5, clarify that the administrator shall implement this section in a matter that does not exceed $1 million per year from the amounts otherwise authorized to be appropriated. Now, you don't have to spend the entire million dollars, Mr. Speaker, but in the name of transparency, to make sure that folks have access to the data, we have said it is worth investing resources but not to exceed $1 million.

Finally, Mr. Speaker, we talk about the burden of red tape. I don't know if you have had to deal with the EPA or the DOT or the DOD or the DOE—insert DO acronym here—red tape is abundant in this Federal Government, and asking the Federal Government to be transparent is the antithesis of red tape. Since when did it become a burden on the institutions of government to be transparent with the American people? Since when, when you are making rules and regulations that affect the lives of every single American, did it become a burden to share the data on which those regulations are based?

I will say to you, Mr. Speaker, we get wrapped around the axle so often here that we end up getting further and further from our goals. Sharing data, getting peer-reviewed comments on that data, and having folks come out in support of the conclusions reached on that data are going to make us stronger as a nation not weaker. If you are proud of your underlying data, you should be proud to share that data. If you are embarrassed of your underlying data, I understand why you might want to keep it a secret.

We have an opportunity not to hide from science but to embrace science, we have an opportunity not to reach political conclusions but scientific conclusions, and we have an opportunity to restore the American people's trust in the institutions of government that are issuing these regulations. This is a small step in the right direction with the HONEST Act, Mr. Speaker, but it is an important step in the right direction. I hope my colleagues will support it.

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

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

Mr. Speaker, I have some scoring from the Congressional Budget Office, dated March 11, 2015, that I include into the RECORD.

H.R. 1030—SECRET SCIENCE REFORM ACT OF 2015

As ordered reported by the House Committee on Science, Space, and Technology on March 3, 2015

SUMMARY

H.R. 1030 would amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to prohibit the Environmental Protection Agency (EPA) from proposing, finalizing, or disseminating a ''covered action'' unless all scientific and technical information used to support that action is publicly available in a manner that is sufficient for independent analysis and substantial reproduction of research results. Covered actions would include assessments of risks, exposure, or hazards; documents specifying criteria, guidance, standards, or limitations; and regulations and regulatory impact statements.

Although H.R. 1030 would not require EPA to disseminate any scientific or technical information that it relies on to support covered actions, the bill would not prohibit EPA from doing so. Based on information from EPA, CBO expects that EPA would spend $250 million annually over the next few years to ensure the transparency of information and data supporting some covered actions.

Enacting H.R. 1030 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. H.R. 1030 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would not affect the budgets of state, local, or tribal governments.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

This legislation would direct EPA to implement H.R. 1030 using up to $1 million a year from amounts authorized to be appropriated for other activities under current law. Although H.R. 1030 would not authorize additional appropriations to implement the requirements of the bill, CBO estimates that implementing H.R. 1030 would cost about $250 million a year for the next few years, subject to appropriation of the necessary amounts. Costs in later years would probably decline gradually from that level. The additional discretionary spending would cover the costs of expanding the scope of EPA studies and related activities such as data collection and database construction for all of the information necessary to meet the legislation's requirements.

BASIS OF ESTIMATE

Under current law, EPA typically spends about $500 million each year to support research and development activities, including assessments to determine the potential risk to public health from environmental contaminants. The number of studies involved in supporting covered actions depends on the complexity of the issue being addressed. For example, when addressing a recent issue with flaring at petroleum refineries, EPA relied on a dozen scientific studies. In contrast, when reviewing the National Ambient Air Quality Standards, the agency relied on thousands of scientific studies. In total, the agency relies on about 50,000 scientific studies annually to perform its mission—although some of those studies are used more than once from year to year.

The costs of implementing H.R. 1030 are uncertain because it is not clear how EPA would meet the bill's requirements. Depending on their size and scope, the new activities called for by the bill would cost between $10,000 and $30,000 for each scientific study used by the agency. If EPA continued to rely on as many scientific studies as it has used in recent years, while increasing the collection and dissemination of all the technical

information used in such studies as directed by H.R. 1030, then implementing the bill would cost at least several hundred million dollars a year. However, EPA could instead rely on significantly fewer studies each year in support of its mission, and limit its spending on data collection and database construction activities to a relatively small expansion of existing study-related activity; in that scenario, implementing the bill would be much less costly.

Thus, the costs of implementing H.R. 1030 would ultimately depend on how EPA adapts to the bill's requirements. (It would also depend on the availability of appropriated funds to conduct the additional data collection and database construction activities and related coordination and reporting activities under the legislation.) CBO expects that EPA would modify its practices, at least to some extent, and would base its future work on fewer scientific studies, and especially those studies that have easily accessible or transparent data. Any such modification of EPA practices would also have to take into consideration the concern that the quality of the agency's work could be compromised if that work relies on a significantly smaller collection of scientific studies; we expect that the agency would seek to reduce its reliance on numerous studies without sacrificing the quality of the agency's covered actions related to research and development.

On balance—recognizing the significant uncertainty regarding EPA's potential actions under the bill—CBO expects that the agency would probably cut the number of studies it relies on by about one-half and that the agency would aim to limit the costs of new activities required by the bill, such as data collection, correspondence and coordination with study authors, construction of a database to house necessary information, and public dissemination of such information. As a result, CBO estimates the incremental costs to the agency would be around $250 million a year initially, subject to appropriation of the necessary amounts. In our assessment that figure lies near the middle of a broad range of possible outcomes under H.R. 1030. CEO expects that the additional costs to implement the legislation would decline over time as EPA became more adept and efficient at working with authors and researchers to ensure that the data used to support studies are provided in a standardized and replicable form.

PAY-AS-YOU-GO CONSIDERATIONS

None.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

H.R. 1030 contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

ESTIMATE PREPARED BY:

Federal Costs: Susanne S. Mehlman; Impact on State, Local, and Tribal Governments: Jon Sperl; Impact on the Private Sector: Amy Petz.

ESTIMATE APPROVED BY:

Peter H. Fontaine, Assistant Director for Budget Analysis.

Mr. POLIS. This is based on H.R. 1030 from last session, the Secret Science Reform Act of 2015, effectively the same operating provisions as this new bill. If there are any cost-saving elements in this new bill that weren't in H.R. 1030, I would encourage my colleague from Georgia to let us know because we are voting without scoring or costs on the newest version of this legislation. The previous version of this legislation, as I mentioned earlier, would cost $250 million annually over the next several years, $1 billion to implement, and that is the scoring from the nonpartisan Congressional Budget Office whose director was appointed by the Republicans on a substantially similar bill.

Mr. Speaker, we are deeply concerned by reports from our intelligence community regarding Russian interference in last year's election. Even more troubling is FBI Director Comey's sworn testimony that the FBI is now investigating the possibility of collusion between members of President Trump's campaign team and Russia.

Mr. Speaker, the legitimacy of our electoral system is at stake; and, frankly, it is time that we rise above partisanship and that we get our job done and get to the bottom of this.

Unfortunately, recent actions by the House Intelligence Committee chairman have left many Members of both sides of the aisle convinced and the American public convinced that the committee is unable to conduct an impartial investigation of this critical matter of national security.

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

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

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

There was no objection.

Mr. POLIS. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. SWALWELL), a member of the Intelligence Committee, to discuss our proposal.

Mr. SWALWELL of California. Mr. Speaker, I thank the gentleman from Colorado for yielding me this time.

Mr. Speaker, Russia attacked our democracy this past election. I urge my colleagues to defeat the previous question and for all of us to get to the business of forming an independent commission to find out how we were attacked, who was responsible, whether any U.S. persons were involved, and, most importantly, promise the American people we will do everything we can to make sure we never find ourselves in a mess like this again.

Congressman CUMMINGS and I introduced H.R. 356, the Protecting Our Democracy Act, because we always believed that the only way to have a comprehensive understanding of what happened and who was responsible and to make recommendations was through an independent commission. However, it also now is an insurance policy against compromised investigations that we believe are coming from this House as well as the administration.

There is no question that, this last election, Russia meddled in our election. It is not disputed that that order came from Vladimir Putin. There is no dispute, among our intelligence agencies, that he had a strong preference for Donald Trump, and the most terrifying finding that our intelligence agencies made was that Russia is sharpening their knives and undertaking a lessons-learned campaign because they will go at us and our allies again.

Unfortunately, we have seen that those charged with getting to the bottom of what has happened have been compromised. The American people are counting on us to defend this great democracy, a democracy that so many men and women in our armed services have fought for and sacrificed for and who are fighting for and sacrificing for today.

Unfortunately, the Attorney General, twice when asked under oath as to whether he had any prior contacts with Russia, said that he had not. We later learned that, indeed, during the Republican Convention and afterwards, he had met with Russia's Ambassador. He is now recused from any investigation into Russia. That is the executive branch.

Unfortunately, our investigation in the House has also been compromised. I have long enjoyed working with Chairman NUNES. I think he is a good man who has led our committee over the last few years to bipartisan results that have made us safer. For the last few weeks, Republicans and Democrats on the House Intelligence Committee have gone down an investigative road together. We had a very productive open hearing last week where we were able to connect the dots of Donald Trump's, his family's, his campaign's, and his business' personal, political, and financial ties to Russia that were converging with a Russian interference campaign. Those dots were validated by the FBI Director confirming that, indeed, President Trump's campaign was under counterintelligence and criminal investigations.

Unfortunately, the chairman, in the last week, exited this bipartisan investigative road to work with the White House; going to the White House to receive classified information before sharing it with any members on the committee, Democratic and Republican; and going again to the White House the next day to share that information with the President.

The actions of the Attorney General and the actions of the leaders in this House who are supposed to be undertaking this campaign demand that we take this outside of politics and that we take this outside of Congress. The only way to do that is to have an independent commission that can depoliticize this, that can declassify the facts to the extent possible, and that can debunk the myths that our

President has put forward about what happened with Russia.

Mr. Speaker, I was a 20-year-old intern in Washington, D.C., when we were attacked on September 11. I will never forget watching Republicans and Democrats stand on the House steps, arm in arm, singing ''God Bless America.'' But what was more moving than that moment of symbolism was the unity that Republicans and Democrats showed when they came together to make important reforms to ensure that never again would we be attacked from the skies, when they made many reforms that were put in place by an independent commission that was parallel to investigations that were being done in Congress.

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

Mr. POLIS. Mr. Speaker, I yield an additional 1 minute to the gentleman from California.

Mr. SWALWELL of California. Mr. Speaker, there is still time for Republicans and Democrats in this House to unite. There is still time for us to uphold that solemn duty to ensure that we always put our public safety and our sacred democracy first. The best way to do that is to bring before this House for consideration the Protect Our Democracy Act. This country is still worth defending.

Mr. WOODALL. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I do thank my friend from Georgia (Mr. WOODALL) for his able presentation on this very good bill and our colleague, Mr. SMITH.

I am sorry to change the subject back to something that is relevant, material, and germane. By the way, I am also looking forward to the investigation into Russia and the sale of such a huge percentage of our uranium by Hillary Clinton's State Department. They approved it. But we will get into that later.

Right now we are talking about a fantastic bill because the EPA is very close to being omniscient, omnipotent, and ubiquitous—they are everywhere all the time. We have had a hard time in the last 20, 30 years as it got more and more heavenly in getting information on why they were making the decisions they were. As the EPA has continued to crush jobs, like in Texas if there were no EPA, we have agencies that have continued to make our water and air cleaner and cleaner every year, and, despite the EPA's constant interference, they are doing a great job.

But one of the things that we have wanted, as my friend, Mr. WOODALL, was pointing out for years, is whether it is a Democrat in the White House or a Republican, we just wanted some openness. We wanted to know what these seemingly arbitrary rules were based upon. So the purpose of this rule coming from Chairman SMITH is let's go ahead and require the EPA to do what anybody would have to do in one of our courtrooms, you got to show why there is a reason to take action.

But since the EPA has been at this level where they were basically unquestionable for so long and could make arbitrary and capricious decisions which could not be challenged effectively, this may be a very helpful start to stopping the EPA from being so heavenly they are not earthly good.

So I think it is a fantastic bill. It is something I hope will be a bipartisan vote as we require the EPA to just show the basis of what you are doing, and then we can know whether this American god, this EPA, actually has feet of clay or is back in the real world or is actually killing jobs unnecessarily.

□ 1300

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

Mr. Speaker, the EPA protecting our quality of life, our air, and our water has nothing to do with Heaven or God. It is based on science. Individual Americans like Mr. GOHMERT and myself have our own faith traditions. I don't think there is anybody in the country whose faith tradition is to worship the EPA.

We have created the EPA for a purpose: to protect the health of the American people and protect our air and water. There are people alive today and people who are healthier today because of the work of the EPA. The converse of that, without the Environmental Protection Agency, some of us wouldn't even be here and others of us would be sickly.

It really doesn't make any sense to talk about people worshipping the EPA. We respect the scientific work of the EPA, and maybe this confusion between faith and science is what is leading to the undermining of the scientific aspects that the EPA reaches their conclusions on.

Mr. Speaker, I include in the RECORD a letter that shows the strong opposition from those who advocate for our health against this bill. Alliance of Nurses, American Lung Association, American Public Health Association, National Medical Association, Asthma and Allergy Foundation of America, and others have all signed a letter in opposition to this bill because this bill threatens the health of the American people.

MARCH 27, 2017.

DEAR REPRESENTATIVE: The undersigned health and medical organizations are writing to express our opposition to the EPA Science Advisory Board Reform Act of 2017 and the Honest and Open New EPA Science Treatment Act of 2017. Our organizations are dedicated to saving lives and improving public health.

Science is the bedrock of sound medical and public health decision-making. The best science undergirds everything our organizations do to improve health. Under the Clean Air Act, EPA has long implemented a transparent and open process for seeking advice from the medical and scientific community on standards and measures to meet those standards. Both of these bills would restrict the input of scientific experts in the review of complex issues and add undue industry influence into EPA's decision-making process.

As written, the EPA Science Advisory Board Reform Act would make unneeded and unproductive changes that would:

Restrict the ability of scientists to speak on issues that include their own expertise;

Block scientists who receive any EPA grants from serving on the EPA Scientific Advisory Board, despite their having the expertise and conducted relevant research that earned them these highly competitive grants;

Prevent the EPA Scientific Advisory Board from making policy recommendations, even though EPA administrators have regularly sought their advice in the past;

Add a notice and comment component to all parts of the EPA Scientific Advisory Board actions, a burdensome and unnecessary requirement since their reviews of major issues already include public notice and comment; and

Reallocate membership requirements to increase the influence of industry representatives on the scientific advisory panels.

In short, EPA Science Advisory Board Reform Act would limit the voice of scientists, restrict the ability of the Board to respond to important questions, and increase the influence of industry in shaping EPA policy. This is not in the best interest of the American public.

We also have concerns with the HONEST Act. This legislation would limit the kinds of scientific data EPA can use as it develops policy to protect the American public from environmental exposures and permit violation of patient confidentiality. If enacted, the legislation would:

Allow the EPA administrator to release confidential patient information to third parties, including industry;

Bolster industry's flawed arguments to discredit research that documents the adverse health effects of environmental pollution; and

Impose new standards for the publication and distribution of scientific research that go beyond the robust, existing requirements of many scientific journals.

Science, developed by the respected men and women scientists at colleges and universities across the United States, has always been the foundation of the nation's environmental policy. EPA's science-based decision-making process has saved lives and led to dramatic improvements in the quality of the air we breathe, the water we drink and the earth we share. All Americans have benefited from the research-based scientific advice that scientists have provided to EPA.

Congress should adopt policy that fortifies our scientists, not bills that undermine the scientific integrity of EPA's decision-making or give polluters a disproportionate voice in EPA's policy-setting process.

We strongly urge you to oppose these bills.

Sincerely,

KATIE HUFFLING, RN, CNM,
Director, Alliance of Nurses for Healthy Environments.

HAROLD P. WIMMER,
National President and CEO, American Lung Association.

GEORGES C. BENJAMIN, MD,
Executive Director, American Public Health Association.

STEPHEN C. CRANE, Ph.D., MPH,
Executive Director, American Thoracic Society.

CARY SENNETT, MD, Ph.D.,

FACP,
President & CEO, Asthma and Allergy Foundation of America.
PAUL BOGART,
Executive Director, Health Care Without Harm.
RICHARD ALLEN WILLIAMS, MD,
117th President, National Medical Association.
JEFF CARTER, JD,
Executive Director, Physicians for Social Responsibility.

Mr. POLIS. Last Congress, we considered a bill called the Secret Science Act, which was nearly identical to this bill. That was a bill that I submitted was at a cost of billion dollars. If the gentleman from Georgia has any evidence that this bill will cost less, I encourage him to bring it forward.

This bill, frankly, would force the EPA to be dishonest, to not use the best available science, and threaten the privacy of the American people.

Our goal should be to help the agencies that we charge with protecting our health to use the best possible science to do the best possible job that they can. We should not be throwing up roadblocks and red tape and bureaucratic mazes that hurt the quality of work and the science that we base our protections on.

We need to protect American lives from things like dirty air, dirty water, and pollution. We should protect the privacy of all Americans, but this bill doesn't protect the privacy of Americans. It undermines the goal of the Environmental Protection Agency.

My colleague, Mr. SWALWELL, brought forward a very important motion. When we defeat the previous question, we have a motion to create a bipartisan commission to investigate Russian interference in the 2016 election.

That is what I hear about from my constituents. I haven't heard from any constituents that say: We want our personal data to be revealed by the Environmental Protection Agency or we want to stop them from citing scientific papers.

That is simply not on the minds of the American people.

What is on the minds of the American people is that we need a full accounting for the Russian interference in the 2016 election, which is why we have a bill to create a bipartisan commission to investigate that Russian interference in a manner that has credibility with the American people, that can end this increasingly bizarre spy novel that seems to be unfolding in this city that we are meeting in now, and replace it with investigations and facts and a full accounting for the American people as to what happened and who was involved.

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

Mr. WOODALL. Mr. Speaker, I have no further speakers, and I reserve the balance of my time.

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

Mr. Speaker, I want to inquire if the gentleman from Georgia has any information as to why the new bill would cost any different amount than the prior version of the bill from the last Congress that was scored?

Mr. WOODALL. Will the gentleman yield?

Mr. POLIS. I yield to the gentleman from Georgia.

Mr. WOODALL. I would say to the gentleman, as he may know, the language is different in this section.

When the CBO scored the bill last year, they presumed that the EPA would have the obligation of compiling all the data and making it all public themselves. In this bill, it presumes the EPA will only make use of publicly available data. I would refer the gentleman to the committee report.

Mr. POLIS. Reclaiming my time, what the bill essentially does is two things in this regard. One, it will foist an unfunded mandate onto those who are conducting the research to go through the effort themselves of releasing the data. But more perniciously, it will prevent data and scientific studies that there are legal protections from even being looked at by the Environmental Protection Agency. They won't even be able to consider that data.

I think it is important that we get back to the topics that the American people care about. I hope that we can move forward with Representatives SWALWELL's and CUMMINGS' bill to create a bipartisan commission to investigate the Russian influence in the 2016 election rather than attack and undermine science, attack and undermine privacy, and attack and undermine the American people.

This bill undermines our privacy protections and opens the door for more Americans to get sick and hurt by pollution in our air and water. I hope that we can stand up against that.

Mr. Speaker, I ask Members to vote ''no'' on this bill and vote ''no'' on this rule.

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

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

Mr. Speaker, I often wonder what it is like to be in your position there, a distinguished career as a judge, and you come down here to talk about the EPA and whether or not the rules and regulations should be based on sound science or not, and you end up with a discussion over the Russians. There is no objection that can be lodged here for going outside of the scope of the bill.

I can always tell, when I come down for Rules Committee debate, whether or not we are really talking about something that divides us or whether we are just talking. If we are talking about something that divides us, we spend every moment of the hours that we have debating the nitty-gritty of the issue before us—talking about how quickly should that data be disclosed; how many folks should have access to it. Are there going to be episodes where the data needs to be kept super secret and folks can't be trusted with it? What should we do about new and emerging business practices, propriety technologies? How do we deal with those questions?

I enjoy those rules, Mr. Speaker, because we are doing exactly what we came here to do, and that is to delve into the details and get it right for the American people.

What I am led to believe on a day like today is that we are pretty close to getting it right for the American people because we are not talking about the nitty-gritty of the legislation. We are talking about the Clean Power Plan that the past administration put forward. We are not talking about the details of the legislation; we are talking about the Russians today. I think that is because there aren't many things much more common sense than sharing with the American people that data on which the laws of the land are made.

Mr. Speaker, there is no doubt that the EPA is involved in a complicated line of work, a critically important line of work.

I can't find a single constituent in the great State of Georgia that doesn't believe in clean water and clean air. I can find a whole lot of them who think that they believe more in clean water and clean air than does any institution in Washington, D.C. I promise you, no one cares more about the Chattahoochee River National Recreation Area than those of us who live along the Chattahoochee River National Recreation Area.

Nobody cares more about protecting the Earth in the great State of Georgia than those farmers who are creating the largest export we have in the great State of Georgia, which are our agriculture products.

We are in this together, which is why, when this bill came before the House last Congress, it passed with a bipartisan vote. These are commonsense ideas that bring us together more than they divide us.

Mr. Speaker, I think the real surprise is that folks believe the EPA to be transparent, and learn that it is not. Folks would not believe that this Congress has to subpoena information in order to get its hands on it.

What this bill would say is not only should Congress be able to access the information, but any reputable scientist should be able to access the information.

What my friend says about privacy concerns, they are a shared concern in this institution. There is absolutely nothing in this underlying legislation that threatens those privacy concerns. In fact, it requires that all private information be redacted before the information be utilized.

Concerns over cost, again, are absolutely important, but I will read from the committee report: ''This bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.''

That it is a pretty simple bill and a pretty simple rule. It asks that we lift the curtain of secrecy around the regulations that protect our health and safety. It asks that we make health and safety issues not things that divide us around process, but things that unite us around results.

Candidly, I came to this institution to achieve those results, Mr. Speaker, and I am proud to be carrying this rule to the floor today. I encourage all of my colleagues to please support this bill, and with its passage we can get to the underlying legislation, end the shroud of secrecy, and restore public confidence in the laws that protect all of our health and safety.

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

AN AMENDMENT TO H. RES. 229 OFFERED BY MR. POLIS

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

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 356) to establish the National Commission on Foreign Interference in the 2016 Election. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 356.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

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

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

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

The yeas and nays were ordered.

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

PROVIDING FOR CONSIDERATION OF S.J. RES. 34, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 230 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 230

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the joint resolution (S.J. Res. 34) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to ''Protecting the Privacy of Customers of Broadband and Other Telecommunications Services''. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to commit.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

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

GENERAL LEAVE

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

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

There was no objection.

Mr. BURGESS. Mr. Speaker, House Resolution 230 provides for a rule to consider a Congressional Review Act resolution which will undo a duplicative regulation put into place by the previous administration in the final hours of that Presidency.

The rule brings before the House this resolution so that Congress may remove through the proper legislative process rules promulgated by bureaucrats who remain unaccountable to the American people. This process allows those who are accountable—the elected Representatives in Congress—to fight for our constituents' rights and liberties.

House Resolution 230 provides for a closed rule for the Congressional Review Act resolution, S.J. Res. 34, the standard procedure for such resolutions, since the sole purpose of the resolution is to remove a regulation from the Federal Register.

□ 1315

The rule allows for 1 hour of debate, equally divided between the chair and ranking member of the Committee on Energy and Commerce. Further, the minority is afforded the customary motion to commit.

The Federal Communications Commission issued its Open Internet Order, reclassifying broadband providers as common carriers, which brought them under the jurisdiction of the Federal Communications Commission. The Federal Trade Commission is the primary regulator of companies' privacy and data security practices; however, the Federal Trade Commission's regulatory authority under section 5 of the Federal Trade Commission Act does not extend to common carriers. Therefore, the reclassification of broadband internet service providers as common carriers created a legal enforcement gap.

The Federal Communications Commission determined that the privacy provisions of the Communications Act would now apply to broadband internet service providers and that new and expanded privacy rules were necessary. Therefore, the Federal Communications Commission promulgated new privacy rules for common carriers on October 27, 2016. These rules were adopted a mere 10 days before the 2016 Presidential election. They were adopted on a party-line vote and over serious objections by the minority Commission members and the internet service providers. The Federal Communications Commission's rules are a departure from the privacy protections that have been applied by the Federal Trade Commission for years.

The Federal Trade Commission employs an opt-out model that requires companies to provide consumers notice of the data that is collected and how it will be used. Consumers are then given the option to opt out of this data collection if they so choose. Instead of implementing well-established collection practices that are accepted industrywide, the Federal Communications Commission chose to promulgate an opt-in model for its new internet service providers. This model prohibits broadband internet service providers from using, disclosing, or providing access to customer proprietary information without the customer's affirmative opt-in consent. Such data includes browsing history, application usage, and location data, among other types of information.

While this may sound like a good thing to opt in to, in reality, it unfairly skews the market in favor of providers that already have access to consumer information. For example, search engines, social media sites, and internet content providers like Netflix, Google, Facebook, Amazon, and Apple, these providers, known as edge providers, are free to collect consumer data that broadband internet service providers, under the jurisdiction of the Federal Communications Commission, are not. The ability to provide consumer data drives the digital advertising market.

The Federal Communications Commission's privacy rules arbitrarily treat internet service providers differently from the rest of the internet, amounting to government intervention in the free market. The Federal Communications Commission stated that the rules would provide more transparency, the rules would provide more choice, the rules would provide more protection; however, these expanded provisions may also result in more frequent breach notifications, leading to a weaker focus on security by consumers who do suffer from notification fatigue.

While the Federal Communications Commission's privacy rules were meant to protect consumers, they actually can inhibit security and market competition while creating confusion by subjecting parts of the internet ecosystem to different rules and different jurisdictions. To correct this policy, on March 23, 2017, the Senate passed S.J. Res. 34, a Congressional Review Act resolution of disapproval to nullify the privacy rulemaking promulgated by the Federal Communications Commission.

Prior to the reclassification of broadband internet service providers as common carriers under the jurisdiction of the Federal Communications Commission, the Federal Trade Commission regulated companies' privacy practices while preserving the Federal Communications Commission's authority to enforce privacy obligations of broadband service providers on a case-by-case basis.

This Congressional Review Act will restore the status quo that existed prior to the Federal Communications Commission's Open Internet Order and bring the privacy practices of all parts of the internet back into balance. Not only will this level the playing field for an increasingly anticompetitive market, but it will ensure parity in the protection of consumer data.

The new Chairman of the Federal Communications Commission, Ajit Pai, has called to halt the Federal Communications Commission's privacy rules. He stated: ''All actors in the online space should be subject to the same rules. . . . The Federal Government shouldn't favor one set of companies over another.'' This is precisely the type of limited government that we should be striving for after years of overreaching by the previous administration and its regulations. The Congressional Review Act protects consumers, and it restores the free market competitiveness that actually allows our economy to thrive.

The Congressional Review Act is an important tool in maintaining accountability at the Federal level. Its necessity has never been more apparent than over the past 2 months, where this Congress has needed to step in and remove burdensome, unbalanced regulations put in place by the prior administration and their team just as they were walking out the door.

House Republicans today will stand up for the rights of our constituents against the out-of-control Federal bureaucracy. I urge my colleagues to support today's rule and the underlying Congressional Review Act resolution.

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

Mr. POLIS. Mr. Speaker, up until now, every President since Gerald Ford has disclosed their tax return information. These returns provide a basic level of transparency that helps ensure the public's interest is placed first. The American people deserve the same level of disclosure from this administration. Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up Representative ESHOO's bill that would require Presidents and major party nominees for the Presidency to release their tax returns.

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

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

There was no objection.

Mr. POLIS. Mr. Speaker, I yield 7 minutes to the gentlewoman from California (Ms. ESHOO) to discuss this proposal and also the important aspects of the underlying bill that need to be responded to.

Ms. ESHOO. Mr. Speaker, I thank my friend and colleague from Colorado for his leadership and for yielding time to me.

First of all, I would like to respond to the gentleman's presentation about the underlying bill.

Make no mistake about it, what the underlying bill does today is it wipes out—it totally wipes out—privacy protections for consumers on the internet. That is what it does. There are not duplicative regulations. I know that it was stated on the floor that there are duplicative regulations.

There are two agencies—the Federal Communications Commission and the Federal Trade Commission—however, it is only the FCC, the Federal Communications Commission, that can actually protect consumers by enforcing the protections. The FTC does not have that authority.

What happens today if these privacy protections are ripped away from the American people? Well, all the information that you give to your internet service provider, whether it is Comcast, whether it is cable providers, Charter, AT&T, the one that you pay a pretty big bill to, they can take all of the information that they have—my account, your account, your account, your account—and use that information to sell it to the highest bidder to make money off of it.

Now, there is an additional charge in this thing, alleged charge, and that is,

well, what about Google and Netflix and Facebook? What about them? Why aren't they subject to what the FCC did? Well, they are edge providers. They are edge providers.

You don't have to go to Google. You don't have to go to Facebook. You don't have to go to Netflix in order to get your internet service. That is why the FCC did not apply these rules to them. Maybe there should be a debate about them. But to equalize and say that Google and Facebook are equal to your internet service provider suggests to me that some people just don't know what they are talking about.

This is a subject that the American people feel very, very deeply about. In fact, I think it is in the DNA of every American: ''I want my privacy, and it should be protected.'' We all feel that way.

What is being done today is a ripping away. It is like taking a bandage, just stripping it away. Who do you go to? Who do you go to complain to? No one. No one. Because there isn't anything left to enforce.

I think it is a sad day if the underlying bill passes. I think it is shocking that my Republican colleagues, either out of a lack of understanding of how the internet works, how their constituents—all of our constituents benefit from these protections of our privacy, and our information is private. I don't want anyone to take my information and sell it to someone and make a ton of money off of it just because they can get their mitts on it. That is why the privacy protections were adopted.

May I ask how much time is remaining?

The SPEAKER pro tempore. The gentlewoman has 3 minutes remaining.

Mr. POLIS. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from California.

The SPEAKER pro tempore. The gentlewoman has 4 minutes remaining.

Ms. ESHOO. Mr. Speaker, I will close that one off and go to the other reason that I am on the floor today. I thank the gentleman again for yielding me the time.

I rise in opposition to the rule and, obviously, the underlying resolution; and I urge my colleagues to defeat the previous question so that my bipartisan bill, the Presidential Tax Transparency Act, can be made in order for immediate floor debate and a vote.

Mr. Speaker, my legislation would require the President and all future Presidents and Presidential nominees to publicly disclose their tax returns. It is a very simple bill.

This is the third time this year that I have offered this bill as the previous question motion, and for the last several weeks, Members—including Mr. POLIS, Mr. PASCRELL, Mr. CROWLEY, Ms. LOFGREN, and myself—have offered privileged resolutions directing the House to request the President's tax returns. Nearly every day we give the majority the opportunity to demonstrate leadership on this issue, and nearly every day they continue to help the President hide his tax returns from the public.

Now, every President of both parties, since Gerald Ford, has voluntarily made their tax returns public. The President has 564 financial positions in companies located in the United States and around the world, according to the Federal Election Commission, making him more susceptible to conflicts of interest than any President in our history. Without disclosure of his tax returns, the American people are prevented from knowing where his income comes from, whether he is dealing with foreign powers, what he owes and to whom, and how he may directly benefit from the policies he proposes.

There are daily revelations about previously undisclosed meetings between the President's staff and Russian officials, as well as a steady flow of troubling information about The Trump Organization's ties to state-connected businesses and individuals in Turkey, Azerbaijan, China, and other countries. Last week, The New York Times reported that The Trump Organization is finalizing an agreement to build a hotel in partnership with a firm that has ''deep Turkish roots'' and business ties in Russia, Kazakhstan, and two dozen other countries.

Without the disclosure of the President's tax returns, there is no way for the American people to know the full extent of his foreign entanglements and possible conflicts of interest on this or other deals that his family business is engaged in.

□ 1330

I think the House is failing, Mr. Speaker, to exercise our constitutional obligation to conduct effective oversight and operate as a check on the executive branch. We can change that today by taking up and passing this bipartisan bill, which will ensure that the President, and all future Presidents, will be held to a baseline level of disclosure. That is why I urge my colleagues to defeat the previous question, so we can hold an immediate vote on the Presidential Tax Transparency Act.

Mr. BURGESS. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, to bring us back to the business at hand, which is the rule allowing the vote on the Congressional Review Act later today, I want to quote now from the web page of the Federal Trade Commission, under the title of Protecting Consumer Privacy. Reading from their website:

The Federal Trade Commission has been the chief Federal agency on privacy policy and enforcement since the 1970s when it began enforcing one of the first Federal privacy laws—the Fair Credit Reporting Act. Since then, rapid changes in technology have raised new privacy challenges, but the Federal Trade Commission's overall approach has been consistent. The agency uses law enforcement, policy initiatives, and consumer and business education to protect consumers' personal information and ensure that they have the confidence to take advantage of the many benefits of an ever-changing marketplace.

This is from the ftc.gov website.

Mr. Speaker, I include in the RECORD the web page of the Federal Trade Commission.

FEDERAL TRADE COMMISSION

PROTECTING CONSUMER PRIVACY

The FTC has been the chief federal agency on privacy policy and enforcement since the 1970s, when it began enforcing one of the first federal privacy laws—the Fair Credit Reporting Act. Since then, rapid changes in technology have raised new privacy challenges, but the FTC's overall approach has been consistent: The agency uses law enforcement, policy initiatives, and consumer and business education to protect consumers' personal information and ensure that they have the confidence to take advantage of the many benefits of the ever-changing marketplace.

FTC's Privacy Report: Balancing Privacy and Innovation;

The Do Not Track Option: Giving Consumers a Choice;

Making Sure Companies Keep Their Privacy Promises to Consumers;

Protecting Consumers' Financial Privacy;

The Children's Online Privacy Protection Act (COPPA): What Parents Should Know.

Mr. BURGESS. Mr. Speaker, I thank the men and women of the Federal Trade Commission for all the work they have done over the years in protecting our privacy.

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

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

Mr. Speaker, I rise in opposition to the rule and the resolution.

This resolution undermines fundamental privacy for every internet user. You hear my colleague on the other side trying to conflate different things. When your broadband provider can sell your information, and there is no rule prohibiting them from doing so—effectively that includes all of your browsing history, data entered in forms, everything that you have done on the internet that has absolutely nothing to do with a relationship with a particular content provider or e-commerce company; you can enter information, obviously, for the express purpose of them optimizing your experience or selling you a product—they are then the owners of that information, and you have choice in the marketplace. Whereas, with our broadband providers, most of us don't have a choice. You either sign up for the local cable company or you don't.

Before I discuss the many disastrous facets of this resolution, I also want to point out that this is yet another closed rule. There have been absolutely no open rules that allow Democrats and Republicans to bring forward amendments. No amendments are allowed under this rule here on the floor of the House of Representatives. Sadly, that has become the norm.

The FCC recently took steps to reevaluate their rule. Commissioner Pai even paused their implementation to examine the FCC doing their job.

Now, why would Congress step in and use the CRA authority, a very cumbersome authority, that also prohibits future implementation of similar rules?

In many ways, it hamstrings the agency.

What we are worried about is that, if this bill were to become law, it would essentially be impossible for the FCC to act to protect the privacy of Americans who use broadband ever again. So it is not a matter of a nuance under this rule. If we go through the process of passing a CRA, the FCC wouldn't be able to pass any rule—or if they did, it would be under a legal cloud—to protect the privacy of the American people. That is the danger: that CRAs are effectively permanent.

The second aspect is that the FCC has already established a notice and comment period that allows for comment on the new rules. By going around that, we would avoid government transparency.

So here is what is at stake. On October 27, 2016, after a 6-month rulemaking process that was open to public comment and received comments, the FCC developed a commonsense rule to protect our privacy. The rule that we are talking about undoing basically does three things, which are great.

It requires broadband internet access service providers to obtain opt-in consent before using or sharing sensitive information. Sounds obvious that we would want that. We wouldn't want information that doesn't have an opt-in consent to be sold or used. That includes things like web browsing history or data that is entered on forms.

It would also require broadband providers to use reasonable measures to protect the cybersecurity of our data. Again, of course.

Third, it requires that broadband providers notify consumers in the event of a breach of information. Again, just like we have with credit card companies, we want some kind of affirmative information that is given to consumers that your information may be breached if there is a cybersecurity threat that might do that.

This bill undoes all those things. It says that you don't have to notify people if there is a breach, you don't need to have reasonable measures to protect cybersecurity, and, most importantly, with regard to privacy, it will no longer require opt-in consent before using, sharing, or selling your most intimate personal data that you use on the internet.

Now, look at the implications of this rollback. It is not just a collection of internet data usage, but bulk collection of all of your network traffic. A broadband provider could collect every search, every website visited, every email written and received, every piece of data entered, every article read, see how often you log in and how you use various accounts for all members of your family, including minors, and even your location, sell that information, and use that information without restriction and without opt-in.

Think about what someone can conclude about this information—your political affiliation, preferences, your health.

What could they do with it?

They could charge pricing of goods and services discriminating against you based on your income or your past purchasing behavior. Your sensitive financial information could be used to steer you to higher costs and worse financial products. This rule would literally change how broadband providers have access to your entire personal life. It would make the broadband providers the most valuable part of the internet value chain.

Now, we all want broadband providers to have compensation for the infrastructure costs and a reasonable profit. There is no doubt about that. Those of us who advocate for net neutrality, as I do, or those who advocate for privacy, we want them to have a reasonable return on investment so that we can all have access to broadband. And we have that largely through user fees and subscription fees.

Have you seen your cable bill, Mr. Speaker?

I have seen my cable bill. It ain't cheap anymore. But many families pay for it because it is the best way to have fast access to the internet.

And guess what?

The cable companies are able to justify broadband in many areas.

Again, maybe there are some tweaks, and it would be great if there is a way we could have greater value for rural broadband and have them have an ROI. We would love that. But the answer is not to turn over the keys to the internet and all your personal data to cable companies and say: You own it all. You are more powerful than Amazon, more powerful than Google, more powerful than every consumer site because you own everything that is entered into every one of those and more, and you can sell it and use it as you see fit without restriction, without even requiring that users opt in.

The value conveyance from the content side to the infrastructure side of this bill would be game-changing and game-destroying for the free and open internet. It simply makes no sense.

Look, consumers should have the right to choose with who and how they share their personal information. When it comes to a broadband provider, we simply don't have that choice that you do with consumer websites like Facebook or Google, which are governed under a separate set of laws.

Proponents of this bill are arguing that, because there is not adequate protection somehow in social media and the edge providers here, somehow the standard should be lower for broadband internet services. It makes no sense. In today's day and age, not having internet access is simply not an option for many Americans. To say you can choose not to have broadband, maybe in some places you can pay more for satellite and you might have some reasonably fast download but not upload that may be spotty, maybe you want to use dial-in over your phone. But for most of us—I use broadband. Most of us use broadband through our cable because it is the most cost-effective way to have high-speed internet access, and that is the case for most American families.

So this is not the time to get rid of privacy rules and convey the vast ecosystem that is the internet away from the content and dynamism that exists there to the broadband side. That is absurd.

People can choose not to use social media accounts, can choose what they share, and can choose who to enter contracts with with regard to searches or purchases. Social media is an optional platform that you can choose between many providers, but the broadband access side frequently looks and acts more like a monopoly.

Supporters of this bill also mention how this somehow levels the playing field for broadband providers. What it does is it tilts the playing field entirely in their favor. Internet service providers are a gateway to the internet. They do not own the internet.

The second protection the rule offers is to require reasonable measures be taken to protect the data that they want to collect. Again, we all value cybersecurity and protection of this data. Given the countless incidents of cyber hacking incidents, how can we entertain the idea of rolling back a rule that requires reasonable measures to protect consumer data? What are proponents advocating for? No measures to protect consumer data?

The third important protection under this rule is the consumers whose data has been breached should be notified. Again, that is important. I had my credit card stolen a few years ago and got notified that it was. I used it at another location where it might have been compromised and I received notification. This eliminates that notification from users of broadband. It would do away with that.

I would like to know, as would consumers, if my credit card information was hacked. I want to know if my personal profile or medical records or emails were hacked. If someone is able to attain my children's names, our home address, information about the schools they attend, or the homework they do, I would want to know.

Now, look, this bill moves entirely the wrong direction. It basically seizes the value of the internet from content, from e-commerce, from all of the important dynamism that occurs there and tries to apply that to the broadband side rather than simply find a reasonable way for broadband providers to see a return on investment.

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

Mr. BURGESS. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, just to put some things in context, I wanted to share some information from a blog called redstate.com, posted by Seton Motley, on March 27, 2017, talking about the difference between the size and scope of edge providers versus the ISPs, the internet service providers. The parent company of one of the largest edge providers is valued at over $500 billion. He points out in his blog post, by way of comparison, the nation of Singapore's gross domestic product, the entire output for every man, woman, and child in a very productive country is $508 billion. Basically, the same. So the edge provider stands on equal financial footing of the world's 40th richest country.

By way of contrast, the Nation's largest internet service provider has a net worth of $148 billion. So the edge provider is more than three and a half times larger than the Nation's largest ISP.

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

Mr. BURGESS. Mr. Speaker, I yield myself an additional 30 seconds.

I think we can begin to see the scope of the problem and why unbalancing this playing field is inherently a bad idea.

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

Mr. POLIS. Mr. Speaker, the evaluation is as it should be. Again, when infrastructure is laid, we want a reasonable ROI. It is like utility infrastructure or water infrastructure. I would never expect that the world's most valuable companies would be the pipes in the people's homes. The magic of the internet is the content. That is what drives the desire for broadband access. And, of course, there are other ways that people can access the internet, but broadband and cable have a technical advantage on price and speed.

Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. CAPUANO).

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

I have a simple question: What the heck are you thinking? What is in your mind? Why would you want to give out any of your personal information to a faceless corporation for the sole purchase of them selling it?

Give me one good reason why Comcast should know what my mother's medical problems are. Do you know how they would know? Because when I went to the doctor with her and they told me what it was, I had no clue what they were talking about, so I came home and I searched it on the net, and I searched the drugs that she was taking. The same with my children.

Just last week, I bought underwear on the internet. Why should you know what size I take, or the color, or any of that information?

□ 1345

These companies are not going broke. That is not the situation. The internet is not in jeopardy. This is plain and simple, and I don't get this.

When I was growing up, I thought one of the tenets of the Republican Party that I admired the most was privacy. It is mine, not yours, not the government's—mine. You can't have it unless I give it to you.

My phone number, my Social Security number, my credit card number, my passwords—everything is mine. Yet you just want to give it away. You make one good argument: let's level the playing field. You are right. I agree with you. But you don't level the playing field by getting rid of the playing field. You level it by raising it on those who are not subject to this rule.

Please give me one—not two—one good reason why all of these people here, why all of these people watching would want Comcast or Verizon to have information unless they give it to them. We are talking medical information. We are talking passwords. We are talking financial information. We are talking college applications. There is nothing in today's society that every one of us doesn't do every day on the internet, yet Comcast is going to get it—not because I said it is okay.

And what are you going to do with it? Kind of look at it and say: oh, yeah, hey, Mike takes a size 38 underwear. That is great. They are going to sell it to the underwear companies. Hey, he bought this kind of underwear. He likes this color. Let's give him ads. By the way, most of those ads are useless, because I already bought the underwear. I don't need any more.

But it is none of their information. It is none of their business. Go out in the street, please, leave Capitol Hill for 5 minutes. Go anywhere you want, find three people on the street who think it is okay, and you can explain to them ROIs, the company has to make progress, and we have to make money.

You will lose that argument every single time, as you should. And I guarantee you, you won't find anybody in your district who wants this bill passed.

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

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Speaker, I do quite agree with what Mr. CAPUANO just shared, but I will say this: for anybody listening to this broadcast today, this is a classic fight of the big money against the many. The big money, they say that they want even more money, so they want to be able to dig into your private information so that they can figure out when you get up, when you go to bed, what you looked up, and then write ads just so they could try to sell you more stuff.

And as disgusting as that is, you can see easily how that is not the end of it. What if you have somebody who has something really sensitive that they just want a little bit more information about, that is not of a nature where it is saleable, but it is just their business? Well, somebody else is going to know now. And they may well be able to monetize it, gather it, and distribute it.

It is outrageous what the majority is doing today, and I can't possibly believe that it is conservative, that it is small government. I can't believe that they believe that this is what a government in restraint should do. The government should be protecting our rights, protecting our privacy. Small government means that the individual ought to be protected from the big powers out there, like the corporate interests, yet the majority is handing us over to them at this very hour.

Mr. Speaker, I urge Members of the majority to vote against this. I can't believe that a person who is a constitutional conservative would ever vote for a monstrosity like this. It is beyond my comprehension that a conservative libertarian would say: oh, yeah, give the individuals' information over to the big commercial interests. This is one of those moments.

The majority, you guys have the House, you have the Senate, and you have the White House. The only restraint you have is yourselves. And I know there has got to be somebody in that body who believes that Comcast, Sprint, and all of the rest should not have anybody's underwear size in this body.

It is an outrage. It is an abuse, and I urge a very emphatic ''no.''

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

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

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. KHANNA).

Mr. KHANNA. Mr. Speaker, I thank Mr. POLIS for yielding and for your leadership on this issue.

This resolution would overturn rules that protect a consumer's privacy, and they would be a handout to internet service providers: Comcast, Verizon, AT&T. Now, as it is, the average American, 80 percent of Americans, don't have a choice about which internet service provider they can use, and they pay six to seven times more than people pay in France, than people pay in Britain. And people wonder: Why is this?

Obviously, the United States did all of the research that invented the internet. Why are Americans paying more? It is because they have monopolistic, anticompetitive practices. So what is the solution? Instead of making the industry more competitive so Americans have more choice and don't have to pay as much, what this bill wants to do is give these four or five internet service providers even more power, allowing them to take an individual's data and sell it to whoever they want.

The fear of Big Brother is so real out there, as it is, people fear that the bureaucracy and big companies are controlling their lives. This bill would allow that to continue and get worse.

What we need is more anticompetitive legislation. What we need is a stronger internet bill of rights that applies to ISPs and other internet service companies not a rollback of the regulations that currently exist.

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

Mr. POLIS. Mr. Speaker, I would like to inquire if the gentleman has any remaining speakers.

Mr. BURGESS. Mr. Speaker, I apparently do not have any additional speakers.

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

It is no surprise that nobody wants to come to the floor and talk in favor of this bill because it is such an awful bill. This bill would allow your broadband provider of internet services to sell all of your personal information.

So, again, the other side is trying to conflate two entirely different things. When you do a transaction within an e-commerce site or search site, you are agreeing to their terms of service, and you are engaging in a discrete transaction, and the information that you enter is subject to their terms of use—completely appropriate. A competitor is only a click away.

Whether there are any monopolistic content providers is a different matter for a different day, and a different Federal agency—the FTC. What we are talking about here is the access piece, the broadband access piece. They actually, through the pipes, get to see all of the information that is entered that you see: every email; all of your credit card information; if you use the internet for any personal medical research, all of your personal medical research; your kids' information, everything your kids and minors in the family do. And what this bill says is: you don't have to require people to opt in to have their information used.

Consumers should be in control of their own information. They shouldn't be forced to sell and give that information to who knows who simply for the price of admission for access to the internet.

Again, we all want there to be a reasonable capital return on infrastructure and on broadband. That is something we can agree on. If there is a case to be made that we can do better in providing an economic return to encourage rural broadband, I am for it. I know many of my colleagues on the other side would be for it. Let's do it.

What we don't want to do in that process is turn over the entire value chain of the internet to the infrastructure and provider side, rather than the dynamic innovative content and e-commerce side.

I would like to read an excerpt from two letters from groups who are opposed to this bill. The first is a coalition of 19 media, justice, consumer protection, civil liberties, and privacy groups.

Their concern that: ''Without these rules, ISPs could use and disclose customer information at will. The result could be extensive harm caused by breaches or misuse of data.''

They remind us that: ''The FCC's order simply restores people's control over their personal information and lets them choose the terms on which ISPs can use it, share it, or sell it.''

Consumers should be in control of their own information.

The second letter is from Consumers Union, the policy arm of Consumer Reports. They say, in part, that this bill ''would strip consumers of their privacy rights and . . . leave them with no protections at all.''

I include in the RECORD those two letters, Mr. Speaker.

JANUARY 27, 2017.

Hon. PAUL RYAN,
Speaker of the House, House of Representatives, Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.
Hon. MITCH MCCONNELL,
Senate Majority Leader, U.S. Senate, Washington, DC.
Hon. CHARLES SCHUMER,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR SPEAKER RYAN, SENATOR MCCONNELL, REPRESENTATIVE PELOSI, AND SENATOR SCHUMER: The undersigned media justice, consumer protection, civil liberties, and privacy groups strongly urge you to oppose the use of the Congressional Review Act (CRA) to adopt a Resolution of Disapproval overturning the FCC's broadband privacy order. That order implements the mandates in Section 222 of the 1996 Telecommunications Act, which an overwhelming, bipartisan majority of Congress enacted to protect telecommunications users' privacy. The cable, telecom, wireless, and advertising lobbies request for CRA intervention is just another industry attempt to overturn rules that empower users and give them a say in how their private information may be used.

Not satisfied with trying to appeal the rules of the agency, industry lobbyists have asked Congress to punish internet users by way of restraining the FCC, when all the agency did was implement Congress' own directive in the 1996 Act. This irresponsible, scorched-earth tactic is as harmful as it is hypocritical. If Congress were to take the industry up on its request, a Resolution of Disapproval could exempt internet service providers (ISPs) from any and all privacy rules at the FCC. As you know, a successful CRA on the privacy rules could preclude the FCC from promulgating any ''substantially similar'' regulations in the future—in direct conflict with Congress' clear intention in Section 222 that telecommunications carriers protect their customers' privacy. It could also preclude the FCC from addressing any of the other issues in the privacy order like requiring data breach notification and from revisiting these issues as technology continues to evolve in the future. The true consequences of this revoked authority are apparent when considering the ISPs' other efforts to undermine the rules. Without these rules, ISPs could use and disclose customer information at will. The result could be extensive harm caused by breaches or misuse of data.

Broadband ISPs, by virtue of their position as gatekeepers to everything on the internet, have a largely unencumbered view into their customers' online communications. That includes the websites they visit, the videos they watch, and the messages they send. Even when that traffic is encrypted, ISPs can gather vast troves of valuable information on their users' habits; but researchers have shown that much of the most sensitive information remains unencrypted.

The FCC's order simply restores people's control over their personal information and lets them choose the terms on which ISPs can use it, share it, or sell it. Americans are increasingly concerned about their privacy, and in some cases have begun to censor their online activity for fear their personal information may be compromised. Consumers have repeatedly expressed their desire for more privacy protections and their belief that the government helps ensure those protections are met. The FCC's rules give broadband customers confidence that their privacy and choices will be honored, but it does not in any way ban ISPs' ability to market to users who opt-in to receive any such targeted offers.

The ISPs' overreaction to the FCC's broadband privacy rules has been remarkable. Their supposed concerns about the rule are significantly overblown. Some broadband providers and trade associations inaccurately suggest that this rule is a full ban on data use and disclosure by ISPs, and from there complain that it will hamstring ISPs' ability to compete with other large advertising companies and platforms like Google and Facebook. To the contrary, ISPs can and likely will continue to be able to benefit from use and sharing of their customers' data, so long as those customers consent to such uses. The rules merely require the ISPs to obtain that informed consent.

The ISPs and their trade associations already have several petitions for reconsideration of the privacy rules before the FCC. Their petitions argue that the FCC should either adopt a ''Federal Trade Commission style'' approach to broadband privacy, or that it should retreat from the field and its statutory duty in favor of the Federal Trade Commission itself. All of these suggestions are fatally flawed. Not only is the FCC well positioned to continue in its statutorily mandated role as the privacy watchdog for broadband telecom customers, it is the only agency able to do so. As the 9th Circuit recently decided in a case brought by AT&T, common carriers are entirely exempt from FTC jurisdiction, meaning that presently there is no privacy replacement for broadband customers waiting at the FTC if Congress disapproves the FCC's rules here.

This lays bare the true intent of these industry groups, who also went to the FCC asking for fine-tuning and reconsideration of the rules before they sent their CRA request. These groups now ask Congress to create a vacuum and to give ISPs carte blanche, with no privacy rules or enforcement in place. Without clear rules of the road under Section 222, broadband users will have no certainty about how their private information can be used and no protection against its abuse. ISPs could and would use and disclose consumer information at will, leading to extensive harm caused by breaches and by misuse of data properly belonging to consumers.

Congress told the FCC in 1996 to ensure that telecommunications carriers protect the information they collect about their customers. Industry groups now ask Congress to ignore the mandates in the Communications Act, enacted with strong bipartisan support, and overturn the FCC's attempts to implement Congress's word. The CRA is a blunt instrument and it is inappropriate in this instance, where rules clearly benefit internet users notwithstanding ISPs' disagreement with them.

We strongly urge you to oppose any resolution of disapproval that would overturn the FCC's broadband privacy rule.

Sincerely,

Access Now, American Civil Liberties Union, Broadband Alliance of Mendocino County, Center for Democracy and Technology, Center for Digital Democracy, Center for Media Justice, Color of Change, Consumer Action, Consumer Federation of America, Consumer Federation of California, Consumer Watchdog, Consumer's Union, Free Press Action Fund, May First/People Link, National Hispanic Media Coalition, New America's Open Technology Institute, Online Trust Alliance, Privacy Rights Clearing House, Public Knowledge.

CONSUMERS UNION,
March 27, 2017.

House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: Consumers Union, the policy and mobilization arm of Consumer Reports, writes regarding House consideration of S.J. Res. 34, approved by a 50–48 party line vote in the Senate last week.

This resolution, if passed by the House and signed into law by President, would use the Congressional Review Act (CRA) to nullify the Federal Communication Commission's (FCC) newly-enacted broadband privacy rules that give consumers better control over their data. Many Senators cited ''consumer confusion'' as a reason to do away with the FCC's privacy rules, but we have seen no evidence proving this assertion and fail to understand how taking away increased privacy protections eliminates confusion. Therefore, we strongly oppose passage of this resolution—it would strip consumers of their privacy rights and, as we explain below, leave them with no protections at all. We urge you to vote no on S.J. Res. 34.

The FCC made history last October when it adopted consumer-friendly privacy rules that give consumers more control over how their information is collected by internet service providers (ISPs). Said another way, these rules permit consumers to decide when an ISP can collect a treasure trove of consumer information, whether it is a web browsing history or the apps a consumer may have on a smartphone. We believe the rules are simple, reasonable, and straightforward.

ISPs, by virtue of their position as gatekeepers to everything on the internet, enjoy a unique window into consumers' online activities. Data including websites consumers visit, videos viewed, and messages sent is very valuable. Small wonder, then, that ISPs are working so hard to have the FCC's new privacy rules thrown out through use of the Congressional Review Act. But we should make no mistake: abandoning the FCC's new privacy rules is about what benefits big cable companies and not about what is best for consumers.

Many argue the FCC should have the same privacy rules as those of the Federal Trade Commission (FTC). FCC Chairman Ajit Pai went so far as to say ''jurisdiction over broadband providers' privacy and data security practices should be returned to the FTC, the nation's expert agency with respect to these important subjects,'' even though the FTC currently possesses no jurisdiction over the vast majority of ISPs thanks to the common carrier exemption—an exemption made stricter by the Ninth Circuit Court of Appeals in last year's AT&T Mobility case. We have heard this flawed logic time and time again as one of the principal arguments for getting rid of the FCC's strong privacy rules. Unfortunately, this is such a poor solution that it amounts to no solution at all.

For the FTC to regain jurisdiction over the privacy practices of ISPs, the FCC would first have to scrap Title II reclassification—not an easy task which would be both time-consuming and subject to judicial review, and jeopardize the legal grounding of the 2015 Open Internet Order. Congress, in turn, would have to pass legislation to remove the common carrier exemption, thus granting the FTC jurisdiction over those ISPs who are common carriers. We are skeptical Congress would take such an action. Finally, the FTC does not enjoy the same robust rulemaking authority that the FCC does. As a result, consumers would have to wait for something bad to happen before the FTC would step in to remedy a violation of privacy rights. Any fondness for the FTC's approach to privacy is merely support for dramatically weaker privacy protections favored by most corporations.

There is no question that consumers favor the FCC's current broadband privacy rules. Consumers Union launched an online petition drive last month in support of the Commission's strong rules. To date, close to 50,000 consumers have signed the petition and the number is growing. Last week, more than 24,000 consumers contacted their Senators urging them to oppose the CRA resolution in the 24 hours leading up to the vote. Consumers care about privacy and want the strong privacy protections afforded to the them by the FCC. Any removal or watering down of those rules would represent the destruction of simple privacy protections for consumers.

Even worse, if this resolution is passed, using the Congressional Review Act here will prevent the FCC from adopting privacy rules—even weaker ones—to protect consumers in the future. Under the CRA, once a rule is erased, an agency cannot move forward with any ''substantially similar'' rule unless Congress enacts new legislation specifically authorizing it. Among other impacts, this means a bare majority in the Senate can void a rule, but then restoration of that rule is subject to full legislative process, including a filibuster. The CRA is a blunt instrument—and if used in this context, blatantly anti-consumer.

We are more than willing to work with you and your fellow Representatives to craft privacy legislation that affords consumer effective and easy-to-understand protections. The FCC made a step in that direction when it adopted the broadband privacy rules last year, and getting rid of them via the Congressional Review Act is a step back, not forward. Therefore, we encourage you to vote no on S.J. Res. 34.

Respectfully,

LAURA MACCLEERY,
Vice President, Consumer Policy & Mobilization, Consumer Reports.
JONATHAN SCHWANTES,
Senior Policy Counsel, Consumers Union.
KATIE MCINNIS,
Policy Counsel, Consumers Union.

Mr. POLIS. I also include in the RECORD an op-ed that I had the opportunity to publish last week on this topic. My piece is entitled ''Why Americans should be worried about their online broadband privacy,'' talking about this very bill that Congress has the tenacity to try to bring to the floor under this rule to force the most personal information pieces of information about every aspect of your internet behavior, and that of your family members, to be given to the broadband provider to do whatever they want with.

[From the Huffington Post, March 22, 2017]

WHY AMERICANS SHOULD BE WORRIED ABOUT THEIR ONLINE, BROADBAND PRIVACY

(By Jared Polis)

Over the last couple of months, the dialogue surrounding government surveillance and consumer privacy has shifted in a troubling direction. While news outlets are covering everything from false claims of wiretaps to outlandish claims of reconnaissance microwaves, Republicans are quietly taking real and dramatic steps to protect corporate profits at the cost of your privacy. A few weeks ago, Senator Jeff Flake (R–Ariz.) and Representative Marsha Blackburn (R–Tenn.) filed bills in both the House of Representatives and the Senate that, if passed, will permanently eliminate broadband users' privacy protections, affecting nearly everyone who uses the Internet.

The legislation allows broadband providers to access and sell consumers' information without their permission. As our gateway to the Internet, Broadband Internet Service Providers—commonly referred to as ISPs—have access to a wealth of personal information, from our physical location to our shopping habits and the medical issues we research—can reveal potentially sensitive details about our personal lives.

Every search, every website visited, every article read online, see how often you log into and use your various online accounts and even, in some cases, collect your location. Think about what someone could conclude from this information about you—your overall health, risk activity, political affiliation, preferences. What could they do with that information? Could they change pricing of goods and services depending on your income and past purchasing behaviors? Could you face challenges obtaining insurance due to perceptions on your health or risk behavior based on your search activity? This rule change will literally allow broadband providers to have access to your entire personal life on a network and sell it.

After years of advocating for further consumer protections, in October 2016, the Federal Communications Commission (FCC) took a responsible and commonsense step to establish broadband privacy protections—but only months later Republicans are trying to roll back the progress made and repeal the existing rules, fighting alongside corporate broadband providers.

The legislation is unnecessary, as the FCC has already taken steps to review the rules, pausing implementation to conduct a careful examination of the complexities of implementation. The Republican legislation, would stop this process, bypass public comment, and eliminate the privacy protections permanently and irrevocably.

That is why I am drawing attention to this critical issue, before it's too late.

Mr. POLIS. Like these groups, I also believe that privacy is worth defending. In the wrong hands, information can be damaging and used for the wrong reasons.

Simply put, this bill is about conveying the value of the internet to the infrastructure side rather than the content side. And rather than finding common ground to establish reasonable ROI for broadband and internet investments, this bill would hurt the entire internet ecosystem by breaking down the trust between consumers and service providers.

What they are really trying to do here is shift the reasonable burden for cybersecurity measures from the internet servers onto consumers. At the

same time, they want to eliminate the requirements of cybersecurity measures, even notify consumers of violations, and they want to collect more and more consumer data without any protections to do what they want with.

Supporting this bill would make each and every user of the internet vulnerable to violations of our privacy and vulnerable to cybersecurity threats without even receiving notifications of when our own intimate information, like credit card numbers, is compromised.

The FCC took a responsible, deliberate, and commonsense step to establish broadband privacy protections in October 2016. If they need to be tweaked or changed, let's have a process to do that. This bill is not that process. It not only undoes those privacy protections but prevents the FCC from ever issuing a rule that has those privacy protections in it.

Mr. Speaker, if passed, this bill would be an irrevocable step in the wrong direction. I urge my colleagues to vote ''no'' on this rule and the underlying bill, and I yield back the balance of my time.

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

I include in the RECORD an op-ed from The Wall Street Journal from March 1, 2017, by JEFF FLAKE, a member of the other body. The title of the op-ed is ''Settling a Bureaucratic Turf War in Online Privacy Rules.''

[From The Wall Street Journal, Mar. 1, 2017]

SETTLING A BUREAUCRATIC TURF WAR IN ONLINE PRIVACY RULES

(By Jeff Flake)

When you shop online from your tablet or browse the internet on your smartphones, you expect your personal data to be secure. Technology companies invest billions of dollars on data security to protect consumer privacy.

Privacy is also a cornerstone of consumer protection, with federal enforcement agencies striking an appropriate balance between innovation and security in their regulations. But just as a flawed line of code can render a new firewall program useless, the new privacy rules that were rushed through in the waning days of the Obama administration risk crashing our longstanding privacy-protection regime.

For two decades, the Federal Trade Commission has been America's sole online privacy regulator. Under the FTC's watch, our internet and data economy has been the envy of the world. The agency's evidence-based approach calibrates privacy and data-security requirements to the sensitivity of information collected, used or shared online, and applies protections in a consistent and evenhanded way across business sectors. Consumer behavior demonstrates the success of the FTC's regulatory approach: Each day people spend more time engaging in online activities.

But in 2015, in a bid to expand its own power, the Federal Communications Commission short-circuited the effectiveness of the FTC's approach by reclassifying internet service providers as common carriers, subject to Title II of the Communications Act.

In taking that unprecedented action, the FCC unilaterally stripped the FTC of its traditional jurisdiction over ISPs. The FTC can no longer police the privacy practices of providers, leaving us with a two-track system under which the FCC applies its own set of rules for ISPs while the FTC monitors the rest of the internet ecosystem.

Even after the 2015 power grab, the FCC could have simply adopted as its own the FTC's successful sensitivity-based model of privacy regulation. Instead—after last year's election—the FCC finalized privacy regulations that deviate extensively from the FTC framework in several key respects.

The FCC rules subject all web browsing and app usage data to the same restrictive requirements as sensitive personal information. That means that information generated from looking up the latest Cardinals score or checking the weather in Scottsdale is treated the same as personal health and financial data.

The new rules also restrict an ISP's ability to inform customers about innovative and cost-saving product offerings. So much for consumer choice.

The FCC's overreach is a dangerous deviation from successful regulation and common-sense industry practices. But don't just take my word for it. The FTC concluded that the FCC's decision to treat ISPs differently from the rest of the internet ecosystem was ''not optimal—agency-speak for ''a really bad idea.''

Outside of the FTC's well-founded concerns, the new rules are also a departure from bipartisan agreement on the need for consistent online privacy rules. President Obama noted in 2012 that ''companies should present choices about data sharing, collection, use, and disclosure that are appropriate for the scale, scope, and sensitivity of personal data in question at the time of collection.'' In other words, privacy rules should be based on the data itself.

But that's not how the FCC sees it. The commission's rules suffocate industry and harm consumers by creating two completely different sets of requirements for different parts of the internet.

To protect consumers from these harmful new regulations, I will soon introduce a resolution under the Congressional Review Act to repeal the FCC's flawed privacy rules. While the resolution would eliminate those rules, it would not change the current statutory classification of broadband service or bring ISPs back under FTC jurisdiction. Instead, the resolution would scrap the FCC's newly imposed privacy rules in the hope that it would follow the FTC's successful sensitivity-based framework.

This CRA resolution does nothing to change the privacy protections consumers currently enjoy. I hope Congress and the FCC will continue working together to address issues of concern down the road. However, it is imperative for rule-making entities to stay in their jurisdictional lanes. We need to reject these harmful midnight privacy regulations that serve only to empower bureaucrats and hurt consumers.

Mr. BURGESS. I want to read from a couple of the lines from this op-ed. The Senator states here: ''Privacy is also a cornerstone of consumer protection, with Federal enforcement agencies striking an appropriate balance between innovation and security in their regulations. But just as a flawed line of code can render a new firewall program useless, the new privacy rules that were rushed through in the waning days of the Obama administration risk crashing our longstanding privacy-protection regime.''

Continuing to quote here: ''For two decades, the Federal Trade Commission has been America's sole online privacy regulator. Under the FTC's watch, our internet and data economy has been the envy of the world. The agency's evidence-based approach calibrates privacy and data-security requirements to the sensitivity of information collected, used or shared online, and applies protections in a consistent and evenhanded way across business sectors. Consumer behavior demonstrates the success of the FTC's regulatory approach: Each day people spend more time engaging in online activities.''

Now, continuing to quote here: ''The FCC's overreach is a dangerous deviation from successful regulation and commonsense industry practices. But don't take my word for it. The FTC concluded that the FCC's decision to treat ISPs differently from the rest of the internet ecosystem was 'not optimal'—agencyspeak for 'a really bad idea.' ''

One final quote from Senator FLAKE's op-ed: ''This CRA resolution does nothing to change the privacy protections consumers currently enjoy. I hope Congress and the FCC will continue working together to address issues of concern down the road. However, it is imperative for rulemaking entities to stay in their jurisdictional lanes. We need to reject these harmful midnight privacy regulations that serve only to empower bureaucrats and hurt consumers.''

Mr. Speaker, today's rule provides for the consideration of a critical Congressional Review Act resolution to repeal a duplicative Federal regulation dropped on the doorstep of the American people in the last hours of the previous administration. The rule the House will be voting on today to repeal would create uncertainty and chaos surrounding the protection of people's privacy online.

I want to thank Mrs. BLACKBURN of Tennessee, the chairwoman of the Energy and Commerce Subcommittee on Communication and Technology, for her work on this critical issue.

I urge my colleagues to vote ''yes'' on the rule and vote ''yes'' on the underlying resolution.

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

AN AMENDMENT TO H. RES. 230 OFFERED BY MR. POLIS

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

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 305) to amend the Ethics in Government Act of 1978 to require the disclosure of certain tax returns by Presidents and certain candidates for the office of the President, and for other purposes. 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 among and controlled by the respective chairs and ranking minority members of the Committees on Ways and Means and Oversight and Government Reform. 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. 3. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 305.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

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

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

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

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

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

Mr. POLIS. 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.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3 p.m. today.

Accordingly (at 2 o'clock and 1 minute p.m.), the House stood in recess.

□ 1500

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 3 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

Ordering the previous question on House Resolution 229;

Adoption of House Resolution 229, if ordered;

Ordering the previous question on House Resolution 230; and

Adoption of House Resolution 230, if ordered.

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

PROVIDING FOR CONSIDERATION OF H.R. 1430, HONEST AND OPEN NEW EPA SCIENCE TREATMENT ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 229) providing for consideration of the bill (H.R. 1430) to prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 231, nays 189, not voting 19, as follows:

[Roll No. 197]

YEAS—231

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
Chaffetz
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
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
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—189

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

NOT VOTING—9

Marino
Pittenger
Price (NC)
Rooney, Thomas J.
Ros-Lehtinen
Rush
Scott, David
Simpson
Slaughter

□ 1525

Mr. BLUMENAUER and Ms. ROYBAL-ALLARD changed their vote from ''yea'' to ''nay.''

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

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 231, noes 185, not voting 13, as follows:

[Roll No. 198]

AYES—231

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
Chaffetz
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
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

NOES—185

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

NOT VOTING—13

Cleaver
Gallego
Himes
Marino
Pittenger
Price (NC)
Rogers (AL)
Rooney, Thomas J.
Ros-Lehtinen
Rush
Scott, David
Simpson
Slaughter

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1532

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF S.J. RES. 34, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 230) providing for consideration of the joint resolution (S.J. Res. 34) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications

Commission relating to ''Protecting the Privacy of Customers of Broadband and Other Telecommunications Services'', on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 232, nays 184, not voting 13, as follows:

[Roll No. 199]

YEAS—232

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
Chaffetz
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
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
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—184

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

NOT VOTING—13

Carson (IN)
DeFazio
Gonzalez (TX)
Marino
Pittenger
Price (NC)
Rooney, Thomas J.
Ros-Lehtinen
Rush
Scott, David
Simpson
Slaughter
Suozzi

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1539

So the previous question was ordered.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 231, noes 189, not voting 9, as follows:

[Roll No. 200]

AYES—231

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
Chaffetz
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
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
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

NOES—189

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

NOT VOTING—9

Marino	Rooney, Thomas J.	Scott, David
Pittenger		Simpson
Price (NC)	Ros-Lehtinen	Slaughter
	Rush	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1547

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION

Mrs. BLACKBURN. Mr. Speaker, pursuant to House Resolution 230, I call up the joint resolution (S.J. Res. 34) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to ''Protecting the Privacy of Customers of Broadband and Other Telecommunications Services'', and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 230, the joint resolution is considered read.

The text of the joint resolution is as follows:

S.J. RES. 34

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Federal Communications Commission relating to ''Protecting the Privacy of Customers of Broadband and Other Telecommunications Services'' (81 Fed. Reg. 87274 (December 2, 2016)), and such rule shall have no force or effect.

The SPEAKER pro tempore. The joint resolution shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce.

The gentlewoman from Tennessee (Mrs. BLACKBURN) and the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE) each will control 30 minutes.

GENERAL LEAVE

Mrs. BLACKBURN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on S.J. Res. 34.

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

There was no objection.

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

Mr. Speaker, I do rise today in support of S.J. Res. 34, which disapproves of the rule submitted by the Federal Communications Commission relating to protecting the privacy of customers of broadband and other telecommunication services.

I applaud Senator FLAKE's work on this issue, as S.J. Res. 34 was passed by the Senate last week. I also filed a companion resolution in the House.

The FCC finalized its broadband privacy rules on October 27, 2016. At that time, they assured us that the rules would provide broadband customers meaningful choice, greater transparency, and stronger security protections for their personal information collected by internet service providers, but the reality is much different.

There are three specific problems with which the FCC has gone about these rules. First, the FCC unilaterally swiped jurisdiction from the Federal Trade Commission. The FTC has served as our Nation's sole online privacy regulator for over 20 years.

Second, having two privacy cops on the beat will create confusion within the internet ecosystem and will end up harming consumers.

Third, the FCC already has authority to enforce privacy obligations of broadband service providers on a case-by-case basis. These broadband privacy rules are unnecessary and are just another example of Big Government overreach. The Competitive Enterprise Institute estimates that Federal regulations cost our economy $1.9 trillion in 2015.

Since President Trump took office, Republicans have been working diligently to loosen the regulatory environment that is suffocating hard-working taxpayers.

Here is what multiple House Democrats said in a letter to the FCC last May regarding the FCC's privacy rules:

> The rulemaking intends to go well beyond the traditional framework that has guarded consumers from data practices of internet service providers and ill-served consumers who seek and expect consistency in how their personal data is protected.

Further, FTC Commissioner Joshua Wright testified before Congress that the FTC has unique experience in enforcing broadband service providers' obligations to protect the privacy and security of consumer data. He added that the rules will actually do less to protect consumers by depriving the FTC of its longstanding jurisdiction in the area. Once again, these rules hurt consumers.

Incredibly, former FCC Chairman Tom Wheeler referred to the internet as the most powerful and pervasive network in the history of the planet before these rules were even created. I found this really odd because it implied that the FTC regulation had indeed been successful and ought to continue, ultimately undermining his own rationale for additional FCC privacy regulation.

Now, there are a couple of myths that are going around that I want to take the time to dispel. Our friends claim there will be a gap for ISPs in the FCC privacy rules when they are overturned. This simply is false, and let me tell you why. The FCC already has the authority to enforce the privacy obligations of broadband service providers on a case-by-case basis.

Pursuant to section 201 of the Communications Act, they can police practices of the ISPs that are unjust or unreasonable. Sections 202 and 222 also protect consumers. It is already in statute. So I encourage my friends to read title II of the Communications Act. Also, the State attorneys general have the ability to go after companies for unfair and deceptive practices.

Third, litigation is another avenue consumers can pursue against ISPs for mishandling personal data. Service providers have privacy policies. If they violate the policy, guess what? They can be sued. I know Democrats will certainly understand that, as they have many trial lawyer friends, and I urge them to speak to the trial bar.

Fourth, the free market is another great equalizer. Can you imagine the embarrassment for an ISP that is caught unlawfully selling data? We have all seen the economic fallout from something such as a data breach. Companies have a financial incentive to handle your personal data properly because to do otherwise would significantly impair their financial standing.

To my Democrat friends across the aisle, the bottom line is this: the only gap that exists is in these arguments that you have made.

Consumer privacy is something we all want to protect, and consumer privacy will continue to be protected and will actually be enhanced by removing the uncertainty and confusion these rules will create, as the Democrats Rush, Schrader, and Green indicated in a letter to the FCC last May.

I also want to speak, for just a moment, on the edge providers because there has been some question about who has visibility into your data. Clinton administration veteran privacy expert Peter Swire offered a report in February 2016 titled ''Online Privacy in ISPs.''

ISP's access to consumer data is limited and often less than access to others. Swire found that ISPs have less visibility into consumer behavior online than search, social media, advertising, and big tech companies.

Swire's study found that, as a result of advancing technologies, the rise of encryption, and the various ways and locations individuals access the internet, ISPs now have increasingly limited insight into our activities and information online.

By contrast, however, so-called edge providers, like search engines, social media, advertising, shopping, and other services online, often have greater visibility into personal consumer data.

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

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong opposition to S.J. Res. 34.

Today, colleagues, we are waist deep in the swamp. The American people did not ask for this resolution.

In fact, no company will even put its name behind this effort. Instead, this resolution is the result of an explicit written request from Washington lobbyists. These lobbyists make the bogus claim that having actual protections will confuse consumers and the only way to help clear up this information is to have no rules at all.

No consumer has come forward to support this position. No consumer has said this argument even makes sense.

I challenge every Member of this body at your next townhall meeting to have a show of hands of how many people think it is a good idea to allow your internet service provider to sell their personal information without their permission.

□ 1600

Then after you get that show of hands, ask them how many of them would vote for you if you support allowing corporations to do that.

This resolution is of the swamp and for the swamp and no one else. The rules of this resolution would overturn rules that are simple and make common sense. They don't require much, only three things:

One, internet service providers should ask permission before selling your private internet browsing history, app usage, or other sensitive information;

Two, once they have your information, internet service providers should take reasonable measures to protect it; and

Finally, if the information gets stolen, the company should quickly let you know.

That is it. That is all that is being asked of them.

These modest rules don't stop internet service providers from using data for advertising and profiling or whatever else so long as they ask first.

ISPs have an obligation under these rules not to dive into the personal lives of Americans unless that is what those Americans want. They just need to ask first.

This is particularly true because broadband providers see literally everything you do online, every website you visit, every app, every device, every time. By analyzing your internet usage and browsing history, these companies will know more about you than members of your own family, more than you tell your doctor, more than you know about yourself. Without these rules, these companies don't have to ask before selling all of that information, and they don't have to take reasonable measures to protect that information when they collect it.

Make no mistake about this, colleagues: Anyone who votes for this bill is telling your constituents that they no longer have the freedom to decide how to control their own information. You have given that freedom away to big corporations. More importantly, there aren't rules to fall back on if Congress scraps these.

Critics of the rules argue that the Federal Trade Commission should oversee the privacy protection for broadband providers, but, under current law, they have no authority to do so, and the CRA won't do a thing to fix that. Under a Federal court of appeals case, the FTC has no authority over mobile broadband providers at all.

And to those that say the FCC can evaluate complaints on a case-by-case basis using its statutory authority, the current Chairman—your current Chairman—stated that section 222 cannot be used to protect personal information and that rules are necessary to enforce this statute.

Mr. Speaker, I include for the RECORD a statement by the FCC Commissioner.

DISSENTING STATEMENT OF COMMISSIONER AJIT PAI

Re TerraCom, Inc. and YourTel America, Inc., Apparent Liability for Forfeiture, File No. EB–TCD–13–00009175.

A core principle of the American legal system is due process. The government cannot sanction you for violating the law unless it has told you what the law is.

In the regulatory context, due process is protected, in part, through the fair warning rule. Specifically, the D.C. Circuit has stated that ''[i]n the absence of notice—for example, where the regulation is not sufficiently clear to warn a party about what is expected of it—an agency may not deprive a party of property.'' Thus, an agency cannot at once invent and enforce a legal obligation.

Yet this is precisely what has happened here. In this case, there is no pre-existing legal obligation to protect personally identifiable information (also known as PII) or notify customers of a PII data breach to enforce. The Commission has never interpreted the Communications Act to impose an enforceable duty on carriers to ''employ reasonable data security practices to protect'' PII. The Commission has never expounded a duty that carriers notify all consumers of a data breach of PII. The Commission has never adopted rules regarding the misappropriation, breach, or unlawful disclosure of PII. The Commission never identifies in the entire Notice of Apparent Liability a single rule that has been violated.

Nevertheless, the Commission asserts that these companies violated novel legal interpretations and never-adopted rules. And it seeks to impose a substantial financial penalty. In so doing, the Commission runs afoul of the fair warning rule. I cannot support such ''sentence first, verdict afterward'' decision-making.

To the extent that the circumstances giving rise to today's item merited the Commission's attention, there was a better (and lawful) path forward. We could have opened a notice-and-comment rulemaking. This process would have given the public an opportunity to speak. And in turn, the agency would have had a chance to formulate clear, well-considered rules—rules we then could have enforced against anyone who violated them. Instead, the Commission proposes a forfeiture today that, if actually imposed, has little chance of surviving judicial review.

One more thing. The Commission asserts that the base forfeiture for these violations is nine billion dollars—that's $9,000,000,000—which is by far the biggest in our history. It strains credulity to think that Congress intended such massive potential liability for ''telecommunications carriers'' but not retailers or banks or insurance companies or tech companies or cable operators or any of the myriad other businesses that possess consumers' PII. Nor can I understand how such liability can be squared with the Enforcement Bureau's recent consent decrees with these companies. Under those consent decrees, the companies paid the Treasury $440,000 and $160,000 for flouting our actual rules and draining the Universal Service Fund by seeking Lifeline support multiple times for the same customer.

Consumer protection is a critical component of the agency's charge to promote the public interest. But any enforcement action we take in that regard must comport with the law. For the reasons stated above, I dissent.

Mr. MICHAEL F. DOYLE of Pennsylvania. Without these protections, there will be no clear rules of the road. At a time when foreign actors like the Russians, the Chinese, and everyone else under the sun are constantly trying to steal our data and compromise our security, it would be irresponsible to roll back the only Federal safeguards we have. I want my colleagues to think long and hard before you give corporations the ability to sell your information without their permission.

Mr. Speaker, I include several articles in the RECORD by Free Press and the Open Technology Institute opposing the CRA, an op-ed from a current

FTC Commissioner opposing this CRA, and a memorandum from engineers at EFF opposing this CRA.

[From Free Press, May 10, 2016]

PAY-FOR-PRIVACY SCHEMES PUT THE MOST VULNERABLE AMERICANS AT RISK

(By Sandra Fulton)

The FCC has opened a proceeding on the rules and policies surrounding privacy rights for broadband service. One industry practice called into question in that proceeding could have a devastating impact on our most vulnerable populations.

Internet service providers charge broadband customers a ton for Internet access. ISPs are increasingly finding new revenue streams too, by taking part in the multibillion-dollar market that's evolved out of selling users' personal information to online marketers. As the debate around privacy has heated up, ISPs have tried to placate the public's growing interest in privacy protections while maintaining revenues they can get when they auction off their customers' valuable personal information.

One proposed solution that AT&T has largely ''pioneered''? Have customers pay to preserve their privacy.

The potential harms and discriminatory implications of this practice are obvious. It could mean that only people with the necessary financial means could protect their privacy and prevent their ISPs from sharing their personal information with predatory online marketers. The FCC rulemaking proceeding seeks comments on whether to allow such ''financial inducements'' for the surrender of private information. If the agency decides not to ban such practices outright, it wants to know how it should regulate them.

As our lives have moved online, ISPs have gained access to our most sensitive personal information. Advanced technologies allow companies to track us invisibly, collecting and selling data on nearly every detail of what we do online.

But ISPs don't just stop at knowing what we're doing. The location tracking that's needed to provide mobile service to our phones lets the ISPs know when and where we do it too. And they can figure out the people and organizations we associate with by looking at who we talk to and which websites we visit.

As ISPs track their customers, they create comprehensive dossiers containing sensitive information on each person's finances, health, age, race, religion and ethnicity. Their reach is so pervasive that information like a visit to a website discussing mental health, a search on how to collect unemployment benefits, or a visit to a church or Planned Parenthood office could be swept up into their databases.

How do you feel about your ISP selling such a personal glimpse into your life to online advertisers? Under a pay-for-privacy scheme, you wouldn't need to worry about it so long as you could afford to shell out the hush money. But those who aren't so fortunate would have to relinquish any control over how their personal data is spread across the Web.

The FCC raised concerns about this dynamic when it launched its rulemaking proceeding, noting that such pay-for-privacy practices might disadvantage low-income people and members of other vulnerable communities. But it didn't make any specific recommendations or issue any proposals on how to regulate in this space.

Long before the FCC launched this inquiry at the end of March 2016, and even before the agency had clarified its authority to protect broadband users in the February 2015 Open Internet Order, AT&T's GigaPower broadband service had become one of the first pay-for-privacy plans on the market. The AT&T deal allows customers to opt out of some information sharing if they pay an extra $29 a month or more.

For a struggling family, that could mean choosing between paying for privacy and paying for groceries or the public transportation needed to get to work. And while AT&T might be the first to launch this kind of service, an article in Fortune notes that other companies are eager to roll out similar plans.

Under pay-for-privacy models, consumers who are unable to pay the higher broadband cost will likely see their ISPs share their data with shadowy online data brokers who use this information to tailor marketing messages. While unregulated and unaccountable data brokers are a threat to everyone's privacy, they're notorious for targeting low-income communities, people of color and other vulnerable demographics.

One particularly damning report from the Senate Commerce Committee offered this glimpse into how these brokers categorize and label these target audiences:

The Senate committee's report notes, for example, that the ''Hard Times'' category includes people who are ''Older, down-scale and ethnically diverse singles typically concentrated in inner-city apartments.''

It continues: ''This is the bottom of the socioeconomic ladder, the poorest lifestyle segment in the nation. Hard Times are older singles in poor city neighborhoods. Nearly three-quarters of the adults are between the ages of 50 and 75; this is an underclass of the working poor and destitute seniors without family support . . .''

These classifications can influence not just what kinds of ads people see, but the interest rates they're offered or the insurance premiums they pay. These targeted communities are precisely the ones who can't pay extra to shield their personal information from these dangerous companies.

There may be some argument that if big companies are going to profit from our data anyway, it's actually good if their customers get a share of that. The FCC's rulemaking proposal notes that brickand-mortar stores and websites alike offer all sorts of ''free'' services, discounts and perks in exchange for the data they mine from their customers and users.

But the nature of the broadband market—where users have no real options when it comes to choosing their providers, and no way to opt out short of staying offline—makes the tradeoffs here especially worthy of attention. If users could get fair value for their data, and if they got a real discount on broadband and not just a privacy penalty, and if they were providing truly informed consent with full knowledge of all the pernicious uses data brokers have for their information, then maybe we could have a conversation about the fairness of such schemes. But those are some very big ifs.

We need better transparency rules for marketers and easy-to-use disclosures and opt-in mechanisms before we get there. We also need strong baseline privacy protections guaranteed for all, including rules that prohibit ISPs from using discriminatory schemes that jeopardize the rights of their most vulnerable customers.

We applaud the FCC for taking this crucial first step to protect privacy from broadband ISPs' overreach and abuse. As gatekeepers to the Internet, ISPs hold a wealth of information about their customers, and the Communications Act commands the FCC to establish strong safeguards for that private info. But the FCC also must also remember that our rights are not for sale—and that privacy is not a luxury for the wealthy.

ISPS KNOW ALL

YOU DESERVE MORE PRIVACY FROM YOUR BROADBAND PROVIDER

(By Eric Null)

As you read this post, your internet service provider is collecting information about you: what you're reading right now on Slate, what URL you go to next, what time of day it is, and whether you're on your home computer or your mobile device, among many other data points. Your ISP has similar data about apps you've used, how much data you consume at any given time of day, and your other daily internet habits and rhythms. Of course, your ISP has other up-to-date personal information as well—things like your name, address, telephone number, credit card number, and likely your Social Security number. In this way, ISPs have access to a uniquely detailed, comprehensive, and accurate view of you and every other subscriber. All of this at a time when consumer concern over privacy is increasing and has actually caused people to refrain from engaging in e-commerce and other activities online.

To make matters worse, you are essentially powerless to limit the data your ISP collects about you. While you may, in some instances, defend yourself against tracking by websites and apps by disallowing cookies or turning on ''Do Not Track'' in your browser settings, in many cases there is no way to protect against ISP tracking except by avoiding the internet altogether.

While there are some tools that can help consumers protect themselves, they are not prevalent. For example, ISPs cannot see full website addresses when that site uses encryption—denoted by a small lock icon in your browser bar. However, the website—not you—decides whether it will use encryption. And while Netflix traffic is encrypted (so your ISP only knows you're watching videos, not specifically which ones you're watching), WebMD traffic is not (so your ISP likely knows every page you've visited on WebMD), even though medical symptoms are clearly much more personal than your favorite TV program.

Another example of ways consumers can purportedly protect themselves is through virtual private networks, or VPNs, which route web traffic through another network and therefore effectively ''hide'' the traffic from the person's ISP. But VPNs are difficult to use and configure. They often cost extra money, slow down your browsing, and simply send your data through some other access provider that may be collecting data about you, too. These options are not practical defenses for most consumers.

Currently, there are no rules to prevent your ISP from using these data for almost any purpose, including categorizing you and serving you advertisements based on those categories. Targeted ads may even be based on whether you have (or the ISP has inferred you have) a certain disease or what your income level is. Recently, Cable One was found to be using predictive analytics to determine which of its customers were ''hollow'' (that is, had low credit scores) and then offering them low-quality customer service. Cable One technicians, the company's CEO stated, aren't going to ''spend 15 minutes setting up an iPhone app'' for someone with a low credit score. Of course, making decisions based on credit scores is going to disproportionately affect communities of color and other vulnerable populations. Additionally, the data ISPs collect, often compiled into a ''profile,'' might be sold to third parties (like advertisers or data brokers) and used and reused for purposes for which they were not initially collected—in ways that often annoy people, such as when personal information is used to send a ''barrage of unwanted

emails.'' And as the number of entities who hold your data increases, so too does the chance those data will be compromised by a leak or hack.

So you may find yourself between a rock and a hard place: Use the internet and give up your privacy, or forego internet access entirely—something that's not exactly reasonable. But there is good news. The Federal Communications Commission is trying to make sure that you and all other ISP customers don't have to confront this choice. In 2015, as part of decision to uphold net neutrality, the FCC ruled that ISPs are ''common carriers.'' (The U.S. Court of Appeals for the District of Columbia Circuit recently upheld that ruling.) Since then, the FCC has had a statutory obligation to protect the data ISPs collect about their customers. To accomplish that, the FCC recently proposed a new rule that would require ISPs, in most cases, to seek opt-in consent from customers before using data collected for purposes other than to provide service, such as to deliver certain kinds of ads or to sell to data brokers. That means that if the rule passes, your ISP would have to notify you of any new intended use of the data and give you the opportunity to say ''yes, that is OK with me'' or ''no, that is not OK with me.'' Of key importance in this rule is that if you said ''no,'' your ISP couldn't just refuse to serve you—it would have to respect your wishes and still provide you with service.

The FCC's proposal should be enacted, because you should not have to trade your privacy to access the internet. (New America's Open Technology Institute, where I work, has been actively engaged on this issue and has submitted comments in the record. New America is a partner with Slate and Arizona State University in Future Tense.) It should go without saying, but it's important enough that I will say it anyway: Internet access is imperative for personal and professional success in today's digital world. Yet to gain access to the most important tool of the 21st century, you have to allow your ISP access to incredibly rich and private information about what you do online. You should get to control what it does with that data. Consumers deserve real choice when it comes to protecting their data, and the opt-in regime proposed by the FCC is a huge step in the right direction.

Yet—perhaps unsurprisingly—ISPs and several House committees have responded to the FCC's proposal as if the sky is falling. They have mounted an all-out assault on the idea that you should have the right to choose how ISPs use your data. Their arguments range from the highly dubious (the proposal exceeds the FCC's authority) to the downright silly (consumers will be confused by having different privacy rules for ISPs as compared with other companies, like search engines and social networks). Chances are your ISP is telling the FCC that you don't need protections against exploitation of your data. (If you're interested, you can see exactly what your ISP is saying—here are the responses from AT&T, Comcast, CenturyLink, T-Mobile, Verizon, and Sprint; unnamed ISPs may be represented by various trade associations like the National Cable and Telecommunications Association and CTIA for wireless.) However, as with the net neutrality debate that led to this proposal, consumers may feel differently.

The FCC has proposed a very strong rule that will help protect ISP customers from exploitative uses of their data. This battle for consumer choice will be ongoing for many months, but soon, you may finally be able to choose both having internet access and protecting your privacy.

ELECTRONIC FRONTIER FOUNDATION,
San Francisco, CA.

FIVE WAYS AMERICANS' CYBERSECURITY WILL SUFFER IF CONGRESS REPEALS THE FCC PRIVACY RULES

If the House votes to repeal the FCC's recent privacy rules, Americans' cybersecurity will be put at risk. That's because privacy and security are two sides of the same coin: privacy is about controlling who has access to information about you, and security is how you maintain that control. You usually can't break one without breaking the other, and that's especially true in this context. To show how, here are five ways repealing the FCC's privacy rules will weaken Americans' cybersecurity.

1. Internet providers will record our browsing history, and the systems they use to record that information (not to mention the information itself) will become very tempting targets for hackers. (Just imagine what would happen if a foreign hacker thought she could blackmail a politician or a celebrity based on their browsing history.)

2. In order to record encrypted browsing history (i.e. https websites), Internet providers will start deploying systems that remove the encryption so they can inspect the data. Although US-CERT (part of DHS) just put out an alert saying that this is extremely dangerous for Americans' cybersecurity, FCC Chairman Pai just decided not to enforce rules that keep Internet providers from doing this.

3. Internet providers will insert ads into our browsing, but that could break the existing code on webpages. That means security features might be broken, which could expose Americans to a greater risk of attack.

4. Internet providers will insert tracking tags into our browsing—and that means every website will be able to track you, not just your Internet provider, and there's nothing you can do to stop them.

5. Internet providers will pre-install software to record information directly from our mobile phones (after all, it's just one more source of information they can monetize). But if the software that does that recording has bugs or vulnerabilities, hackers could break into that software, and then access everything the Internet provider could see. Do you trust your Internet provider, which can't even keep an appointment to fix your cable, to write completely bug-free software?

The net result is simple: repealing the FCC's privacy rules won't just be a disaster for Americans' privacy. It will be a disaster for America's cybersecurity, too.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore (Mr. ROGERS of Kentucky). The gentleman is reminded to address his remarks to the Chair.

Mrs. BLACKBURN. Mr. Speaker, I will remind my colleagues across the aisle that, again, section 222 of the Communications Act covers the authority that the FCC needs. Traditionally, online privacy has been handled by the FTC. That is an authority that we have designated to them.

Mr. Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. WALDEN), chairman of the Energy and Commerce Committee.

Mr. WALDEN. Mr. Speaker, I thank my colleagues for their good work on this legislation.

As we increasingly rely on technology in nearly every area of our lives, one of Congress' most important responsibilities is to strike the right balance between protecting consumers' privacy while also allowing for private sector innovation and the new jobs and economic growth that accompany it.

The resolution before us today reverses overreaching, shortsighted, and misguided rules adopted by unelected bureaucrats at the Federal Communications Commission. These rules do little to enhance privacy, but clearly add a new layer of Federal red tape on innovators and job creators. This is exactly the type of government overreach that the Congressional Review Act was meant to stop.

The Federal Communications Commission, frankly, overstepped its bounds on many issues during the Obama administration, including privacy regulations. After stripping the Federal Trade Commission of its authority over the privacy practices of internet service providers, ISPs, the FCC adopted shortsighted rules that only apply to one part of the internet. Despite the FTC's proven case-by-case approach to privacy enforcement that, frankly, has protected consumers, while simultaneously allowing ISPs to innovate, the FCC opted to abandon this model in favor of an approach that assumes the Federal Government knows best what consumers want.

Simply put, the rules that the FCC applied to ISPs are illogical. The regulations would require companies to apply the same privacy protections to consumer data, regardless of its importance or sensitivity. It hardly makes sense to treat a local weather update and personal financial information the same way.

In addition, the FCC's approach only protects consumer data as far as the internet service provider is involved. An entirely separate set of rules applies to providers of edge services. That means the giant search corporations, one of which controls up to 65 percent of your searches on the internet, don't live by the same set of privacy rules as your small town ISP.

What America needs is one standard, across-the-internet ecosystem, and the Federal Trade Commission is the best place for that standard.

The impact of these rigid regulations has the potential to stifle one of the most innovative sectors of our Nation's economy, and it is consumers who will suffer. These rules, which Congress will repeal, only lead to higher costs, less competition, and fewer service offerings. This approach is particularly burdensome for small businesses, which do not have hallways full of lawyers to navigate these tedious and unnecessary rules.

The benefits of the FCC's privacy regulations are questionable, but the harms are certain, which is why I urge my colleagues to support this resolution. And once these rules are reversed, the FCC can turn back to working together with the FTC to ensure that our privacy framework allows the internet

to flourish while truly protecting consumers.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I would remind my friends that, under current law, the FTC has no authority to regulate ISPs and that it was your Commissioner, your current FCC Commissioner, that said that they can't do it under section 222 also, which I have submitted for the record.

Mr. Speaker, I yield 4 minutes to the gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I thank my friend, Mr. DOYLE, for both his leadership and for yielding time to me.

America, listen up today. There may not be that many people on the floor of the House, but this is a big one. This is really a big one. Congress is poised today to betray the American people on one of the issues they care the most about: their privacy—their privacy. Every single one of us cares about it, and so do the American people. I often say that every American has it in their DNA: Keep your mitts off my privacy, what I consider to be private.

Now, the consequences of passing this resolution are clear. Broadband providers like AT&T, Comcast, and others will be able to sell your personal information to the highest bidder without your permission, and no one will be able to protect you, not even the Federal Trade Commission that our friends on the other side of the aisle keep talking about. It is like open the door and there is no one there. That is what this thing creates.

The Republicans are blowing a gaping hole in Federal privacy protections by barring the FCC from ever adopting similar protections in the future. So, if it is gone today, it is gone, period.

The FCC rules are simple. They require broadband providers to get the permission of their customers—including all of us—before they can sell their web browsing history, their location information, and other sensitive data to third parties.

The majority claims that we need to repeal these protections because they treat broadband providers differently than other online service providers, edge providers. Broadband providers are in the unique position of seeing everything we do on the internet. This is the reason, and it is reason enough, to put privacy protections in place; but it is also important to keep in mind that consumers, all of us, pay a high monthly fee to broadband providers, and they face serious barriers if they want to switch. If I want to switch, if you want to switch, you have to, many times, pay early termination fees.

This is completely different from other online services that collect consumer data. Consumers don't pay to use search engines or social media applications like Google and Facebook. If they don't like Google's privacy policy, they can switch over to Bing without paying any fees. But consumers can't do this with broadband providers, and therein lies the difference.

Last week, we heard the Republicans bemoan the lack of choice in the healthcare market. They should take a closer look at the state of the broadband market, particularly in rural America, where only 13 percent of consumers have access to more than one high-speed broadband provider.

So the majority is telling Americans today, particularly those in rural areas, that they need to choose between their privacy and their access to the internet. If this resolution passes, people across the country will certainly not have both.

This resolution is—excuse the phrase—repeal without replace. The Republicans have not put forward any privacy proposal at all to replace the FCC's rules, despite knowing that repealing these rules will leave a gap in the Federal protections.

So the message to the American people is clear: Your privacy doesn't matter, and your web browsing history should be available to anyone who will pay the highest price for it.

For all these reasons, I urge my colleagues to stand up for privacy rights and oppose this joint resolution.

Mrs. BLACKBURN. Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. FLORES), and I ask unanimous consent that he may control that time.

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

There was no objection.

Mr. FLORES. Mr. Speaker, I yield myself such time as I may consume, and I thank the gentlewoman for yielding the balance of her time to me.

Mr. Speaker, as an original cosponsor of the House companion to S.J. Res. 34, I rise to strongly urge my colleagues to support the resolution before us today. Like all of my colleagues in the House, I care deeply about protecting the privacy of our constituents, but I cannot support the Federal Communications Commission's counterproductive rules that will actually harm consumers and stifle innovation.

For 20 years, the Federal Trade Commission—or the FTC, as we call it, frequently—oversaw consumer privacy for the entire internet ecosystem: content providers, advertisers, and internet service providers, or ISPs. The FTC's privacy program focused on preserving sensitive consumer data and took the context of a consumer's relationship with businesses into consideration. The FTC's experience in implementing a wide range of rules and regulations has resulted in over 500 cases protecting consumer information, ensuring their privacy online.

In a flawed political move, absent any finding, complaints, or investigations to determine whether broadband providers have violated consumers' privacy or that the FTC had failed at doing its job, the FCC proceeded with a partisan vote to target ISPs and to expand its regulatory footprint.

After stripping the FTC of its authority over the privacy practices of internet service providers, the FCC subsequently adopted rules that would harm consumers and split the internet, creating an uneven playing field between service providers and content providers. Congress must fix this overreach so the new administration can create a comprehensive, consistent set of privacy protections.

□ 1615

Consumers expect their privacy to be protected the same way no matter what type of entity holds their data. Having two sets of requirements creates confusion for consumers and may jeopardize their confidence in the internet.

Our internet economy has thrived under the privacy regime created by the FTC. Yet the FCC, under its previous Chairman, Tom Wheeler, wanted to undermine that success by bifurcating privacy protections to serve outside political interests, not the American consumer.

By contrast, the FCC's approach did not base its requirements on consumers' preferences about sensitive information and to set opt-in and opt-out defaults. Accordingly, its overall approach was top-down, heavyhanded regulation in stark contrast to the FTC's greater reliance on markets and consumer preferences.

The FCC's rule has a number of problematic issues:

The first is that the opt-in/opt-out regime reduces consumer choice and would be detrimental to the survival of many businesses in this country.

The second is that the FCC would have prohibited unforeseeable future uses of collected data regardless of what consumers actually preferred and businesses may need.

Third, the FCC would also have unjustly applied its heavyhanded approach to broadband providers, treating them more harshly than other players in the internet ecosystem.

In sum, the FCC's broadband privacy protection approach would have rejected free markets and ignored sound economics.

Alternatively, the FTC private enforcement is market oriented and flexible and adaptable to changes in consumer preferences and markets. It also treats companies and players neutrally, fostering an environment of competition and innovation.

This resolution rescinds the FCC's rule, but it does provide the FCC the opportunity to provide oversight more in line with the FTC, which has been successfully regulating online privacy for nearly two decades.

This joint resolution does not lessen or impede privacy and data security standards that have already been established. We are simply restoring a more stable regulatory playing field to ensure that consistent, uniform privacy security standards are maintained to protect consumers and future innovation.

Once Congress rejects these rules, the FCC can turn back to cooperating with

the FTC to ensure that both consumer privacy across all aspects of the internet is provided through vigorous enforcement and also that innovation is allowed to flourish.

I urge my colleagues to support this resolution.

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

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I would just remind my colleague, once again, that the FTC has no authority to regulate ISPs once this bill is implemented; and consumers will not be protected, and their current FCC Commissioner has stated that.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, I oppose this resolution because it would remove consumers' right to control their online privacy and put it in the hands of corporations.

Every time people go online, they create trails of data that have tremendous commercial value. This creates incentive for the ISPs to sell web history to a third party, be it an advocacy group, a for-profit company, or even a foreign government.

Late last year, the FCC put Americans in charge of how ISPs use and share their consumer data. The FCC's rule also required that the ISPs engage in reasonable data security practices.

Even if people believe that the FCC's rule went too far and should be modified, it is unclear how the FCC could move forward with such a plan given the constraints of the Congressional Review Act. Furthermore, as several people have mentioned, the FCC, which is charged with protecting consumers' privacy, does not even have the authority to oversee ISP practices.

Given the number of data breaches in recent years at companies such as Yahoo, we should, frankly, be strengthening data retention requirements, not weakening them. At its core, S.J. Res. 34 weakens consumer protections today and makes them harder to implement in the future, which is why I urge my colleagues to oppose it.

Mr. FLORES. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Speaker, when the FCC reclassified the internet as a common carrier, utility-style service and adopted their rules regulating the use of consumer data by internet service providers, it represented a monumental shift in the way we view privacy.

Instead of a uniform, technology-neutral standard that balanced data protection with consumer choice, internet users were stuck with a two-sided approach that causes confusion and dampens competition. There is one set of rules for service providers, and one set for the rest of the internet ecosystem. But how often do consumers really recognize the difference between where their data is accessed and where it is stored?

Ultimately, consumers are actually harmed by the artificial sense of protection created by these rules. It is essential that we take steps to restore the time-tested framework embraced by the Federal Trade Commission.

We have talked a lot about protecting consumer privacy and data, but I haven't heard a lot about allowing the consumer to decide how their information is used. Consumers deserve to have the autonomy to control their information and their internet experience.

As Acting Chairman of the FTC Maureen Ohlhausen pointed out:

> The FTC approach reflects the fact that consumer privacy preferences differ greatly depending on the type of data and its use.

There is widespread agreement that sensitive data, like financial or health information, should be strongly protected and opt-in appropriate. But what about other types of nonsensitive data? Let's not forget the ways that consumers benefit from allowing ISPs access to that kind of information.

Consumers should retain the ability to make the decisions that make sense for them when it comes to how their nonsensitive data is used and obtain the discounts or lower prices that can result. This vote isn't about reducing the level of privacy protection for consumers; it is about an FCC decision that ignored the preferences of consumers in favor of a regulatory power grab.

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

Mr. FLORES. Mr. Speaker, I yield an additional 15 seconds to the gentleman.

Mr. JOHNSON of Ohio. The FCC's privacy rules are an overreaching regulatory mess that create confusion and inconsistency for consumers, harm competition, and upend internet privacy as we know it.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, might I inquire as to how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 19 minutes remaining. The gentleman from Texas has 11¾ minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I would remind my colleagues that, whether it is nonsensitive information or sensitive information, the ISP should ask for your permission to use it.

Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. PALLONE), the ranking member of the Energy and Commerce Committee.

Mr. PALLONE. Mr. Speaker, nearly every day now, we hear about new ways our enemies are trying to steal Americans' information. Just a couple weeks ago, two Russian hackers were indicted for stealing personal information from millions of us.

American consumers visit billions of internet destinations through a multitude of devices. Broadband providers potentially have access to every bit of data that flows from a consumer. The American people are rightfully concerned about companies selling their personal information, including sensitive information like their location, financial and health information, Social Security numbers, and information about their children.

Late last year, the FCC took steps to protect every American citizen's data and privacy, and the rules were simple: first, broadband providers had to ask their customers before selling any data; second, the companies had to take reasonable measures to protect that data; and third, the companies had to let people know if their data was stolen.

That was a good first step, Mr. Speaker. But Congress also has a role in protecting our data, and we should be working in a bipartisan fashion to discuss ways we can better protect the American people's data. Instead, the Republicans have decided to spend this time wiping out the few privacy safeguards that we already have.

The FCC's cybersecurity rules are, in my opinion, not burdensome. They simply tell the network providers to be reasonable when protecting the data. That is all. The FCC left it to the companies, themselves, to use their best judgment about how to get the job done. They just needed to be reasonable.

It seems being reasonable is still too much for the Republicans—first in the Senate, and now here in the House. This resolution tells the companies charged with running the country's broadband networks that they no longer have to be reasonable when it comes to their customers' data.

So I say, Mr. Speaker, make no mistake: This resolution is a gift to countries like Russia who want to take our citizens' personal information. And if the House passes this resolution, it will go straight to the President's desk, a President who will be more than happy to sign his name to this gift to the Russians.

This resolution also gives large corporations free rein to take customers' data without anyone's permission. This debate is about whether Americans have the freedom to decide on our privacy.

We hear all kinds of complicated arguments about jurisdiction, implementation dates, and who knows what else, but these arguments just muddy the water.

Republicans will say that the FCC's rules are confusing to consumers, people won't know what to do if they are asked first before broadband companies sell their sensitive information. If that were the case, we would have heard from people who oppose the rules, but we simply have not heard any of those concerns. The facts speak for themselves. Consumers want more privacy protection, not less.

Seventy-four percent of Americans say it is very important that they be in control of information, and 91 percent of people feel they have lost control

over their own information. There are real consequences to these feelings. Nearly half of Americans say they limit their online activity because they are worried about their privacy and security. That is why they overwhelmingly support stronger protections.

The FCC listened to the American people and adopted reasonable rules. Despite Republican claims to the contrary, the rules were not hard to follow. The rules still allow broadband companies to offer services based on their customers' data, and they can still customize ads or send reminders.

The FCC's rules simply required companies to ask people first before selling their sensitive information. That is it. In fact, I had hoped the FCC would have gone even further, but the agency chose this more moderate approach.

So as this debate proceeds, we should be asking one simple question: Should the American people have the freedom to choose how their information is used or should the government give that freedom away?

I think the answer is clear. I stand with the American people, and, therefore, I strongly oppose this legislation.

Mr. FLORES. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. LATTA).

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

Mr. Speaker, I rise today in support of the resolution and want to address an issue created by the Federal Communication Commission's misguided privacy rule in a recent Ninth Circuit case.

For decades, the Federal Trade Commission has been the privacy cop on the beat for most industries, including the technology sector, protecting consumers from unfair or deceptive acts or practices. The Federal Trade Commission has brought over 500 privacy and data security cases to protect consumers. These include cases against internet service providers and some of the largest edge providers.

The Federal Communications Commission is a regulatory body focused on regulating interstate and international communications by radio, television, wire, satellite, and cable.

The Federal Trade Commission's work in privacy and data security has long been held up as a model by both parties, praising the agency for strong enforcement without overly burdensome regulations. During negotiations with the European Union to finalize the U.S.-European privacy shield, the Obama administration held up the Federal Trade Commission as the premier privacy enforcement agency.

Unfortunately, in a midnight action, the Federal Communications Commission jammed through its own privacy rule that is very different from the framework that the Federal Trade Commission has been enforcing for decades.

While we can reverse the poorly constructed FCC rule today, we must still address a recent court ruling. The Ninth Circuit recently ruled that the common carrier exemption in the Federal Trade Commission Act exempts an entity in its entirety from the Federal Trade Commission's jurisdiction if it engages in any common carrier activities, even if the company also engages in non-common carrier activity.

I have introduced legislation to address the court's ruling with the gentleman from Texas (Mr. OLSON). It is my hope that our colleagues will join us.

S.J. Res. 34 makes clear that the Federal Trade Commission has authority over common carriers when they are acting outside the scope of the common carrier.

The repeal of the Federal Communications Commission's misguided privacy rule in the Ninth Circuit's opinion creates a gap and an irrational approach to privacy for consumers and would leave portions of the internet ecosystem completely outside the Federal Trade Commission's jurisdiction. This bill makes clear that the common carrier exemption is important to ensure that no duplication regulation occurs. At the same time, there are no loopholes left for certain companies to be outside the jurisdiction of the Federal Trade Commission.

□ 1630

We need to be consistent in our approach to privacy and focus on consumer-oriented enforcement. This approach has been the foundation not just of Silicon Valley, but innovators across the country; and the S.J. Res. 34 sets right the decades of innovation that has spurred job growth in the United States and greater online services for consumers.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I remind my friend, since he acknowledges the court decision does not allow FTC jurisdiction and that he wants to introduce a bill, perhaps the Republicans should have done that first, before scrapping the rules that leave ISPs with no rules.

Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Speaker, I rise in strong opposition to S.J. Res. 34. This is just the latest attempt from our Republican colleagues to use the Congressional Review Act to gut critical protections for American consumers.

The internet is increasingly intertwined with our daily lives, and nearly every American family uses the internet to access and share personal and sensitive information. The business we conduct online includes financial information, details about our medical history, and even information on our kids.

If this resolution of disapproval passes today, there will be no rules on the books to stop internet service providers from selling that browsing history without your permission. Because our Republican colleagues are using the Congressional Review Act to overturn these critical consumer protections, the FCC can't go back and write new rules in the future.

Despite what my colleagues on the other side of the aisle have said, the Federal Trade Commission cannot bring cases against broadband providers. That is why the FTC supported these rules when the FCC adopted them last year.

Even if you think the FCC did not get these rules right, this resolution effectively eliminates the FCC from ever acting to protect consumer privacy in the future. We should be working together to address any real shortcomings if these rules need to be fixed. That is not what the resolution before us will do.

Mr. Speaker, I urge my colleagues to vote against this damaging resolution.

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

Mr. LANCE. Mr. Speaker, I rise to support S.J. Res. 34, which seeks to halt agency overreach of the Federal Communications Commission concerning the way broadband internet service providers handle their customers' personal information.

The FCC's broadband privacy rule, a midnight regulation adopted by executive order in the waning days of the Obama administration, unnecessarily targets internet service providers and does very little to protect consumer privacy.

The rule adds costly and unnecessary innovation-stifling regulations to the internet and is another example of the Federal Government's picking winners and losers.

When passed, the FCC claimed that the rule would provide broadband customers meaningful choice, greater transparency, and strong security protections for their personal information collected by internet service providers.

In reality, the FCC's rules arbitrarily treat ISPs differently from the rest of the internet, creating a false sense of privacy.

Consumer data privacy is of significant concern to every American. The proper parties should address the issue. In this area, the Federal Trade Commission has historically held authority on the establishment and enforcement of general online privacy rules.

Repealing the FCC's privacy action is a critical step toward restoring a single, uniform set of privacy rules for the internet. This legislation puts all segments of the internet on equal footing and provides American consumers with a consistent set of privacy rules to permit the FCC and the FTC to continue to work to ensure consumer privacy through enforcement.

The FTC, the premier agency in this regard, has the experience to protect the privacy of the American people regarding the internet—at least 20 years of experience. Bifurcation between the FTC and the FCC is not productive. A good question to ask the FTC: Why did it wait until the last minute of the

Obama administration to promulgate its regulation?

Mr. Speaker, I believe it is important that we pass S.J. Res. 34, and I rise to ask all of my colleagues to support it.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I have heard about this last-minute dropping and late at night. Just for the other side's information, after a 7-month rulemaking process, this rule was adopted midday on October 26. So let's get the record straight.

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

Mr. MCNERNEY. Mr. Speaker, first, I thank Mr. DOYLE for his opposition to S.J. Res. 34. I rise in opposition as well.

The FCC's broadband privacy rules are commonsense rules. These rules give consumers the ability to choose how their information is used and shared by their internet service providers.

According to the Pew Research Center, a large majority of Americans say it is very important that they control who has access to their information. Despite a loud cry from the American people that they want to be able to choose how their information is used, S.J. Res. 34 strips consumers of the power to choose how their ISPs use and share their information.

This resolution also leaves consumers more vulnerable to attacks because their ISP will no longer be required to make reasonable steps to secure their personal information.

In recent years, we have seen numerous data breach incidents that have jeopardized consumers' personal information. Some examples are Yahoo, Target, Home Depot, LinkedIn, and Anthem. The list goes on.

Given the growing cyber threats that our Nation faces, it is critical that we do more, not less, to secure consumers' data. Strong data security practices are critical for protecting our consumers' confidentiality.

This resolution would make consumers' data more susceptible to being stolen and used for identity theft and other harmful unauthorized purposes.

Consumers want to be heard. They want more privacy. They want their information to be secure. We have an obligation to respond to their requests.

I am appalled that one of the Republicans' first acts in this Congress after trying to take health coverage away from 24 million people is to attack consumer protections and weaken data security. Americans are just now hearing about this legislation, and my phones are ringing off the hook in opposition.

I have to rhetorically ask the other side: Why are you pushing this?

Americans don't want it. Your voters are beginning to pay attention. This is just after your humiliating defeat with the ACA repeal. I ask that you withdraw this bill and start listening to your constituents.

Mr. Speaker, I urge my colleagues to reject S.J. Res. 34.

Mr. FLORES. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. SCALISE), the GOP whip.

Mr. SCALISE. Mr. Speaker, I thank the gentleman from Texas for bringing forward this legislation.

The FTC's light touch in case-by-case enforcement had fostered an internet economy that has become the envy of the world, much to the benefit of all American families and consumers across this country.

But rather than following the FTC's proven framework of privacy protection, the FCC came in and overreached and missed the mark with these rules, injecting more regulation into the internet ecosystem. With all due respect, the internet was not broken and did not need the Federal Government to come in and try to fix it.

The bottom line is that families expect and deserve to be protected online with a set of robust and uniform privacy protections. These rules simply do not live up to that standard.

Rather than regulating based on the sensitivity of our data, these rules are applied unevenly, based on what type of company you are or what kind of technology you use.

Consumers should feel assured online that there is a cop on the beat with a track record of success, not an agency with a history of regulatory overreach. These midnight rules are harmful, inconsistent, and should be repealed.

Mr. Speaker, I urge my colleagues to adopt this important resolution.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, may I inquire how much time is remaining on both sides?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 10¾ minutes remaining. The gentleman from Texas has 5 minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I remind the gentleman that these heavy-handed regulations that he speaks of are simply: ask permission, protect people's data, and tell them if it gets stolen.

That doesn't sound too heavy-handed to me.

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

Mr. TONKO. Mr. Speaker, I rise today in opposition to S.J. Res. 34, a bill that would strike most of the internet privacy guarantees protecting the American people today.

I have grave concerns with this effort. Our agenda here should be working on behalf of our constituents to protect their privacy and give them, not their service providers, data security. Instead, this effort would eviscerate any real online privacy protections and would limit data security.

Some of my colleagues have claimed that this commonsense rule has created challenges for consumers. I have found just the opposite. My office has been inundated with calls demanding that Congress protect their privacy and data security by opposing S.J. Res. 34. To everyone who has called, I hear you and I stand with you in opposing this harmful and misguided effort.

Back at home in New York's capital region, I have been hearing from many people who are frightened by the thought that S.J. Res. 34 will become law and the last shred of their online privacy will be lost forever.

They know how much information their internet service provider has mined from their search and browsing history, including financial, medical, and other very personal and sensitive details. They rightly believe that they should have a say in when that information can be bought and when it can be sold.

They understand that gutting these privacy protections would mean that internet service providers could sell their private information without their permission. It means their private internet browsing and search history, the text of their emails, and their mobile app usage can all be sold without their permission.

They have a right to control what they search for, their financial information, their health insurance, and information about their children. They have a right to protect their Social Security numbers and the contents of their emails. These rights are enshrined in our Constitution.

Privacy rules also require providers to use reasonable measures to protect consumers' personal information, a clear and commonsense standard that all who do business online should be required to uphold.

Finally, internet service providers must notify customers if hackers breach the system and may have access to their private data. With hackers from Russia and elsewhere running rampant across the net, this is a critical provision for our American families.

This is not too much to ask. The American people deserve to know that their data will be protected and that they will be notified if their data is compromised.

Mr. FLORES. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. OLSON).

Mr. OLSON. Mr. Speaker, I rise today in support of S.J. Res. 34, which will protect consumers and the future of internet innovation.

The internet is changing the way we communicate, shop, learn, and entertain. It is changing how we control our homes, our cars, and many other parts of our lives, including my two teenage kids. These changes give us certain expectations of privacy on the internet.

Until last year, the Federal Trade Commission provided a robust, consistent privacy framework for all companies in the internet services market. Their holistic and consistent approach struck the right balance. Consumers' use of internet services continues to increase and their privacy has been protected.

The resolution we are voting on today puts all segments of the internet on equal footing. It provides consumers with a consistent set of privacy rules.

Mr. Speaker, I urge my colleagues to vote for S.J. Res. 34.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I remind my friends once again that this does not put us on equal footing. The FTC has no power to regulate ISPs under current law.

Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. CAPUANO).

□ 1645

Mr. CAPUANO. Mr. Speaker, we all know that our cell phones are tracking every move we make and keeping a record of it. Many people don't know, but your automobile is also doing the same thing. They keep a record of where you go. They keep a record of whether you wore your seatbelt. They keep a record of whether you applied the brakes or turned the turn signal on. Okay. That is your automobile. You don't have to drive.

Just recently, in the last couple months, we have learned that our televisions and children's dolls are doing the same thing. Last month, it was revealed that Vizio had spied on 11 million consumers by listening to them while their TV was off because they can do it.

Also, last month, a child's doll called My Friend Cayla for little girls or boys was banned in Germany—banned in Germany—because that doll listens and responds. It goes into the internet, and the doll's owner keeps and sells that information.

This month—this month—a teddy bear manufactured by a company called CloudPets was exposed for collecting more than 2 million voice recordings of children talking to their teddy bear.

Now, maybe we accept that. I know that those are not the items that this resolution would address, but the problem is you are taking an item for ISPs and reducing it down to this level. You say your privacy is protected. I just gave you three examples in the last 2 months where your privacy is not protected. Neither is your children's. Neither is your family's.

In 2012, a giant international company—international ISP company, by the way—filed for a U.S. patent for a cable box that would sit in your house. It would watch you. It would record you. It contained an infrared sensor and even take your body temperature with a thermographic—and that is a quote—thermographic camera. It would do all this without telling you and would work whether the cable box was on or not. If you don't believe me, if you still have the courage to go on the internet, go find patent application number—now, write this one down—2012/0304206. That is the patent application number. It is still online.

I want to read you one small segment from that 25-page patent application. This is a direct quote. I am not making up a single word. The device ''may detect . . . that two users are cuddling on a couch during the presentation of the television program and prior to an advertisement break. Based on the detected . . . action . . . the device would select a commercial associated with cuddling.''

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

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Massachusetts.

Mr. CAPUANO. For example: ''a commercial for a romantic getaway vacation, a commercial for a contraceptive, a commercial for flowers . . . et cetera.''

I didn't make up a single word of what I just read, and every one of you is sitting there with your mouth open that this might happen in your world. That is what this resolution will allow, and you can't turn it off. You can't say: Don't watch my children. Don't watch my wife.

This is a terrible resolution. As I asked earlier today, what are you thinking?

Mr. FLORES. Mr. Speaker, we are thinking that the gentleman's comments do not pertain to this resolution, that this resolution in no way is going to allow any of the activities that were described, whether it is cuddling or anything that is going to get in the way of any of that or allowed to be sold.

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

Mr. COLLINS of New York. Mr. Speaker, I would like to thank the people who worked to make this legislation a reality. As we become increasingly concerned with cyber threats, online privacy is a critical concern for every American.

Unfortunately, in October of last year, the FCC issued regulations titled, ''Protecting the Privacy of Customers of Broadband and Other Telecommunications Services,'' also known as broadband privacy rules. These titles do not actually accurately reflect the impact these regulations are having on constituents' electronic privacy.

These broadband privacy rules took internet service providers, ISPs, which you subscribe to for TV and internet access, and edge providers that deliver online applications, services, and website content, and separated them into two different groups. This has caused confusion among businesses trying to adhere to this change.

While writing this regulation, the FCC had the opportunity to employ FTC precedent in drafting the broadband privacy rules, but instead chose to ignore existing precedent and create additional and onerous regulations. The FCC believed that these new rules would give consumers more choice and heightened transparency; however, this has not been the case.

This legislation does not remove privacy protections for consumers, and it does not expose consumer information. Both the FCC and the FTC will retain authority over consumer privacy on a case-by-case basis. ISPs will continue to be subject to the Communications Act of 1934, which protects all consumer proprietary network information. This is in addition to the many other existing Federal and State privacy rules that ISPs must continue to follow.

This proposed system, separating edge providers from ISPs, creates confusion for both consumers and business operations. This legislation works to reduce the confusion that has been created from this unnecessary regulation that has stifled competition and impeded innovation. I am happy to support this legislation which will provide much-needed clarity to the ongoing debate.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, may I inquire how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 5¼ minutes remaining. The gentleman from Texas has 2 minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I just remind my friend, you can say it as many times as you want, but the fact of the matter is that, under current law, the FTC has no authority to regulate the FCC, and the FCC Commissioner has said that you cannot do this without a rule in section 222.

I yield 1 minute to the gentlewoman from California (Ms. PELOSI), our House Democratic leader, the magic minute.

Ms. PELOSI. Mr. Speaker, on behalf of my five children and my nine grandchildren and everyone I know, as a matter of fact, I thank the gentleman for being a champion for privacy for the American people. I thank the gentleman from Pennsylvania (Mr. MICHAEL F. DOYLE) for his leadership. I thank the gentleman from New Jersey (Mr. PALLONE) for his leadership. The gentlewoman from California (Ms. ESHOO) has been a champion on this issue as well.

Mr. Speaker, Americans turn to the internet for so many things these days: buying books, filing taxes, learning about why they are feeling sick. The Republicans want this information to be sold without your permission: the websites you visit, the apps you use, your search history, the content of your emails, your health and financial data. Overwhelmingly, the American people do not agree with the Republicans that this information should be sold, and it certainly should not be sold without your permission.

Our broadband providers know deeply personal information about us and our families: where we are, what we want, what we are looking for, what information we want to know, every site we visit, and more. Our broadband providers can even track us when we are surfing in private, browsing in a private browsing mode.

Americans' private browser history should not be up for sale. Yet Republicans are bringing S.J. Res. 34 to the floor to allow internet service providers to profit—to profit; this is about profit—from America's most intimate personal information without our knowledge or our consent. Republicans' use of the Congressional Review Act will do permanent damage to the FCC's ability to keep Americans' personal information safe.

As FCC Commissioner Clyburn and FTC Commissioner McSweeny warned: ''This legislation will frustrate the FCC's''—the Federal Communications Commission's—''future efforts to protect the privacy of voice and broadband customers.''

It is important for our constituents to know that, if the Republicans had a problem with this particular policy, they might tweak it and say we don't like it this way or that in regular legislation so that we could have a debate on it. It could go back to the Federal Communications Commission. They could revise it and send it back if it were a legitimate presentation of concerns. But it is not about a legitimate presentation of concerns. It is about increasing profits at the expense of the privacy of the American people.

So, as I say, the Republicans' use of the Congressional Review Act does permanent damage and also damages the FCC's ability to keep America's personal information safe. With this measure, Republicans would destroy Americans' right to privacy on the internet—we made that clear—and forbid any effort to keep your personal information safe. Republicans are bending over backwards.

Think of it. Think of the context of all of this.

Since Gerald Ford was President, every candidate for President, every nominee of a major party, every candidate for President of the United States, Democrat and Republican, has released their income tax returns out of respect for the American people—out of respect for the American people. Week in and week out—in fact, sometimes day in and day out—in committee as well as on the floor, the Republicans have kept the President's income tax returns private when the public has a right to know that, that the public has always known that about every President since Gerald Ford—in fact, since Richard Nixon; although, in his case, it wasn't voluntary.

So while they are hiding President Trump's tax returns, some discrete piece of information that the public has a right to know, they are selling your most personal, selling your most personal and sensitive information—again, your browsing history, your children's location, everything—to anyone with the money to buy it.

Incognito tabs or private browsing modes will not protect you from the internet service providers watching and selling, as Mr. CAPUANO pointed out, watching and selling. Republicans have picked the week after Russian spies were caught hacking into half a billion American email accounts to open the floodgates, overturning the requirement that internet service providers keep their sensitive data secured from cybercriminals.

The American people deserve to be able to insist that intimate details and information about their browser history be kept private and secure.

So how is this?

We have this magnificent technology that science has made available to people to facilitate commerce, to learn about different subjects, to privately pursue, in a way that they may not even want their families to know, what symptoms they have and what illness that might tell them about.

Most Americans have no or limited choices for broadband providers and no recourse against these invasions of their privacy because, with this measure, Republicans turn their back on the overwhelming number of Americans who want more control over their internet privacy.

Americans can choose who represents them in Congress. Americans are paying close attention. They want to know who is taking a stand with them in opposing efforts to sell the private information of the American people.

This is staggering. This is almost a surrender. If the Republicans are allowed to do this, we have surrendered all thoughts of privacy for the American people.

Privacy is a value that the American people treasure. It is about their dignity. It is about their dignity. We cannot allow the Republicans to sell the dignity of the American people. I hope that everyone will vote ''no'' on this most unfortunate assault on the dignity of the American people.

□ 1700

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

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentleman for yielding.

Last week, Republicans tried to take away your health care; and, today, they are trying to take away your privacy.

Republicans have said broadband providers and other internet companies should be under the same privacy rules. But oddly enough, when the committee considered an amendment to give the FTC, the Federal Trade Commission, rulemaking authority like the FCC, a change that would allow the agencies to adopt the same privacy protection, every single Republican voted no. In fact, Republicans proposed making it harder for the FTC to pursue privacy and data security cases.

The protections that the FCC adopted last year were very simple: consumers should know what data is being collected, opt in to sharing of sensitive data, have their data reasonably protected, and receive notice when their data is compromised. But this dangerous resolution puts America's privacy and data security at risk.

Mr. Speaker, I urge all of my colleagues to stand up for consumers and vote ''no.''

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

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentleman from Rhode Island (Mr. LANGEVIN).

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

Mr. Speaker, I rise in strong opposition to this resolution of disapproval, which would repeal broadband privacy rules being implemented by the FCC.

As co-chair of the Congressional Cybersecurity Caucus, I hope I can offer some additional perspective on this debate. Studying the many threats our country faces in cyberspace, I have become deeply aware of how ingrained the internet is in every aspect of our lives and our economy. And that has also helped me understand the unique role of broadband service providers to grant access to the great potential of the Information Age.

By necessity, ISPs see every bit of traffic that leaves your network for the broader internet. Even when you use encryption, ISPs can still capture data about whom you are talking to or what sites you are visiting. These data are sensitive, and consumers have a right to decide whether or not they can be shared or monetized. Unfortunately, the resolution of disapproval under consideration would strip consumers of that right and presumptively allow sharing and selling without your permission.

Mr. Speaker, the resolution before us today that the Republicans have proposed is downright creepy. It is going to allow potentially unprecedented abuse of personal or private information be shared without your permission. This cannot stand. I urge my colleagues to oppose it.

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

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman from Pennsylvania has 2 minutes remaining. The gentleman from Texas has 2 minutes remaining.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentlewoman from Florida (Mrs. DEMINGS).

Mrs. DEMINGS. Mr. Speaker, please stop me if you have heard this one before and know how it ends. My colleagues on the other side are once again trying to sell the American people a broken alternative to something that is working pretty much as it was intended to.

The FCC privacy rule just says that customers must opt in before internet

companies can sell their web browsing history, and that those companies must make reasonable efforts to protect customers' sensitive information. These are not unreasonable requirements.

The internet is our gateway to the world. Whether we connect through our mobile phone or our home computer, we pay companies for access. If those companies want to sell information about what we do on the internet, they should have to get our permission first. It is the right thing to do.

Mr. Speaker, I urge my colleagues on the other side to simply do the right thing.

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

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I include in the RECORD letters from a coalition of small ISPs, a coalition of civil rights organizations, the Consumers Union, and an article by Terrell McSweeny all opposing this CRA.

ELECTRONIC FRONTIER FOUNDATION,
San Francisco, CA.

Re Oppose S.J. Res 34—Repeal of FCC Privacy Rules.

DEAR U.S. REPRESENTATIVES: We, the undersigned founders, executives, and employees of ISPs and networking companies, spend our working lives ensuring that Americans have high-quality, fast, reliable, and locally provided choices available when they need to connect to the Internet. One of the cornerstones of our businesses is respecting the privacy of our customers, and it is for that primary reason that we are writing to you today.

We urge Congress to preserve the FCC's Broadband Privacy Rules and vote down plans to abolish them. If the rules are repealed, large ISPs across America would resume spying on their customers, selling their data, and denying them a practical and informed choice in the matter.

Perhaps if there were a healthy, free, transparent, and competitive market for Internet services in this country, consumers could choose not to use those companies' products. But small ISPs like ours face many structural obstacles, and many Americans have very limited choices: a monopoly or duopoly on the wireline side, and a highly consolidated cellular market dominated by the same wireline firms.

Under those circumstances, the FCC's Broadband Privacy Rules are the only way that most Americans will retain the free market choice to browse the Web without being surveilled by the company they pay for an Internet connection.

Signed,

Sonic, MonkeyBrains, Cruzio Internet, Etheric Networks, Aeneas Communications, Digital Service Consultants Inc., Hoyos Consulting LLC, Om Networks, Motherlode Internet, Goldrush Internet, Credo Mobile, Andrew Buker (Director of Infrastructure Services & Research computing, University of Nebraska at Omaha), Tim Pozar (co-founder, TwoP LLC), Andrew Gallo (Senior Network Architect for a regional research and education network), Jim Deleskie (co-founder, Mimir networks), Randy Carpenter (VP, First Network Group), Kraig Beahn (CTO, Enguity Technology Corp).

JANUARY 27, 2017.

Hon. PAUL D. RYAN,
Speaker of the House, House of Representatives, Washington, DC.
Hon. MITCH MCCONNELL,
Senate Majority Leader, U.S. Senate, Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives, Washington, DC.
Hon. CHARLES SCHUMER,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR SPEAKER RYAN, SENATOR MCCONNELL, REPRESENTATIVE PELOSI, AND SENATOR SCHUMER: The undersigned media justice, consumer protection, civil liberties, and privacy groups strongly urge you to oppose the use of the Congressional Review Act (CRA) to adopt a Resolution of Disapproval overturning the FCC's broadband privacy order. That order implements the mandates in Section 222 of the 1996 Telecommunications Act, which an overwhelming, bipartisan majority of Congress enacted to protect telecommunications users' privacy. The cable, telecom, wireless, and advertising lobbies request for CRA intervention is just another industry attempt to overturn rules that empower users and give them a say in how their private information may be used.

Not satisfied with trying to appeal the rules of the agency, industry lobbyists have asked Congress to punish internet users by way of restraining the FCC, when all the agency did was implement Congress' own directive in the 1996 Act. This irresponsible, scorched-earth tactic is as harmful as it is hypocritical. If Congress were to take the industry up on its request, a Resolution of Disapproval could exempt intemet service providers (ISPs) from any and all privacy rules at the FCC. As you know, a successful CRA on the privacy rules could preclude the FCC from promulgating any ''substantially similar'' regulations in the future—in direct conflict with Congress' clear intention in Section 222 that telecommunications carriers protect their customers' privacy. It could also preclude the FCC from addressing any of the other issues in the privacy order like requiring data breach notification and from revisiting these issues as technology continues to evolve in the future. The true consequences of this revoked authority are apparent when considering the ISPs' other efforts to undermine the rules. Without these rules, ISPs could use and disclose customer information at will. The result could be extensive harm caused by breaches or misuse of data.

Broadband ISPs, by virtue of their position as gatekeepers to everything on the intemet, have a largely unencumbered view into their customers' online communications. That includes the websites they visit, the videos they watch, and the messages they send. Even when that traffic is encrypted, ISPs can gather vast troves of valuable information on their users' habits; but researchers have shown that much of the most sensitive information remains unencrypted.

The FCC's order simply restores people's control over their personal information and lets them choose the terms on which ISPs can use it, share it, or sell it. Americans are increasingly concerned about their privacy, and in some cases have begun to censor their online activity for fear their personal information may be compromised. Consumers have repeatedly expressed their desire for more privacy protections and their belief that the government helps ensure those protections are met. The FCC's rules give broadband customers confidence that their privacy and choices will be honored, but it does not in any way ban ISPs' ability to market to users who opt-in to receive any such targeted offers.

The ISPs' overreaction to the FCC's broadband privacy rules has been remarkable. Their supposed concerns about the rule are significantly overblown. Some broadband providers and trade associations inaccurately suggest that this rule is a full ban on data use and disclosure by ISPs, and from there complain that it will hamstring ISPs' ability to compete with other large advertising companies and platforms like Google and Facebook. To the contrary, ISPs can and likely will continue to be able to benefit from use and sharing of their customers' data, so long as those customers consent to such uses. The rules merely require the ISPs to obtain that informed consent.

The ISPs and their trade associations already have several petitions for reconsideration of the privacy rules before the FCC. Their petitions argue that the FCC should either adopt a ''Federal Trade Commission style'' approach to broadband privacy, or that it should retreat from the field and its statutory duty in favor of the Federal Trade Commission itself All of these suggestions are fatally flawed. Not only is the FCC well positioned to continue in its statutorily mandated role as the privacy watchdog for broadband telecom customers, it is the only agency able to do so. As the 9th Circuit recently decided in a case brought by AT&T, common carriers are entirely exempt from FTC jurisdiction, meaning that presently there is no privacy replacement for broadband customers waiting at the FTC if Congress disapproves the FCC's rules here.

This lays bare the true intent of these industry groups, who also went to the FCC asking for fine-tuning and reconsideration of the rules before they sent their CRA request. These groups now ask Congress to create a vacuum and to give ISPs carte blanche, with no privacy rules or enforcement in place. Without clear rules of the road under Section 222, broadband users will have no certainty about how their private information can be used and no protection against its abuse. ISPs could and would use and disclose consumer information at will, leading to extensive harm caused by breaches and by misuse of data properly belonging to consumers.

Congress told the FCC in 1996 to ensure that telecommunications carriers protect the information they collect about their customers. Industry groups now ask Congress to ignore the mandates in the Communications Act, enacted with strong bipartisan support, and overturn the FCC's attempts to implement Congress's word. The CRA is a blunt instrument and it is inappropriate in this instance, where rules clearly benefit internet users notwithstanding ISPs' disagreement with them.

We strongly urge you to oppose any resolution of disapproval that would overturn the FCC's broadband privacy rule.

Sincerely,

Access Now, American Civil Liberties Union, Broadband Alliance of Mendocino County, Center for Democracy and Technology, Center for Digital Democracy, Center for Media Justice, Color of Change, Consumer Action, Consumer Federation of America, Consumer Federation of California, Consumer Watchdog, Consumer's Union, Free Press Action Fund, May First/People Link, National Hispanic Media Coalition, New America's Open Technology Institute, Online Trust Alliance, Privacy Rights Clearing House, Public Knowledge.

CONSUMERSUNION®, POLICY & ACTION FROM CONSUMER REPORTS,
March 27, 2017.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: Consumers Union, the policy and mobilization arm of Consumer

Reports, writes regarding House consideration of S.J. Res. 34, approved by a 50–48 party line vote in the Senate last week.

This resolution, if passed by the House and signed into law by President, would use the Congressional Review Act (CRA) to nullify the Federal Communication Commission's (FCC) newly-enacted broadband privacy rules that give consumers better control over their data. Many Senators cited ''consumer confusion'' as a reason to do away with the FCC's privacy rules, but we have seen no evidence proving this assertion and fail to understand how taking away increased privacy protections eliminates confusion. Therefore, we strongly oppose passage of this resolution—it would strip consumers of their privacy rights and, as we explain below, leave them with no protections at all. We urge you to vote no on S.J. Res. 34.

The FCC made history last October when it adopted consumer-friendly privacy rules that give consumers more control over how their information is collected by internet service providers (ISPs). Said another way, these rules permit consumers to decide when an ISP can collect a treasure trove of consumer information, whether it is a web browsing history or the apps a consumer may have on a smartphone. We believe the rules are simple, reasonable, and straightforward.

ISPs, by virtue of their position as gatekeepers to everything on the internet, enjoy a unique window into consumers' online activities. Data including websites consumers visit, videos viewed, and messages sent is very valuable. Small wonder, then, that ISPs are working so hard to have the FCC's new privacy rules thrown out through use of the Congressional Review Act. But we should make no mistake: abandoning the FCC's new privacy rules is about what benefits big cable companies and not about what is best for consumers.

Many argue the FCC should have the same privacy rules as those of the Federal Trade Commission (FTC). FCC Chairman Ajit Pai went so far as to say ''jurisdiction over broadband providers' privacy and data security practices should be returned to the FTC, the nation's expert agency with respect to these important subjects,'' even though the FTC currently possesses no jurisdiction over the vast majority of ISPs thanks to the common carrier exemption—an exemption made stricter by the Ninth Circuit Court of Appeals in last year's AT&T Mobility case. We have heard this flawed logic time and time again as one of the principal arguments for getting rid of the FCC's strong privacy rules. Unfortunately, this is such a poor solution that it amounts to no solution at all.

For the FTC to regain jurisdiction over the privacy practices of ISPs, the FCC would first have to scrap Title II reclassification—not an easy task which would be both time-consuming and subject to judicial review, and jeopardize the legal grounding of the 2015 Open Internet Order. Congress, in turn, would have to pass legislation to remove the common carrier exemption, thus granting the FTC jurisdiction over those ISPs who are common carriers. We are skeptical Congress would take such an action. Finally, the FTC does not enjoy the same robust rulemaking authority that the FCC does. As a result, consumers would have to wait for something bad to happen before the FTC would step in to remedy a violation of privacy rights. Any fondness for the FTC's approach to privacy is merely support for dramatically weaker privacy protections favored by most corporations.

There is no question that consumers favor the FCC's current broadband privacy rules. Consumers Union launched an online petition drive last month in support of the Commission's strong rules. To date, close to 50,000 consumers have signed the petition and the number is growing. Last week, more than 24,000 consumers contacted their Senators urging them to oppose the CRA resolution in the 24 hours leading up to the vote. Consumers care about privacy and want the strong privacy protections afforded to the them by the FCC. Any removal or watering down of those rules would represent the destruction of simple privacy protections for consumers.

Even worse, if this resolution is passed, using the Congressional Review Act here will prevent the FCC from adopting privacy rules—even weaker ones—to protect consumers in the future. Under the CRA, once a ride is erased, an agency cannot move forward with any ''substantially similar'' rule unless Congress enacts new legislation specifically authorizing it. Among other impacts, this means a bare majority in the Senate can void a rule, but then restoration of that rule is subject to full legislative process, including a filibuster. The CRA is a blunt instrument—and if used in this context, blatantly anti-consumer.

We are more than willing to work with you and your fellow Representatives to craft privacy legislation that affords consumer effective and easy-to-understand protections. The FCC made a step in that direction when it adopted the broadband privacy rules last year, and getting rid of them via the Congressional Review Act is a step back, not forward. Therefore, we encourage you to vote no on S.J. Res. 34.

Respectfully,

LAURA MACCLEERY,
Vice President, Consumer Policy & Mobilization, Consumer Reports.
KATIE MCINNIS,
Policy Counsel, Consumers Union.
JONATHAN SCHWANTES,
Senior Policy Counsel, Consumers Union.

[From wired.com, Mar. 22, 2017]

CONGRESS IS ABOUT TO GIVE AWAY YOUR ONLINE PRIVACY

(By Terrell McSweeney and Chris Hoofnagle)

The resolution that could come to a Congressional vote this week aims to tackle differences in how the FCC rule treats ISPs compared with other internet companies. Your broadband provider has to offer you a choice about what information it shares about you, but ecommerce sites and search engines do not.

Advocates for repealing the current protections—the resolution is sponsored by Senator Jeff Flake (R–AZ)—argue that Congress should void the FCC's rule using the Congressional Review Act. They contend that in order to properly govern privacy and avoid confusing consumers, the FCC should maintain consistent rules across the internet ecosystem. But inconsistent standards pervade privacy and consumer law. Furthermore, consistent standards militate in favor of increasing protections for privacy, rather than unraveling them as the current proposal would do.

An alphabet soup of state and federal laws set the privacy requirements for everything from our financial information to data about our children. That's largely because privacy is both essential to and sometimes in conflict with our most deeply held value, liberty. So, legislators have never been able to craft omnibus privacy protections. Instead, they've developed frameworks informed by prevailing norms, incentives, political economy, and ways the information might be used.

As we connect more devices in our home and on our bodies, the array of technologies that raise data privacy and security concerns is expanding. The privacy landscape will likely continue to be shaped as technologies evolve.

Different consumer technologies may justify different approaches. For example, the safety issues inherent in cars and medical devices may warrant particularly strong privacy and security protections. In the future, privacy rules could come from the FCC as well as the Department of Commerce, National Highway Traffic Safety Administration, Food and Drug Administration, and other agencies.

Consider that your bank can—and probably does—sell your contact and financial information unless you opt out. Yet if you rent a movie, online or off, the rental service can't sell information about your media consumption without your consent, and it must delete your rental history after it's no longer needed. Congress enacted those protections to shield intellectual freedom, so that one can enjoy controversial movies without fear of one's curiosity resulting in extortion or embarrassment.

This brings us to our second point: If consistency and reducing consumer confusion is the goal, consumers should demand stronger internet privacy norms. Given the animating purpose of protecting movie rental information, why not require consumers to consent to the sharing any information about their online behavior? After all, our web activity is the ultimate manifestation of our intellectual curiosity, representing second-by-second decisions about consuming news and entertainment.

In addition to existing federal laws, legislators could, as professor Helen Nissenbaum has suggested, look to offline contexts, such as the strong privacy norms governing searching for a book in a library, to guide the privacy rules we ought to enjoy when using a search engine. The government also could take a page from the confidentiality standards patients enjoy when conversing with physicians and apply those same norms to medical information websites. Policymakers could look to the last two centuries of privacy in the postal mail to guide rules for commercial scanning of email. Yet in all these contexts, web business models drive design decisions that have turned social and personal behaviors into marketplace transactions.

Left standing, the FCC rule offers an opportunity for a meaningful debate about how to better translate our analog privacy norms into the digital world. Broadband ISPs are essentially utilities, like postal mail and the telephone. Subscribers have little or no competitive choice as to which provider to use. ISPs know our identities, and their position gives them the technical capacity to surveil users in ways that others cannot. It makes sense to ensure consumers can choose whether to share data related to their Internet usage.

The majority of consumers—91 percent in a recent survey—feel they've lost control of their personal information. Yet, paradoxically, the late, great privacy researcher and historian Alan Westin consistently found that Americans expect companies to handle personal data in a ''confidential'' way. In reality, the modern internet is like a one-way mirror, where users are often unaware that they are being silently watched by third parties. The FCC rule exposes this one-way mirror and allows people to decide whether to draw a curtain on it.

Maintaining the current rules would make ISP practices more consistent with consumers' expectations of confidentiality. Congress should spend time examining the

strengths and weaknesses of our current approach, instead of using consistency arguments to eviscerate the FCC's rule.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. LOFGREN), my colleague from the class of '94.

Ms. LOFGREN. Mr. Speaker, a ''yes'' vote exempts all broadband service providers from all rules on user privacy and all limitations on how they use your data. They are in a unique position to see every place you go, every website you visit, they can do deep packet inspection and see what is in your emails.

What protects your privacy?

This rule that is about to be repealed.

If you have problems with the privacy policies of your email provider or social network, you have got competition to go to. But most Americans have just one or, at most, just two choices for their broadband provider. And, interestingly enough, all of those providers are supporting the repeal of this privacy rule.

Why?

They are going to make money selling your information.

The idea that we could have an FTC solution is an interesting one, but there is no way to do it. In the Ninth Circuit's 2016 ruling of AT&T v. FTC, they ruled that the FTC is barred from imposing data breach rules. So vote ''no'' and protect your constituents' privacy.

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

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I ask my colleagues to vote against this horrible resolution, and I yield back the balance of my time.

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

We have heard a lot of interesting claims today in the discussion about this fairly simple resolution to roll back overreaching regulation from the FCC that were passed late in the Obama administration's time.

I would remind everybody, Mr. Speaker, that this CRA has nothing to do with the President's tax return, it has nothing to do with Russian hacking, and there have been some gross mischaracterizations of what this resolution does.

Why do we need this resolution?

The three reasons are, as Chairwoman BLACKBURN opened up at the beginning:

First of all, the FCC swiped jurisdiction from the FTC.

Second, two cops on the beat create confusion among consumers and among the ISP providers.

Third, the FTC already has jurisdiction over this space.

Let me close with this: this resolution of disapproval only rescinds the FCC's rule, but it still provides the FCC the opportunity to provide more oversight more in line with the Federal Trade Commission, which has successfully been regulating online privacy for nearly 2 decades.

This resolution does not lessen or impede the privacy and data security standards that we already have established. We are simply restoring a more stable regulatory playing field to ensure that consistent uniform privacy standards are maintained to protect consumers and future innovation.

Once Congress rejects these rules, the FCC can turn back to cooperating with the FTC to ensure both the consumer privacy across all aspects of the internet is protected through vigorous enforcement and that innovation is allowed to flourish.

I urge all of my colleagues to support this commonsense resolution.

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

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to the rule, the previous question is ordered on the joint resolution.

The question is on the third reading of the joint resolution.

The joint resolution was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

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

Mr. MICHAEL F. DOYLE of Pennsylvania. 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

Ms. LOFGREN. 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. 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 Congress and the American people.

Whereas, the Emoluments Clause was included in the U.S. Constitution for the express purpose of preventing federal officials from accepting any ''present, Emolument, Office, or Title . . . from any King, Prince, or foreign State'';

Whereas, in Federalist No. 22 (Alexander Hamilton) it is said, ''One of the weak sides of republics, among their numerous advantages, is that they afford too easy an inlet to foreign corruption,'' and;

Whereas, the delegates to the Constitutional Convention specifically designed the Emoluments Clause as an antidote to potentially corrupting foreign practices of a kind that the Framers had observed during the period of the Confederation, and;

Whereas, Article 1, section 9, clause 8 of the Constitution states: ''no person holding any office of profit or trust . . . shall, without the consent of the Congress, accept of any present, Emolument, Office, or Title of any kind whatever, from any King, Prince, or foreign State'', and;

Whereas, in 2009, the Office of Legal Counsel clarified that corporations owned or controlled by foreign governments presumptively qualify as foreign States under the foreign Emoluments Clause, and;

Whereas, the word ''emoluments'' means profit, salary, fees, or compensation which would include direct payment, as well as other benefits, including extension of credit, forgiveness of debt, or the granting of rights of pecuniary value, and;

Whereas, according to The New Yorker, in 2012, The Trump Organization entered into a deal with Ziya Mammadov to build the Trump Tower Baku in the notoriously corrupt country Azerbaijan in possible violation of the Foreign Corrupt Practices Act and, by profiting from business with the Mammadov family, due to their financial entanglements with the Iran Revolutionary Guard may have also violated the Emoluments Clause if income from this project continues to flow to The Trump Organization, and;

Whereas, The Trump Organization has deals in Turkey, admitted by the President himself during a 2015 Brietbart interview, and when the President announced his travel ban, Turkey's President called for President Trump's name to be removed from Trump Towers Istanbul, according to The Wall Street Journal, and President Trump's company is currently involved in major licensing deals for that property which may implicate the Emoluments Clause, and;

Whereas, shortly after election, the President met with the former U.K. Independence Party leader, Nigel Farage, to get help to stop obstructions of the view from one of his golf resorts in Scotland, and according to The New York Times, both of the resorts he owns there are promoted by Scotland's official tourism agency, a benefit that may violate the Emoluments Clause, and;

Whereas, at Trump Tower in New York, the Industrial and Commercial Bank of China is a large tenant, according to Bloomberg; the United Arab Emirates leases space, according to the Abu Dhabi Tourism & Culture Authority; and the Saudi Mission to the U.N. makes annual payments, according to the New York Daily News, and money from these foreign countries goes to the President, and;

Whereas, according to NPR, in February China gave provisional approval for 38 new trademarks for The Trump Organization, which have been sought for a decade to no avail, until President Trump won the election. This is a benefit the Chinese Government gave to the President's businesses in possible violation of the Emoluments Clause, and;

Whereas, the President is part owner of a New York building carrying a $950 million loan, partially held by the Bank of China, according to The New York Times, when owing the Government of China by the extension of loans and credits by a foreign State to an officer of the United States would violate the Emoluments Clause, and;

Whereas, NPR reported that the Embassy of Kuwait held its 600 guest National Day celebration at Trump Hotel in Washington, D.C., last month, proceeds to Trump, and;

Whereas, according to The Washington Post, the Trump International Hotel in Washington, D.C., has hired a ''director of diplomatic sales'' to generate high-priced business among foreign leaders and diplomatic delegations, and;

Whereas, according to his 2016 candidate filing with the Federal Election Commission, the President has 564 financial positions in

companies located in the United States and around the world, and;

Whereas, against the advice of ethics attorneys and the Office of Government Ethics, the President has refused to divest his ownership stake in his businesses, and;

Whereas, the Director of the nonpartisan Office of Government Ethics said that the President's plan to transfer his business holdings to a trust managed by family members is ''meaningless'' and ''does not meet the standards that . . . every President in the past four decades has met'', and;

Whereas, in the United States' system of checks and balances, Congress has a responsibility to hold the executive branch of government to the highest standard of transparency to ensure the public interest is placed first and the Constitution is adhered to, and;

Whereas, the House Judiciary Committee has the first responsibility among the committees of the House to see that elements of our Constitution are adhered to and, in furtherance of that responsibility, Judiciary Committee members have historically utilized fact-finding and research prior to formal hearings, and;

Whereas, tax returns provide an important baseline disclosure because they contain highly instructive information including whether the filer paid taxes, what they own, what they have borrowed and from whom, whether they have made any charitable donations, and whether they have taken advantage of tax loopholes and that such information would be material to members of the Judiciary Committee as research is undertaken on whether President Trump is in violation of the Emoluments Clause of the Constitution, and;

Whereas, disclosure of the President's tax returns would be an effective means for the President to provide evidence either refuting or confirming claims of violations of the Emoluments Clause, and;

Whereas, the President's tax returns are likely to be essential as members of the Judiciary Committee work to research potential violations of the Emoluments Clause, and;

Whereas, the chairmen of the Ways and Means Committee, Joint Committee on Taxation, and Senate Finance Committee have the authority to request the President's tax returns under section 6103 of the Tax Code, and this power is an essential tool in learning whether the President may be in violation of the Emoluments Clause, and;

Whereas, questions involving constitutional functions and the House's constitutionally granted powers have been recognized as valid questions of the privileges of the House.

Resolved, That the House of Representatives shall—

1. Immediately request the tax return information of Donald J. Trump for tax years 2000 through 2015 for review by Congress, as part of a determination as to whether the President is in violation of the Foreign Emoluments Clause of the U.S. Constitution.

□ 1715

The SPEAKER pro tempore. Does the gentlewoman from California wish to present argument on the parliamentary question of whether the resolution presents a question of the privileges of the House?

Ms. LOFGREN. I do, Mr. Speaker.

The SPEAKER pro tempore. The remarks of the gentlewoman must be confined to the question of whether the resolution presents a question of the privileges of the House.

The gentlewoman from California is recognized.

Ms. LOFGREN. Mr. Speaker, under clause 1 of rule IX, questions of the privileges of the House are: ''those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings.''

The dignity and integrity of the House's proceedings have been violated, and continue to be violated, because Congress has not had the constitutionally afforded opportunity to consent to emoluments being received by the President or to enforce, if consent is not given.

I would note that Congress has the authority to request the President's taxes under section 6103 of the Internal Revenue Code, and use of this authority would not be unprecedented, as it was used in 1974 to request President Nixon's tax returns that revealed that he owed nearly half a million dollars in back taxes.

I would note that issues of the Constitution and the House's prerogatives under the Constitution have a precedent in using rule IX as a privileged resolution.

For example, if a revenue measure is initiated in the Senate instead of in the House as required by the Constitution, that is a matter of a privilege of the House. I would argue that the Emoluments Clause is at least as important, possibly more important, than the origination of a revenue measure in either the House or Senate.

I have been a member of the Judiciary Committee for 22 years. I am well aware of how the Judiciary Committee operates and the need for individual Members to do research before any official action is taken in that committee. And since it is the Judiciary Committee, it has the first responsibility for adhering to the Constitution among the committees of the House. I think it is absolutely essential for the President's tax returns to be released so that the members of the Judiciary Committee can do their job to research whether the Emoluments Clause has been violated and whether permission should be given to the President to receive payments from foreign states.

I would note that there is no question that the Emoluments Clause of the Constitution was placed there to prevent corruption in the system. It was based on a sad experience during the Articles of Confederation. It is necessary to make sure that the President and all other officers of the United States have loyalty to only one thing, and that is to the United States of America, not to any foreign power.

In order to do that, we need to review the data. As I say, the dignity and integrity of the House requires that the Constitution be upheld, and in order to uphold the Constitution, we must have this information.

For these reasons, the resolution raises a question of the privileges of the House and should be permitted, Mr. Speaker.

The SPEAKER pro tempore. The gentlewoman from California 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 resolution offered by the gentlewoman from California directs the House to request the President's tax return information as part of a determination as to whether the President is in violation of the Foreign Emoluments Clause of the Constitution.

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 such, reviews of extramural activities, even with regard to constitutional prerogatives, have not met the standards of rule IX.

The Chair would also cite the proceedings of May 21, 2009. On that date, a resolution proposing a review of the accuracy of certain public statements made by the Speaker regarding communications to Congress from the executive branch was held not to qualify as a question of privilege, because it necessarily would have required a review not only of the Speaker's statements but also of actions by extramural actors in the executive branch.

The resolution offered by the gentlewoman from California does not invoke a unique prerogative of the House, as a House. Instead, it seeks documents from the President, an actor entirely extramural to the House. Accordingly, the resolution does not qualify as a question of the privileges of the House.

Ms. LOFGREN. Mr. Speaker, I appeal that ruling.

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

MOTION TO TABLE

Mr. FLORES. Mr. Speaker, I have a motion at the desk.

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

The Clerk read as follows:

Mr. Flores moves to lay the appeal 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.

Ms. LOFGREN. 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 a 5-minute vote on passage of S.J. Res. 34.

The vote was taken by electronic device, and there were—yeas 228, nays 190, answered ''present'' 2, not voting 9, as follows:

[Roll No. 201]

YEAS—228

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
Chaffetz
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
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
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)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Poe (TX)
Poliquin
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
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
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—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
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

ANSWERED ''PRESENT''—2

DeFazio
Sanford

NOT VOTING—9

Duffy
Marino
Nolan
Pittenger
Posey
Ros-Lehtinen
Rush
Simpson
Slaughter

□ 1748

Mr. O'HALLERAN changed his vote from ''yea'' to ''nay.''

So the motion to table was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY THE FEDERAL COMMUNICATIONS COMMISSION

The SPEAKER pro tempore. The unfinished business is the vote on passage of the joint resolution (S.J. Res. 34) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to ''Protecting the Privacy of Customers of Broadband and Other Telecommunications Services'', on which the yeas and nays were ordered.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 215, nays 205, not voting 9, as follows:

[Roll No. 202]

YEAS—215

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Cheney
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duncan (SC)
Dunn
Emmer
Farenthold
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith
Grothman
Guthrie
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Higgins (LA)
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
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
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
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
Yoho
Young (AK)
Young (IA)

NAYS—205

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (AL)
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
Coffman
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davidson
Davis (CA)
Davis, Danny
DeFazio
DeGette

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

NOT VOTING—9

Duffy	Pittenger	Simpson
Hill	Ros-Lehtinen	Slaughter
Marino	Rush	Tonko

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1756

So the joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. HILL. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 202.

PERSONAL EXPLANATION

Mr. SIMPSON. Mr. Speaker, on Monday, March 27 and Tuesday, March 28, I was absent from votes due to business in my Congressional District. Had I been present, I would have voted as follows:

Rollcall No. 195—"Yea."
Rollcall No. 196—"Yea."
Rollcall No. 197—"Yea."
Rollcall No. 198—"Yea."
Rollcall No. 199—"Yea."
Rollcall No. 200—"Yea."
Rollcall No. 201—"Yea."
Rollcall No. 202—"Yea."

PERSONAL EXPLANATION

Mr. DUFFY. Mr. Speaker, on rollcall No. 201 on motion to table the appeal of the ruling of the chair, I am not recorded. Had I been present, I would have voted "aye."

On rollcall No. 202 on final passage of S.J. Res. 34, I am not recorded. Had I been present, I would have voted "aye" on final passage of S.J. Res. 34.

COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

MARCH 27, 2017.

Hon. PAUL D. RYAN,
Speaker of the House of Representatives, U.S. Capitol, Washington, DC.

DEAR MR. SPEAKER: Pursuant to clause (5)(a)(4)(A) of Rule X of the Rules of the House of Representatives, I designate the following Members to be available to serve as Members of an Investigative Subcommittee established by the Committee on Ethics during the 115th Congress:

Suzanne Bonamici of Oregon
Brian Higgins of New York
Hakeem S. Jeffries of New York
William R. Keating of Massachusetts
Raja Krisbnamoorthi of Illlinois
Ed Perlmutter of Colorado
Jamie Raskin of Maryland
Terri A. Sewell of Alabama
Darren Soto of Florida
Dina Titus of Nevada

Best regards,

NANCY PELOSI,
Democratic Leader.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1431, EPA SCIENCE ADVISORY BOARD REFORM ACT OF 2017

Mr. NEWHOUSE, from the Committee on Rules, submitted a privileged report (Rept. No. 115–64) on the resolution (H. Res. 233) providing for consideration of the bill (H.R. 1431) to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1800

TAX REFORM

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

Mr. BIGGS. Mr. Speaker, we know the Tax Code is excessively complicated and takes too much money from Americans, thus we overhauled the United States Tax Code.

Over 30 years ago, President Ronald Reagan signed the last major tax reform package. To put this in perspective, this was before the world wide web went live to the public, more than 10 years ago before ''google'' was a verb, and visiting a Blockbuster was the best way to rent a movie. America is vastly different than it was then, yet our Tax Code has largely stayed the same.

As we bring our Tax Code into the 21st century, we must simplify the code. The U.S. Tax Code is over 3 million words long, and Americans spend billions of hours and hundreds of billions of dollars complying with Federal tax requirements each year. Imagine if that time and money were spent on innovation and job creation instead. As we work to shrink taxes and erase the excessive compliance rules, we must also make sure that the taxes we collect are spent according to constitutional constraints.

We must propose a plan that will better serve individuals, families, and businesses across the country. We must introduce legislation that lowers taxes, reduces the corporate tax rate, minimizes government interference in the free market, and eases the overall cost to taxpayers to fully comply with the system.

HONORING THE LIFE OF AHMED ''KATHY'' KATHRADA

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

Mr. COHEN. Mr. Speaker, I was awakened today to the news of a gentleman from South Africa, who was one of the great historic men I have experienced in my life, an antiapartheid activist and a blessed man, Ahmed Kathrada, known as Kathy, passed away.

Kathy was an Indian gentleman who went to Johannesburg with his family as a young man and found that, at age 8, he had to move there because there were no Indian schools in South Africa. He became, at a very early age, an activist for social reform and against apartheid, first for Indian rights and then against apartheid and for South African rights.

He was arrested, along with Nelson Mandela, Walter Sisulu, Mbeki, Goldberg, and other leaders of the ANC, tried in the famous Rivonia trial in 1963, and convicted as they all were. He spent 18 years in prison on Robben Island, with Nelson Mandela and others, and 8 additional years in prison. But when released from prison, he didn't see bitterness, he saw only peace and a period of commitment to resolving race relations in South Africa.

He befriended the people who had been his guards and who had subjected him to minority rights. He was elected to the African National Congress party as a delegate to parliament and served as one of Nelson Mandela's aides. He received four honorary degrees in his life, one from the University of Kentucky, one from Michigan State, and one from the University of Missouri. He moved back to Robben Island, lived there, and gave tours of the museum.

On my second trip to South Africa, where I met him on a second occasion, he led our group on our tour. It was remarkable to see the prison guards hand

the key to the prison to the former prisoner.

Kathy was a great human being and a humanitarian individual who served the Indian people, the South African nation, and humanity in a superb fashion. His was a life well-lived. I was fortunate to have met him, and I am sorry for his loss.

THE MARCHANT FAMILY

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

Mr. OLSON. Mr. Speaker, I must confess, as my wife and kids know, I am not the most romantic guy. I have never dreamed I would be a matchmaker. Believers say the Lord works in mysterious ways, and, Mr. Speaker, those words are, oh, so true.

In 2007, I came home and ran for Congress. It was brutal: a 10-person primary, a runoff against a former Member, and a general election against an incumbent. But I had a secret weapon on my campaign: this man, Luke Marchant. Luke is the son of our colleague, KENNY. Luke would show up in a campaign office with ratty flip flops, in wrinkled, baggy shorts, and an unwashed T-shirt. Luke was a beast. But a beauty showed up like out of Disney: Katie McDonald. The matchmaking began. Beauty and the beast fell in love.

I was there on June 12, 2016, when they were married. Last week, Walker Ross Marchant was born to these two amazing young friends.

Katie and Luke, congratulations. In the future, for number two, maybe Peter Graham Marchant should be a name you all should consider.

HIGHLIGHTING THE DIY GIRLS INVENTEAM

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

Mr. CÁRDENAS. Mr. Speaker, I rise today to highlight the work of the DIY Girls InvenTeam, a group of 12 incredible young women from the San Fernando Valley. These young scientists invented a tent with solar panels to aid refugees and the homeless. Earlier this month, I had the opportunity to meet these 12 young women at their high school, my alma mater, San Fernando High.

As an engineer myself, I recognize how impressive their work is. Not only did these women create something amazing, but it was rooted in a desire to help other people. The DIY Girls InvenTeam has received one of just fifteen $10,000 grants awarded by MIT. It is also noteworthy that these young scientists were able to come together through the help of DIY Girls, a grassroots program that empowers young women to become scientists.

As their Representative, I am proud to highlight their work. I know we will continue to see great accomplishments from these bright, young women as they master science, technology, engineering, art, and math.

DON'T CROSS THE NAPOLEON OF SIBERIA

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

Mr. POE of Texas. Mr. Speaker, for the last 8 years, the world turned its cheek while Vladimir Putin—the Napoleon of Siberia—stomped on human rights and broke international law.

I was there right after the Russians invaded Georgia and took one-third of the country. Then Putin went on to annex Crimea and invade Ukraine. Just this month, Denis Voronenkov, a Russian lawmaker who opposed Putin and defected to Ukraine, was gunned down in broad daylight. His assassination is the latest incident in an ongoing pattern of Putin critics who have been killed mysteriously. In the last 15 years, at least 11 other well-known critics of Putin have been killed mysteriously.

The message is clear: cross Putin, and you will face the lethal wrath of the Russian bear. Putin thinks he can continue killing those who oppose him and no one is watching. But I am here to tell him today that America is watching, and America will never stop defending the defenseless and protecting the human rights of people who speak against tyranny—even Russians who speak against tyranny.

And that is just the way it is.

THE CLEAN POWER PLAN

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

Mr. PANETTA. Mr. Speaker, today I rise in opposition of the executive order that was signed that attempts to destroy the Clean Power Plan.

Once again, we are seeing politics driving policy. We are seeing the fulfillment of a past campaign promise rather than a focus on our future. The administration claims that the Clean Power Plan limits jobs. The reality is that the jobs were not lost due to tougher carbon emission standards. Instead, jobs were found due to our innovation, more competition based on cheaper natural gas, more mechanization due to advances in technology, and more tax credits for renewable energy.

The reality is that more jobs and property will be lost without reducing our CO_2 output. More CO_2 will lead to more acidification which will lead to less fish and less fishermen. More CO_2 will lead to shrinking icecaps and expanding sea levels causing damage to property not only along the central coast of California, my district, but along all coastlines around the world. Homes, businesses, and even our Navy bases will be affected, threatening not just our personal but our national security.

The administration needs to stop taking steps backwards when it comes to our CO_2 output. But like many businesses, it needs to start pivoting and taking steps forward to protect our jobs, our coastlines, and our future.

STEMMING THE TIDE OF JOB LOSSES

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

Ms. KAPTUR. Mr. Speaker, recently while announcing his manufacturing jobs initiative, President Trump said: ''Everything is going to be based on bringing our jobs back. The good jobs, the real jobs. They have to come back.''

Well, this month, more than 700 idled U.S. Steel workers in Lorain, Ohio, were notified they will permanently lose their jobs come this June. Lorain has lost over 1,000 steel jobs since 2015. It is ground zero on the trade and jobs front. This stalwart town and its dear people have been battered by continuing job washout in steel due to unfair trade practices and closed markets abroad, particularly with China and Russia.

Through no fault of their own, workers in too many of America's steel towns are hurting because of foreign product dumped on U.S. soil undercutting our very way of life.

Last week, I invited Commerce Secretary Wilbur Ross to visit Lorain to witness firsthand the urgency of stabilizing our manufacturing sector and fulfilling President Trump's job promises of only a few months ago.

If our Nation is going to stem the tide of job losses caused by one-sided trade deals on an uneven global playing field, there is no better place to start than Lorain, Ohio. Please, President Trump and Commerce Secretary Ross, come to Lorain, Ohio.

ALZHEIMER'S IN AMERICA

The SPEAKER pro tempore (Mr. SMUCKER). Under the Speaker's announced policy of January 3, 2017, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, we are going to talk about our health, not about last week's legislation and the effort to change the Affordable Care Act but rather about another part of the health of the American public.

The most remarkable proposal came from the President recently in his budget proposals.

□ 1815

I know that when I saw what he was proposing, I am thinking: You have got to be kidding. He is proposing a $5.6 billion reduction in the National Institutes of Health's research programs.

I want to just take a second here and draw your attention to what research really means.

The National Institutes of Health is the principal research arm for healthcare issues throughout the United States. Over the years, we have spent very large amounts of taxpayer dollars dealing with health issues in the United States. The result of those research efforts, together with the implementation, has resulted in breast cancer deaths dropping, between 2000 and 2013, by 2 percent, prostate cancer deaths down 11 percent, heart disease down 14 percent, stroke down 23 percent, HIV/AIDS down 52 percent.

Research pays in better lives, in people living longer and the quality of their life. And yet this 18 percent reduction that has been proposed by the President in the basic funding for medical research here in the United States goes directly against these very important and very impressive changes in the statistics about mortality—HIV/AIDS, 52 percent.

Now, it is not all research, but it begins with research. It is unconscionable that such a proposal would be brought to the House of Representatives.

We are going to go beyond these success stories, and we are going to talk about this purple line here. The deaths from Alzheimer's have actually increased by 71 percent in the same 13-year period, in part due to the fact that the population, the baby boomers and those that preceded them, grow old; and that is where Alzheimer's occurs, in the older age groups.

So what is the research funding here on Alzheimer's? Well, not so good.

But before I go to that, I just want to take one moment and draw your attention to this little chart. This is the funding level for the National Institutes of Health's projected budget: $31.7 billion. The scientists, the researchers out there said that that is underfunding not from their wish list, but from viable, credible research programs that can't be paid for because they have run out of money. So they have suggested that the budget should be somewhere around $35 billion.

So what does the President propose? Well, he proposes, instead of going up, going down to $25 billion or just close to $26 billion, $5.6 billion less.

The result is that this is not going to come down. We are going to talk about this for the next hour, about research, about the National Institutes of Health, about what it means to your life, to my life, to my colleagues' lives, to be able to extend our lives, whether it might be prostate cancer, heart disease, stroke, HIV, or Alzheimer's. It is a fact that, if we are to increase the research in this area, which, until just last year, was just over $500 million, we can see this begin to change.

Joining me today are my colleagues from around the United States. I was looking for a more senior Member from California, MAXINE WATERS, who is the co-chair of the Alzheimer's Caucus. She is not here, so I am going to go to our next more senior Member, Mr. COHEN from the great State of Tennessee.

I yield to the gentleman from Tennessee.

Mr. COHEN. Mr. Speaker, I am pleased to join you today in this 1-hour session.

I am the co-chair of the Medical Research Caucus. As the co-chair, I am most aware of the need for research and how much it has helped our country and how much it has helped many cities and universities in their efforts to save us.

For a long time, I have realized that my enemy—and I am not suggesting to anybody, or I don't want anybody to get the wrong impression that I don't think that we need a military, and a strong military, but I have known that the odds of me dying from something that happens initiated by North Korea or Iran or ISIS is about nil. But I also know that the odds of my dying from heart disease, stroke, diabetes, Alzheimer's, cancer is likely. So my enemy is disease.

And who is working to protect me and be my defense department? The National Institutes of Health. That is my defense department. That is all of America's defense department, for we all have, as an enemy, disease. Cures and treatments will be found through grants and research coordinated through the National Institutes of Health.

Francis Collins, the genius who is the Director of the NIH, is really our secretary of defense because he is fighting to find cures and treatments not just for us, but more so for the next generation and the next generation.

So it is a perfect situation for us to act to protect our constituents against their most serious enemy, and that is disease, and to protect them no matter how we fund it. For the deficit hawks who might suggest that some of the expenses be paid for by future generations, that is who is going to get the treatments and the cures, and people not even born yet.

In 1954, my father was a pediatrician, and he gave the Salk vaccine to second grade children for polio. He didn't give it to me in the fall of 1954 or the spring of 1954 because that wasn't his charge; it was to give it to second graders in a test of the Salk vaccine.

I came down with polio in September of 1954. And but for medical research not being a year earlier when the Salk vaccine became available to everyone in the spring of 1955, I would not have had polio.

It affected me as a young person. I spent 3 months in a hospital, lots of time with physical therapists, had surgeries, and today wear a brace because, without it, I wouldn't be standing here.

My future, I am not sure what it will be, but it would have been a lot better if we had the Salk vaccine a year earlier. For every cure and treatment that comes a little later and a little later are that many more people that will suffer from it.

So this nearly $6 billion cut is going to affect people's lives in a meaningful way. For that reason, I am proud to join Mr. GARAMENDI and my other colleagues here to oppose this $6 billion cut and also to advocate for increases in funding to the National Institutes of Health, our real defense department fighting for all Americans against the number one enemy we all have, which is catastrophic illnesses and diseases.

Mr. GARAMENDI. Thank you so very much, Mr. COHEN, for your personal story and the effect of research not being available to you in your early childhood and the result of that. We know that all across the United States there are issues that are out there. Certainly Alzheimer's, which is our principal subject matter today, together with the cuts in the National Institutes of Health budget, but also there is this thing called Zika. That is out there, and the research for that, is that going to be forthcoming or is that also going to be cut?

I noticed that our co-chair of the Alzheimer's Caucus is here. Ms. WATERS, if you would like to join us, the gentlewoman from the State of California with whom I have been able to work now for, well, just a few years, dating back to our time in the California Legislature. I yield to the gentlewoman.

Ms. MAXINE WATERS of California. I would like very much to thank my friend and colleague from California, Congressman JOHN GARAMENDI, for the time, and I commend him for organizing this Special Order on Alzheimer's disease. It is fitting and appropriate that we would be holding this Special Order hour this evening prior to the National Alzheimer's Dinner, which will take place tonight.

The National Alzheimer's Dinner is an annual event, organized by the Alzheimer's Association, that brings together staff, policymakers, advocates, and families impacted by Alzheimer's disease from across the country.

As the co-chair of the bipartisan Congressional Task Force on Alzheimer's Disease, I know how devastating this disease can be for patients, families, and caregivers. I am proud to lead the task force along with my co-chair, Congressman CHRIS SMITH.

Alzheimer's is a tragic disease affecting millions of Americans and has reached crisis proportions. There is no effective treatment, no means of prevention, and no method for slowing the progression of the disease.

According to the Centers for Disease Control and Prevention, that is the CDC, 5 million Americans were living with Alzheimer's disease in the year 2013. This number is expected to almost triple to 14 million by the year 2050.

Alzheimer's is the sixth leading cause of death in the United States. In 2017, the direct cost of care for Alzheimer's disease and other dementias is expected to hit $259 billion, with 67 percent of those costs paid for by Medicare or Medicaid.

Alzheimer's disease and related dementias will increase exponentially as

the baby boom generation ages. At the current rate, the cost of Alzheimer's will reach $1.1 trillion in 2050. We must act now to change the trajectory of this disease.

The national plan to address Alzheimer's disease calls for a cure or an effective treatment for Alzheimer's by the year 2025. Reaching this goal will require a significant increase in Federal funding for Alzheimer's research.

Fortunately, Alzheimer's research did receive a substantial increase in Federal funding in fiscal year 2016. Congress allocated $936 million for Alzheimer's research at NIH in funding year 2016, an increase of $350 million over the 2015 level. But that is still far less than what is needed to confront the challenges we face.

In March of last year, I wrote a letter to the House Appropriations Committee requesting an additional $500 million increase in funding for Alzheimer's research, for a total appropriation of almost $1.5 billion in funding year 2017. The letter was signed by a bipartisan group of 74 Members of Congress, including myself, co-chair CHRIS SMITH, and one of the greatest advocates on behalf of Alzheimer's patients not only in the Congress of the United States, but even before he came here, Congressman GARAMENDI.

Last summer, the Senate Appropriations Committee passed its version of the funding year 2017 Labor, Health and Human Services, Education Appropriations bill and provided a $400 million increase in funding for Alzheimer's research at NIH, for a total appropriation of $1.39 billion in funding year 2017.

Meanwhile, the House Labor, HHS, Education Appropriations Subcommittee passed this bill for funding year 2017 on June 17. The House bill provided a $300 million increase in Alzheimer's research.

Unfortunately, Congress still has not finished its work on funding the year 2017 budget, so we don't know how much funding Alzheimer's research or any other program, for that matter, will receive this year.

At the same time, Congress has already begun consideration of year 2018 funding levels. I am once again circulating a letter to the House Appropriations Committee leaders requesting robust funding for Alzheimer's research.

This year my letter requests a $414 million increase in funding for Alzheimer's research in fiscal year 2018 above the level included in the funding year 2017 Senate bill. That would be a total appropriation of more than $1.8 billion for Alzheimer's research in funding year 2018.

Although this letter just started circulating, more than 25 Members of Congress have already signed this letter, of course led by Co-Chairs CHRIS SMITH and Congressman GARAMENDI and myself.

□ 1830

I am also circulating a letter to House Committee on Appropriations leaders in support of a program to address the problem of wandering among Alzheimer's patients. This program helps local communities and law enforcement officials quickly find persons with Alzheimer's disease who wander away from their homes and reunite them with their families.

The majority of American Alzheimer's patients live at home under the care of family and friends. According to the Alzheimer's Association, more than 60 percent of Alzheimer's patients are likely to wander away from home. Wanderers are vulnerable to dehydration, weather conditions, traffic hazards, and individuals who prey on seniors.

Let me just continue my remarks by thanking all of the Members of Congress who are signing letters, who are focused on this, who understand what is going on. I would like to thank the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. GARAMENDI) for their leadership and all the work that they have done educating the Members and helping to give exposure to what we need to do.

Mr. GARAMENDI. Mr. Speaker, I appreciate the leadership of Ms. WATERS. It goes on for many years in this particular area and beyond.

Progress can be made. I am just going to take 2 seconds here to show the funding levels for cancer, almost $5½ billion; HIV/AIDS, almost $3 billion; cardiovascular, $2 billion. This is 1 year out of date.

Because of the work of Congress and the leadership of CHRIS SMITH from the Republican side and Ms. WATERS from the Democratic side, plus many Members, this number is not 560; it is just under a billion dollars now. We need more, and we need to get at it soon.

Mr. Speaker, I yield to the gentleman from the southern part of California (Mr. PETERS).

Mr. PETERS. Mr. Speaker, I thank Mr. GARAMENDI so much for organizing this discussion of a really important topic.

In San Diego, we are a center of genomics, a center of life sciences, and a center of collaborative scientific research that makes groundbreaking discoveries and improves people's lives. In 2015, our research institutions received $768 million in NIH research funding, the most of any metro area in the United States. We are home to places like the Salk Institute for Biological Studies, Sanford Burnham Prebys Medical Discovery Institute, the J. Craig Venter Institute, and the Scripps Research Institute, where world-class scientists are making discoveries that save and improve millions of lives.

At the University of California San Diego, UCSD, the Shiley-Marcos Alzheimer's Disease Research Center is part of a collaborative national effort to better diagnose, prevent, treat, and ultimately to cure Alzheimer's. More than 5 million Americans are living with that disease. Alzheimer's kills more Americans every year than breast cancer and prostate cancer combined. It puts a tremendous burden on the family and the loved ones of those battling the disease because for every Alzheimer's patient, there are three people providing unpaid care.

Thanks to organizations like Alzheimer's San Diego, there are services to support families that are providing care for their loved ones. We are grateful for that, but we need to do more.

Alzheimer's also puts a tremendous burden on our healthcare system, as some of the speakers have mentioned. This year, Alzheimer's and other dementias will cost the Nation $259 billion. As our population ages, those numbers will only go up. It costs on average $1,150 more per month for a senior with Alzheimer's to reside in assisted living. That puts a financial strain on Medicaid, Medicare, and millions of families.

The research being done at UCSD and around the country is fueled by the National Institutes of Health and the National Institute on Aging. The investments we make in basic scientific research to better understand the disease are our best chance at developing new therapies and ultimately a cure.

One of the most bipartisan victories we have had in Congress since I have been here—this is my third term—was to increase NIH funding and to make a $6.3 billion investment in scientific research, which we did last year. Members of both parties came together with the understanding that NIH funding creates high-paying jobs, grows our economy, and unlocks discovery that changes lives. In his joint address to Congress this year, right here in this room, President Trump said he wanted to find cures to ''free the Earth from the miseries of disease.''

Unfortunately, then he turned around and sent a budget to Congress that slashed funding for NIH, clawing back the progress that we made last year. Our efforts to find cures to diseases like Alzheimer's would be completely undermined by the President's budget. We just can't allow that to happen.

I really, again, appreciate Mr. GARAMENDI for hosting this conversation. I want to let him know that I would be happy to sign on to Ms. WATERS and Mr. SMITH's letter, which he is also a leader of. I look forward to working with Mr. GARAMENDI and all of our other colleagues to defend the investment we have made in scientific research last year and to push for even more so that we can begin to win the battle against Alzheimer's and other diseases. That is what it is about, it is about winning. That is what I have been hearing. We want to win this battle.

I am very conscious that the United States has written the playbook for how to lead the world in science, and it is by funding basic scientific research, by letting the best scientists in the world compete for those grants that

are peer-reviewed—not decided by politicians, but by scientists. That system has worked marvelously well. Let's not kill it. Let's feed it.

Mr. GARAMENDI. Mr. Speaker, I thank Mr. PETERS for his comments. His knowledge and expertise in this field is appreciated and, I am sure when shared with the other Members of this House, will have a positive result.

Mr. PETERS said something toward the end of his conversation that I think we need to drive home. I said earlier that the scientists suggested that instead of a $31.7 billion budget for the NIH, they needed an additional $3.3 billion. It is for those projects that Mr. PETERS described as peer-reviewed by peers in the area of science—whether it is heart disease, cancer, or HIV or Alzheimer's—that are worthy projects for which there is no money.

If we could fund those—not reduce the level of funding, as suggested by the President, but, rather, increase it—what would be the result?

I am going to toss this up one more time. This is what happens when research is applied to diseases. Breast cancer down, prostate cancer down, heart disease deaths, strokes, and HIV, all down as a result of research, and then the application of that research through the medical community. This is progress. This is what can happen. This is what we want to get to.

Mr. PETERS. Will the gentleman yield?

Mr. GARAMENDI. Mr. Speaker, I yield to the gentleman from California.

Mr. PETERS. I want to leave time for Mr. RASKIN, but we talk about this peer-review concept. Maybe people don't understand what that is. What happens is these top scientists from around the world file these grants. They are reviewed not by government employees, not by bureaucrats, not by politicians, but by real scientists, the best in their field, to determine which would win. In the good times, about 25 percent of those grants will be funded by NIH when there is robust funding. Seventy-five percent of them are turned down. That is how selective it is.

Unfortunately, now we are looking at 7 to 10 percent funding. That means we are not discovering a lot. We are also turning a lot of our young people off of science. We can't let that happen.

Again, we could talk about this all day, but I want to turn to my colleagues. Again, I thank Mr. GARAMENDI for setting up this discussion.

Mr. GARAMENDI. Mr. Speaker, let's move to the other side of the continent. Let's talk about the view from New Jersey. I yield to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN).

Mrs. WATSON COLEMAN. Mr. Speaker, I thank Mr. GARAMENDI for sponsoring this moment that we can speak about such important issues.

In a budget proposal purported to ''make America great again,'' President Trump has put forth a request to cut $5.8 billion from the National Institutes of Health for fiscal year 2018. Mr. Speaker, there is absolutely nothing great about that. These cuts would reverse growth for the agency that President Obama boosted its budget by $2 billion in 2016 and 2017. These cuts would forfeit American dominance in a sector where we are global leaders.

In New Jersey's 12th District, Princeton University received close to $46 million in NIH grants, and the College of New Jersey received around $400,000 to continue our Nation's stature at the forefront of medical breakthroughs. The cuts proposed would, in effect, stunt good and essential medical research, lifesaving research.

Unlike what we have seen from this administration, the NIH has produced results that improve the health and livelihood of the American people. For example, there is no widely available cure for sickle cell anemia. While some children have been successfully treated with blood stem cell and/or bone marrow transplants, this approach was thought to be too toxic for adults. However, NIH researchers successfully treated adults with severe sickle cell disease using a modified stem cell transplant approach that does not require extensive immune-suppressing drugs.

After receiving an experimental spinal stimulation therapy from a team of NIH-funded researchers, four young men paralyzed due to spinal cord injuries were able to regain control of some movement, promising results for treating these devastating injuries.

NIH-supported researchers designed a protocol to transform human stem cells into beta cells that produce insulin and respond to glucose. That finding could lead to new stem cell-based therapies to treat diabetes in patients of all ages, a disease that is so prevalent in our society.

The specific damage that occurs in affected brain tissue after a concussion has not been widely well understood. A study by NIH researchers provided insight into the damage caused by mild traumatic brain injuries and suggested approaches for reducing its harmful effects.

It has even been reported that these draconian cuts will slow research that could lead to new ways to prevent and treat cancer, the Nation's number two killer, which claimed the lives of almost 600,000 Americans just last year and which, incidentally, claimed the lives of both of my parents.

The evidence is overwhelming, and these are the facts. I just want to know when this President and his supporters here in Congress will set aside budget gimmicks and put Americans, our health and our well-being, first.

Mr. GARAMENDI. Mr. Speaker, the gentlewoman from New Jersey pointed out a very important thing here, and that is: When will we get real about this?

It is my understanding that many of these budget cuts, the National Institutes of Health and others, were made so that a wall on the Mexican border could be funded.

Ponder that for a few moments. Is that really a priority? Do we cut the funding for this basic research—whether it is for cancer, diabetes, even people that are suffering from post-traumatic stress disorder—so that we can fund a wall on the border?

That may be what this is all about, in which case it is a terrible, terrible choice. I don't think we are going to make that.

I thank the gentlewoman from New Jersey (Mrs. WATSON COLEMAN) for her views. I really appreciate her understanding of this and her participation today.

I see next to you our colleague from the great State of Maryland (Mr. RASKIN) listening very intently to you and now prepared to jump into the fray here.

Mr. Speaker, I yield to the gentleman from Maryland (Mr. RASKIN).

Mr. RASKIN. Mr. Speaker, nobody takes the speech and debate clause more seriously in this body than Mr. GARAMENDI. He speaks in debate pretty much every day, and that is what the Founders wanted us to do, not to just come here in a kind of naked exercise of power politics and see who can get more votes, but really try to learn from each other and engage in a dialogue so we are advancing public policy.

It was a pleasure to receive the gentleman's invitation to join this Special Order on Alzheimer's disease. I am delighted to join him. I am also delighted to see at the dais this evening the Speaker pro tempore, my friend Congressman SMUCKER from Lancaster County, Pennsylvania. He is just a freshman, but he is already wielding the gavel. I would say that seat suits Congressman SMUCKER just fine. It is good to see him up there tonight.

Congressman GARAMENDI, I am the Congressperson from Montgomery County, Frederick County, and Carroll County, Maryland, the 8th Congressional District, which includes the NIH, the National Institutes of Health; so I have the great fortune and honor and responsibility of representing thousands of people who work at NIH and who live in Rockville and in the neighborhood. So I see this as not just a national treasure and resource, but also a vibrant and vital part of my community that I represent.

I speak tonight not just as a politician, but I speak also as someone who has—I guess what we call around here—a preexisting condition because when I was in the Maryland State senate and as a professor of constitutional law at American University, I was given a diagnosis in the year 2010 of colon cancer.

□ 1845

I learned something very interesting going through the experience about the difference between misfortune and injustice. Because if you have a job that

you love and a family that you love and constituents that you love and it is a beautiful day and you are told that you have got stage III colon cancer, that is a misfortune. It can happen to anybody—liberal, conservative, Democrat, Republican, Independent, old, young, every race, every ethnicity. It can happen to anybody. It is a misfortune.

At the time, I was the floor leader in Maryland on marriage equality legislation, and it struck me that the misfortune can happen to anybody. But if you can't get health insurance because you love the wrong person or because you are unemployed or because you are too poor, that is not just a misfortune. That is an injustice because we, as a society, can do something about that.

So when we think about Alzheimer's disease or cystic fibrosis or lung cancer or diabetes 1 or 2, in a democratic society, our obligation is not to compound the misfortunes of life with governmental injustice; our job is to try to reduce misfortune because we are all citizens together.

So that is why I am so proud to represent NIH because, as has been said very eloquently by a number of speakers tonight, the NIH is in the forefront of defending our population against disease and serious illness.

So let's talk about Alzheimer's for a little bit.

More than 5 million Americans are living today with Alzheimer's disease. That is about the population of my State—everybody in Maryland, from Baltimore to Rockville, to Silver Spring, to Bethesda, to Chevy Chase, to Middletown and Frederick County, to Sykesville, all over Carroll County, from the eastern shore to western Maryland, millions of people. That is how many people across the land are suffering from Alzheimer's disease. And it is a number that is rapidly increasing. It could be as high as 16 million people by 2050 is what the experts at NIH are telling us.

Since 2000, deaths from Alzheimer's have increased a startling 89 percent. You have shown us what the graphs are, Mr. GARAMENDI. One in three senior citizens today dies from Alzheimer's or another form of dementia. For victims of this disease, it is demoralizing, devastating, debilitating, and draining for the whole family.

In Maryland, Alzheimer's affects 100,000 people, and it costs us around $1 billion in Medicaid dollars every year.

In 2017, it is estimated that, across the country, we will spend $259 billion caring for people with Alzheimer's and other kinds of dementia, with $175 billion being borne by Medicare and Medicaid, alone. This means nearly one out of every five Medicare dollars is spent on Alzheimer's.

So we have got to move quickly and effectively to address the crisis and to solve the puzzle of Alzheimer's disease; otherwise, these costs are going to continue to grow even more sharply, and Alzheimer's could overwhelm our healthcare system.

We need a cure, which is why the good people at the Alzheimer's Association are asking Congress to support a $414 million increase in the research budget at NIH for Alzheimer's in FY 2018. But President Trump has proposed a $5.8 billion cut to the NIH, which is a 19 percent reduction in the NIH budget.

Why?

Well, it is very hard to know. It is part of a proposal to slash $60 billion in science research, environmental protection, housing, the human needs budget, and to shift it into the Pentagon. Now, that is at a time, Mr. GARAMENDI, when a committee I serve on, Oversight and Government Reform, just had hearings where Democrats and Republicans, alike, were outraged to learn that $125 billion in waste, fraud, abuse, and contractor overruns is happening right now in the Pentagon.

We could save $125 billion just by taking seriously the problems in contracting and fraud and abuse that is taking place with the beltway bandits. But instead of going after that corruption and waste, they want to take $60 billion out of the human needs budget and shift it over to the Pentagon.

Well, that is going to have a disastrous effect on our ability to make progress. That is the point I think you are making tonight, Congressman GARAMENDI. You are saying that, when we invest in basic research on the diseases, we make progress.

Look what we have done with AIDS. It is amazing. Look what is happening with cystic fibrosis. We are making real progress because we are investing. We have got to not cut back on any of the research that is taking place. We have got to double down and invest, and we really need to do that with Alzheimer's.

So this move to slash the human needs budget, the medical research budget, and put it in the Pentagon is an assault on science, on medicine, and on the health care of our people. These are our people whose lives are at stake that we are talking about. These are our families that are suffering the savage repercussions of Alzheimer's disease. It is a terrible infliction on the land.

So I think that the idea of slashing $6 billion from research for serious diseases like Alzheimer's, like the doomed repeal-and-replace legislation that crashed and burned on Friday of last week, is totally counterproductive and destructive of the true needs and priorities of our people.

We spend more money on the military than the next five or six countries combined, and the Pentagon is swimming in a deep pool of waste, fraud, abuse, and contractor overruns today.

Let's focus on helping our own people right now, the way mature democracies do, not enriching beltway bandits and plutocrats and insiders the way that authoritarian governments do. The question of Alzheimer's is an urgent question for our time, just like the research into all of the other killer diseases that are afflicting our people.

Mr. Speaker, I thank Mr. GARAMENDI for making me part of this Special Order hour.

Mr. GARAMENDI. Mr. Speaker, I thank Mr. RASKIN so very much. And, indeed, the National Institutes of Health has a stellar representative, as do the American people, and certainly the people of Maryland.

As he told his own personal story of one of the dreaded diseases, I am delighted to see him stand here in such good health. Apparently, he has recovered completely from that.

I suspect that recovery was, at least in part, due to, first, his good health at the outset, but also to the research that was done in the preceding years through the National Institutes of Health on cancer research. We have seen the decline in cancer deaths as a result of that research. What we would like to do is to deal with this Alzheimer's.

I want to take a moment just to talk about where we are. We had a huge debate last week on repealing the Affordable Care Act and what it would mean to Americans, and a lot of that debate centered around the cost of medical services. Tragically, one of the ways that the proponents of repealing the Affordable Care Act would save money is to reduce the Medicaid program in different ways, but the end result was to reduce the Medicaid program.

Sixty percent of the Medicaid program is for people in long-term care facilities. A good percentage of those, probably the majority of those, with some sort of dementia or Alzheimer's. What we need to do is to address this issue straightforward.

I will tell my own story.

My mother-in-law lived the last 3 years of her life in our home. We were in a position where we were able to take care of her, so she didn't go to a long-term care facility. Nonetheless, it was one of the obligations that we felt we had, and many, many other Americans share that obligation.

This is 2015. The number $2.026 billion came up during the discussion that we had. That is what we spent in 2016. Some of that was spent by other payors. That would be insurance companies. Some was spent by family. Medicare and Medicaid spent the great majority.

As we go through the years, in 2020, we expect to spend $267 billion. And again, Medicare and Medicaid make up the great majority of it. As we move through time, we will see that there will be greater and greater expenses, rising year by year, so that in the year 2050, which is not that far away—that is one generation away—we will be spending over $1 trillion, and Medicare and Medicaid will, throughout this entire period, be the single largest source of money to pay for Alzheimer's.

So, if we want to reduce the cost of premiums, if we want to reduce the cost of government, if we want to deal

with the quality of life of Americans, then we have to get to this research because there is hope. Alzheimer's is not a hopeless disease. It is not a disease for which there is no cure. It is a disease for which we have not spent money on finding the cure.

If we can delay by a year, we will save tens of billions of dollars of taxpayer money in care that has been pushed off into the future. And the quality of life for the individual that has one more year of quality of life ahead of them is enormous and invaluable.

Here is just a way of depicting the backward nature of how we are dealing with the research for Alzheimer's. This was originally the 2015. We have been at this a couple of years, and we have seen progress.

In 2016, we spent $941 million, just under $1 billion, on Alzheimer's research. At the same time, we spent $153 billion in the care of Alzheimer's in Medicare and Medicaid. It is Federal taxpayer money.

Look, $1 billion, less than $1 billion in research, $153 billion in out-of-pocket expense caring for these individuals that have come down with Alzheimer's. A pretty neat equation here, isn't it?

If we were to ramp that up, as we would like to see, from $941 million to $1.4 billion, the researchers all across this country—some in San Diego, as we heard from Mr. SCOTT PETERS; others in New Jersey, as we heard from Mrs. WATSON COLEMAN; or in other parts of California, Boston, wherever. If we were to ramp that up by an additional $500 million, the researchers believe that they will untangle the tangles in the brain that lead to Alzheimer's and understand what is going on and, from that point, be able to find a path towards a solution.

It is not hopeless. We have seen progress. We have seen research that was done a decade ago. The analysis indicated that it really didn't work too well when they came up with a solution. Another researcher, 7 or 8 years later, went back to that very research, looked at the statistical analysis, and noticed that, for those who had early onset, that particular treatment modality had an enormous effect, not on those that were in later Alzheimer's but those who were in early onset.

Whoa. What does that mean?

That means that there is a path. That means that there is an avenue towards a solution. However, this Congress, the 435 of us who will be here voting on the appropriations to fund the Federal Government, to fund the military, to fund the highways, to fund the National Institutes of Health, will be given a choice. We will have a choice. Do we increase the funding for the National Institutes of Health and Alzheimer's research, or do we fund a wall on the Mexican border to the tune of $20 billion?

We just received that supplemental appropriation request from the administration today to spend $20 billion on a wall.

I can talk to you about a wall. I represent 180,000 people just downstream from the Oroville Dam, and I have got a 30-foot wall that needs to be repaired. We are talking about imminent danger, and the rainy season is not over in California.

Or, another $5.6 billion for the military for programs that nobody has told us yet should be funded.

□ 1900

We are going to make choices here. The President has made his choice. He has shown what is of value in his mind.

I challenge that value. I challenge that value statement. I will tell you what is important. What is important are those millions of Americans who face Alzheimer's in the days, the months, and the years ahead. I am looking to the generations that are 40 and 50 years of age today who know, like my wife and I, they will be caring for their parents who are suffering from dementia and Alzheimer's. That is a value that I think is important.

Mr. COHEN spoke to the real enemy. Is the real enemy somewhere out there around the world, or is the real enemy the disease that will take us down—in his case, childhood polio?

We are going to make choices here, very important choices to the everyday lives of Americans. My choice is to increase, to increase the budget, the appropriation for the National Institutes of Health so that the $35 billion that the scientists—who have already done the peer review on all types of diseases, ranging from Zika, to cancer, and HIV, and Alzheimer's—say are worthy research projects that should be funded.

I reject the value that the President has said to strip $5.6 billion out of the National Institutes of Health and transfer it for a wall on the Mexican border or for some spending in the military—some unspecified spending. These are choices.

I know where, in my mind, the choice should be, and I reject the choice that has been made by our President.

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

RESTRUCTURING HEALTH CARE IN AMERICA

The SPEAKER pro tempore (Mr. TAYLOR). Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, at this time, I yield to my friend, the gentleman from Florida (Mr. GAETZ).

HONORING THE DEDICATED SERVICE AND SELFLESS SACRIFICE OF SERGEANT FIRST CLASS ROBERT R. BONIFACE

Mr. GAETZ. Mr. Speaker, I thank the gentleman from Texas for yielding.

Mr. Speaker, it is with both profound sadness and deep gratitude that I rise to pay tribute to a fallen decorated American hero. On March 19, 2017, Sergeant First Class Robert R. Boniface of the 7th Special Forces Group, located in my district, tragically lost his life in support of Operation Freedom's Sentinel.

Sergeant First Class Boniface was 34 years old—my age—but he lived a lifetime marked by full service. Sergeant First Class Boniface entered the Army in March 2006. After infantry basic training and advanced individual training at Fort Benning, Georgia, he attended airborne school before being assigned to the Special Warfare Center and School. Sergeant First Class Boniface completed the Special Forces Qualification Course earning his green beret in 2010. He was assigned then to the 7th Special Forces Group.

Sergeant First Class Boniface's awards and decorations include: two Bronze Star Medals, the Army Commendation Medal, two Army Good Conduct Medals, the National Defense Service Medal, the Afghanistan Campaign Medal with two Campaign Stars, the Global War on Terrorism Service Medal, three Noncommissioned Officer Professional Development Ribbons, the Army Service Ribbon, the NATO Medal, the Special Forces Tab, the Combat Infantryman Badge, the Special Forces Combat Diver Badge, and the Parachutist Badge.

Mr. Speaker, there are no words that I, this body of Congress, or the Nation can say that might ease the bereavement of the Boniface family. All I can say is that on behalf of a humble and grateful nation, we thank them for the love, counsel, and support given to Robert during his life, which helped make him a hero, both in uniform and as a father.

His life stands as a testament that freedom is not free. His legacy will echo in time as an example of the ultimate sacrifice for all free people. I pray that God will be with Robert's wife, Rebekah; his daughter, Mia; and all of their family and friends during this time of great mourning.

Mr. Speaker, may God continue to bless the United States of America.

Mr. GOHMERT. Mr. Speaker, I certainly thank my friend from Florida for such a compelling tribute to a great American hero.

Mr. Speaker, at this time, I yield to my friend, the gentleman from Ohio (Mr. DAVIDSON).

WELFARE BRAC ACT

Mr. DAVIDSON. Mr. Speaker, it is an honor to address this body, and I rise today to talk about H.R. 1469, the Welfare BRAC Act.

Before going into the specifics of the bill, I would like to talk for a little bit about how we have arrived at a point of needing such a fundamental restructuring of our Nation's antipoverty programs.

In 2015, the Federal Government spent $843 billion on welfare programs, means-tested welfare programs. By some estimates, we have spent more than $22 trillion on antipoverty programs over the past 50 years. Today, we have some 92 antipoverty programs run

by the Federal Government, all supposedly with the same goal: to alleviate poverty.

This chart to my left highlights those programs. If you look: 5, cash aid; 25, education and training; 2, for energy; 17, for food aid, and on goes the list.

So how did we come here? Well, as Ronald Reagan said: ''Government programs, once launched, never disappear. Actually, a government bureau is the nearest thing to eternal life we'll ever see on this Earth.''

Why is that true? Well, it is true because touching some of these programs is very polarizing. So when you touch them, they all have a constituency. And the reality is, if the 15th food aid program worked well, then the 16th wouldn't be launched. So if you want to address a new problem, well, then you launch the 17th food aid program.

What doesn't happen over the time is finding a way to get those programs to work together to be a coherent whole. So the solution, really in a lot of ways, is bipartisan. The Brookings Institution is rarely an ally to conservatives, and the Heritage Foundation is rarely an ally to the left. Yet they would both agree that employment, healthy marriages, and education alleviate poverty.

In fact, many of our programs, when we look at these listed, seek to address those needs. There are 92 programs. Maslow, in the hierarchy of needs, just addressed 5, and we have 92.

I think about the young social worker who wants to help someone who comes into the office and perhaps each of these programs has a 4-inch binder—a 4-inch thick binder, 92 of them. That is a pretty big bookshelf. What if she only had to know 20 programs? What if there were only 20 binders? What if there were only 5? What if there were 10?

I don't know whether the right number is a dozen or 20, but I don't think it is 92. So what is the solution? Well, I have a bipartisan solution that looks back to the history.

So in the Cold War, we had a very large Army, and, as we scaled down, it was very politically sensitive to try to deal with the problems of scaling down. Each base, each installation, had its own constituency, and so we created BRAC, the Base Closure and Realignment Commission. And the goal there was to have a quantitative set of objectives and to have a commission that was bipartisan that gave Congress a straight up-or-down vote. That worked, by and large, and we were able to scale down the military in a way that let the military focus on its mission.

So what I propose with H.R. 1469, the Welfare Benefit Realignment Commission, is a four-Republican, four-Democrat commission, totally neutral. It also does not seek to take away a dime of spending in it. It seeks to reduce the number of programs so that the result is more focused.

When Lyndon Johnson launched his war on poverty, he said that the goal was to not just treat the symptoms but to find a cure and, if possible, to prevent poverty all together.

So perhaps if we had a more focused effort, perhaps if we all focused on the cause, instead of the programs, we could see results. Some of these programs are clearly more effective than others at helping people get out of poverty, yet the reality is, Americans have seen roughly the same percentage of their fellow Americans in poverty for the entire war on poverty.

So if we look at these programs under the same three goals—employment, marriage, and education—perhaps we can find things that are effective that lift people out, really, at the end of the day, giving as many people as possible the dignity of work and a path to escape poverty into a better future.

In fact, this path is very compatible with the Better Way agenda that we have laid out for poverty for the years. It is not focused on dollars. It is focused on efficiency. Later in the year, we are seeking to provide off ramps so that you don't find a trap in the ''Better Way.'' You don't find a trap—if you get a raise, you lose your housing, or if you take that next job, or you get married, you lose your education benefits, things that would provide an on-ramp and an off-ramp for this system.

So that is part of the agenda for the year for the House. I think this is very compatible with it. I am seeking cosponsors. I am seeking support for this bill, and it truly is with a spirit of embracing the common American value of providing a safety net for their fellow Americans, but they want it to be effective.

So this is not about the cause. The cause is good, and fewer programs lets it be more focused and, hopefully, get a good result.

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

Mr. GOHMERT. Mr. Speaker, it has been an interesting few weeks here in Washington, and we are not done with healthcare legislation. There has been a lot of talk about that, but, Mr. Speaker, I would like to say, I have been encouraged as today has worn on. We had a tough family meeting this morning together as Republicans, but, to me, what I felt was coming out of it in the end—disagreement on some important issues but agreement among Republicans that people are hurting under ObamaCare.

People need relief from the high premiums, the high deductibles. So many people not only lost their doctor, lost their health insurance policy, but they can't afford—they tell us—to go to the doctors. We talked to constituents because they would have to get to several thousand dollars before the insurance portion would kick in.

People are hurting across the country, and, of course, we know that, without a single Republican vote, ObamaCare was passed, which cut Medicare by $716 billion dollars, with a ''B.'' And I know President Obama assured seniors: look, seniors, you know, you are not going to have to worry about this $716 billion in cuts to Medicare. You won't be able to tell the difference. This is only going to affect the doctors, the healthcare providers.

What seniors have noticed who I have talked to around Texas and in other places in the country, they have noticed that when Medicare doesn't pay their doctor, doesn't pay for tests that are needed, and doesn't pay for medication that they specifically need then it does affect them personally.

□ 1915

The bill that we took up, that didn't get passed on Friday, that we didn't vote on, there was nothing that was going to help those on Medicare. There is apparently some difference of opinion, but it appeared to many that some of us trusted that people between the ages of 50 to 64 were going to get hammered.

I am very encouraged to have seen Speaker RYAN, Majority Leader MCCARTHY, Whip STEVE SCALISE, and our Deputy Whip PATRICK MCHENRY incredibly busy today talking to Republican Members around the House about how we can get to a bill that will get 218—actually we need 216 right now—so that we can send it down the hall to the Senate.

Mr. Speaker, I am encouraged, and I hope others are, that we are not done. We had indications that the Senate was not going to take up the bill—even if we passed it on Friday, they were not going to take it up until sometime in May. So we have time to address this issue and come together on a bill that would pass.

Once again, a reference was made, Mr. Speaker—and it is so often that this event is referenced by Republicans when they get frustrated as to why we ended up with a bill that would require so many Republican arms to be twisted, that would endanger Republican seats to have to vote for it. People referenced back to this.

Remember some years back, some summers back—and I believe, actually, that was the last week of July of 2014, as I recall—in which Speaker Boehner had told us that he had cobbled together a bill that embraced 10 principles that every Republican in the House had agreed to. Some of them seemed a bit esoteric to me, but we agreed to them all. And we kept being told this is going to be a bill that embraces all the principles that all of us have agreed to.

So when the bill was finally filed on Tuesday evening, with Speaker Boehner having announced we were going to vote on it Thursday morning, for the first time, we got a look at the bill we were going to be voting on. By the time Thursday morning came rolling around, there had been so much information that came out—not opinion, but actually verbiage from the bill. It seems like it was around 60 pages, 70

pages, somewhere around there—but people were able to see for themselves what was there. There was so much commotion made about it that, by Thursday morning, much like Friday, Republicans made clear to our leadership—at that time Speaker Boehner—that they couldn't vote for it; that it didn't embody the 10 principles that we had all embraced.

I was so proud of my Republican Conference that Thursday because particularly a number of young Members, newer Members, got up in our emergency conference that they asked for. Speaker Boehner said: Well, I guess we just go on home and have the August recess.

Numerous Members said: No; let's have an emergency conference. Let's talk about this. We need to do something. We need to pass a good bill.

So people got up and they pointed out, like in a good family: Look, we have got differences, but we can reach agreement on this.

And there were probably 20 or so of us in a room for 2½ hours or so, and we compromised, and we got a bill that we could all vote on.

Unfortunately, at that time, there was a Democratic majority in the Senate, and we didn't get our bill passed through the Senate, but we showed that it could be done.

Once again, after Friday's problems, there are Members that are saying: Remember when we did that, where we just got people in a room and we agreed?

Mr. Speaker, I do believe, knowing so many of the Tuesday Group so well—they are good people—and the number one concern they have is their constituents and the things they are hearing from their constituents because they ran and they got elected to help people.

Everybody that I hear from on our side understands people have got to have help because ObamaCare is creating so many problems. I am hearing from many seniors, and it seems to be as a result of all of the $700-plus billion that Obama cut from Medicare.

Whereas, 7 or 8 years ago, even 6 years ago, before ObamaCare really started being implemented, if they needed surgery, if they needed something, under Medicare, the doctors immediately took care of it. If it was medication, if it was a treatment, if it was surgery, whatever, they took care of it.

I am hearing more and more east Texans who are on Medicare tell me: Now, doctors are telling me they can't schedule it this week or next week like they used to because of ObamaCare; that the only way they can make ends meet and still stay in business, they need to schedule it a couple of months down the road.

Many of us on the Republican side were pointing out, when ObamaCare passed, that what this leads to is a form of rationed care. Whereas, right now, if you have good insurance and you like your doctor and you need something done, it gets done immediately. That is what made America's medical care so attractive to other countries around the world.

I have visited in Middle Eastern and north African countries where the wealthy would say: If I needed surgery done, I'd fly to the United States. Unfortunately, I have heard more than once that: Yeah, and the great thing was that I flew back and never had to pay for it.

Well, somebody paid for that, that is for sure.

It is important that we fix our healthcare system as best we can. I have an article from Conservative Review that came out today from Daniel Horowitz. I don't agree with everything in the article; but Daniel Horowitz, as usual, is quite thought-provoking.

He says: ''Earlier today, a couple of Republican officials, in a refreshing display of honesty, admitted what we have known all along: They don't want to repeal ObamaCare. Even Senate Majority Leader MITCH MCCONNELL, Republican from Kentucky, admitted there won't be another attempt.

''He's certainly come a long way from his 2014 campaign promise to repeal ObamaCare 'root and branch' and his 2013 CPAC speech in which he said 'anybody who thinks we've moved beyond it is dead wrong.'

''As we explained yesterday, the compromise solution for repealing the core of ObamaCare, but not quite all of it, is already on the table, and PAUL RYAN, Republican from Wisconsin, has already agreed to and campaigned on it. Why aren't they doing it? Because they don't want to repeal ObamaCare and never intended to.''

That is the part I do disagree with.

I know we have all said this, but it was in Speaker Boehner's pledge that he and his leadership colleagues cobbled together back in 2010 and it was in the Better Way that Speaker RYAN and his leadership colleagues cobbled together last fall that we have got to repeal ObamaCare. We can't get down to this rationed care system where we are currently headed.

This says: ''As early as 2014, the Chamber of Commerce made it clear that their official position was to fix, not repeal ObamaCare. Money talks, everything else from there walks.

''The sentiment was evident today when Senator JOHN CORNYN, Republican from Texas, the Senate majority whip, said that they will no longer pursue repeal of ObamaCare through budget reconciliation and that 'it needs to be done on a bipartisan basis, and so we're happy to work on it with Democrats if we can find any who are willing to do so.'

''There you have it, folks. They know darn well there are no Democrats who will ever have incentive to work with them to repeal ObamaCare. They have always known that this had to be done unilaterally either through reconciliation or by blowing up the filibuster. But Republicans never intended to do so. That's why we heard all these phony excuses about process limitations. Now that they are proven false, Cornyn is at least being honest by saying they will repeal it when Democrats help them. When hell freezes over . . .''

And the article goes on.

Mr. Speaker, what Leader MCCONNELL and Senator CORNYN are talking about, I think they must have been discouraged when the House didn't pass a bill that would come their way. But good news for Leader MCCONNELL and Senator CORNYN, we are not done. People are hurting, and we are going to come together on a bill.

For those who attempted to say that those in the Freedom Caucus kept moving the goalposts, I know that was not said maliciously, but it was said. Anyone who said that was speaking just out of ignorance of what actually was the case.

Anybody that bothers to actually check and get the facts will find that, as many problems as people in the Freedom Caucus—and I am probably the newest member, I guess—had with this bill, we were doing what we could to reach a compromise that would give enough help, enough relief to Americans who are desperate for that help and that relief that we could hold our nose and vote for it.

There were all kinds of issues in that bill that create problems. For one thing, I would have thought a good amendment that would easily be accepted would be that, since this creates a new entitlement program, a tax credit program where you actually can get more money back—like a child tax credit, where we have so many people who are actually illegally in the country, claiming children, as there have been reports—and, of course, not everybody cheats on this. But there are numerous examples of stories around the country of people claiming to have children—mass numbers, dozens of them in the same house, and we don't know if they are in the country, we don't know if they are in another country, we don't know if they exist—and people getting more and more money back.

I had a senior citizen from Tyler telling me she is no longer working for H&R Block, that she used to during tax season. But it just grated on her so much that it created tension headaches and she couldn't sleep during tax season because she had so many people who did not have a Social Security number. But they got a tax number, and she would fill out the returns for them. Invariably, each would pull out a sheet of paper and would say: Don't I get this?

And it was the income tax credit—child earned credit.

She would fill it out, as they requested. And, invariably, they would get much more money back than they paid in. So it was a way of redistributing—it is not wealth, because the people that are in east Texas paying

those taxes, they are not wealthy. They are struggling to get by. That is why they can't afford the high deductibles that ObamaCare has driven them to.

Here it looks like we are going to have another program unless we get this amendment in there when we bring the bill back up.

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So I am hoping that that will be one of the adjustments because we were seeking to have something in there to require you to be legally in this country before you could get more money back from your income tax than you paid in. It is a new form of welfare, just like some have found the tax credit to be, where they get more back than they paid in.

So that is a concern, creating a new entitlement as we are about to go over the $20 trillion mark in debt, that we are coming up with a new way to go even deeper and quicker into further debt. But there were a number of issues here with the bill.

The thing that I kept hearing—and I had telephone townhalls, Mr. Speaker, with, really, tens of thousands of people that we reached out to in east Texas. The technology is so great, I can ask questions and have them punch a number for yes, no, and get results on what people are thinking. It was feelings about ObamaCare and the need to do something about it and the help that is needed and the losses of insurance they had before ObamaCare, problems they have had since ObamaCare.

East Texans, my constituents, need help. They want help. They want ObamaCare repealed, and they want a system back where they can choose their doctor, they have a relationship with their doctor, and they don't have an insurance company between them and their doctor or their hospital telling them what they can or can't have. And they don't want the government in between them and their healthcare provider telling them what they can or cannot have.

The health savings accounts that Republicans believe strongly could get us off this final road to complete rationed care, socialized medicine, like they have in England—it was a pleasure to talk to the sister of a member of Parliament from England. I have been in his home in England; he has been in my home in Tyler, Texas, just a great MP.

But talking about our systems, and I pointed out, I have a wife, I have got three adult daughters, and so I am kind of sensitive to being pushed into a system like England has, no offense to those in England. But when we saw the numbers back during the ObamaCare debate that indicated a 19 percent higher survivability rate from the same point of breast cancer being discovered, well, that is one out of five are dying in England unnecessarily, or at least back there when we got those numbers. I am not sure what the numbers are now.

It may be that ObamaCare has created more problems and now we are moving, already, toward the percentages of recovery that England had that were not as good as ours. But I would just as soon not lose one out of five women who have breast cancer, which we were not losing in the U.S. and they were losing in England.

It was interesting. I didn't realize, and I learned yesterday that, actually, that is why, in England, yes, they have socialized medicine, but you can also pay for private care on top of the socialized medicine because it just takes forever to get the kind of treatment that you need when you need it. So people with any means in England, they have the socialized medicine that is so inefficient, that tax funds pay for so inefficiently, and you get as much government as you do health care. But, if you have money, then, on top of the massive taxes you pay, you can also, then, pay for your own health care on top of that. That is different from Canada.

But, look, the bottom line is we don't need to continue down this route. So, again, I am encouraged we are going to come together and we are going to work toward a remedy.

It disturbed me that we heard from people who sounded like they knew what they were talking about, that rates are going to go up for a couple of years, and we are hoping that maybe 3 years after the Republicans would lose the majority in the next election because people are so upset about their higher premiums that then it might come down, premiums might come down 10 percent.

But the concern to me is not about losing the majority. It is about losing Americans unnecessarily if we don't fix this disastrous ObamaCare that is costing seniors. It is costing 50- to 64-year-olds. It is costing young people money that they shouldn't have to spend in the way that they are being required.

So some say we were moving the goalposts as the House Freedom Caucus, but, actually, from the beginning, we did indicate we would like to remove what experts are telling us in title I would dramatically bring down the cost of premiums very quickly—very quickly.

But we had agreed. Heck, we agreed with the Democrats, before they pushed through ObamaCare, let's work on a law together, bipartisan, that will make sure that insurance companies can't play games over preexisting conditions because it has resulted in unfairness and, at times, I can say as a former judge, actually, fraud. Let's work on that one.

Then I think there was fairly universal agreement on both sides of the aisle here that, if you are 26, you are still living with your parents, then you ought to be able to be on their health insurance. From my standpoint, I didn't even care. I didn't think we actually even needed an age, a cutoff age.

If you are 50 and you are still living with your parents, which we hope will soon be remedied by an economy turning around with a new President who knows how to get things going, but if you are still at home when you are 50, I don't have a problem. If you are still living with your parents, then you ought to be able to have a family insurance policy and be on it. So those were not problems.

I had a doctor friend back in east Texas who said I was a purist. I like him. He is a great guy. He apparently was a great surgeon. But I realized that, in his letter, he was speaking from a great deal of ignorance as he continued to point out things that simply weren't true, unless a purist is someone who says: Okay. Okay. I will vote for the bill, but you have got to give us something in the way of amendments to this bill that will help my constituents bring down the price.

Now, see, to me, that is not a purist because we were all willing to compromise in the Freedom Caucus. Actually, in communicating with President Trump two different times, we thought we had an agreement. Then we would hear back from our leadership: No. No. You can't do that. Either there is a problem with the Parliamentarian and it puts the whole bill at risk, or, gee, you are going to lose votes from some other group.

But I still believe, as I did then, if we would get the intermediaries out of the way, that Republicans can come together, Tuesday, more moderate group, Freedom Caucus. We can get people together like we did 3 years ago in July. We can get together and work out a compromise.

Now, to me, someone who agrees twice to a compromise that really bothers them is not the purist that I would expect, but then again, I guess it depends on your own personhood as to what you think is pure and what you think is not.

So, anyway, I appreciate very much, Mr. Speaker, the former Speaker, Newt Gingrich, pointing out yesterday that it is a good thing that this bill did not pass on Friday because we know, as Speaker Gingrich pointed out, in 1994, Democrats lost the majority in this room because they tried to push through HillaryCare. We know that in 2010, Democrats lost the majority in this room because they had pushed through ObamaCare against the majority will of the American people.

As former Speaker Gingrich pointed out, if we had rammed through this bill and, for example, people didn't see premiums come down before the next election, we would justifiably lose the majority in this House, and there are some good people that are serving here that should not be defeated. They are doing the best they can.

But we can do better than where the bill stood on Friday, and I am very grateful to Speaker RYAN, to leader MCCARTHY, our whip, for working so hard today, reaching out, seeing them all over the place trying to work, talking with different ones of us. It is really encouraging, and I would hope, in

the future, that we will start those things, we will—yes, we appreciate all the listening sessions, but then, as happened too often under Speaker Boehner, somebody, we don't even know who—there were a couple of things that made me wonder: Who wrote this? Is this the insurance lobby? Where did this come from?

But bring the bill out and let us see it instead of telling every Republican: It is going to go through committee; and Democrats are going to have a million amendments and we have got to vote down every one of them; we don't want any Republican amendments; we are going to take it like it is.

Well, see, to some of us, that is not really regular order. Regular order is a chance to have amendments, and especially from people in the majority who see real problems with the bill.

So we can do that, and I look forward to doing that. And since we knew the Senate wasn't going to take it up until May sometime anyway, we have got time to do that.

Mr. Speaker, I hope you felt the same as I did hearing all across our Conference, people saying, look, this is important enough. We are going to have time where we go back to our districts between now and the middle of May when the Senate might take this bill up.

Let's make sure we don't go on recess, go back to our districts to have people scream at us because we hadn't passed something. Let's stay here, and let's get it done like we did 3 years ago on the border security bill.

But we have got a lot of work to do. There are serious problems with the bill. But we also now know, despite what some have represented, that, gee, we can't know what the Parliamentarians would say or recommend. It is great to know that the Parliamentarian in the Senate, actually, Assistant Parliamentarians work a great deal like our splendid Parliamentarian here.

If you are getting ready to file a bill or if you are thinking about an amendment, you can actually go to any one of our Parliamentarian or assistants, show them the language. They can't give an obligatory ruling, and they generally tell us when they advise us: This is what I think, how the rule would apply there, and you may want to tweak this or that.

They always have the caveat: But remember, I am the Parliamentarian. I don't rule on anything. All I would do, if I am allowed, or it is requested, I will whisper in the ear of the presiding—which, in the Senate, hopefully, would be Vice President PENCE.

And, gee, the Byrd Rule is not that complicated. When you are under reconciliation, it needs to be about the budget. So, if anything that is amended or added to or part of the bill will materially affect the budget, it survives the Byrd Rule and it stays in. That is it.

The word in the Byrd Rule is ''incidental.'' It can't be just incidental or have an incidental effect on the budget. It has got to have a material effect; otherwise, it is considered extraneous.

Well, I would hope, knowing my friend, a former Member of the House here, former Conference chair, now Vice President, I would hope and certainly imagine if our friend, the Vice President, is in the presiding officer's chair in the Senate and a Democratic Senator stands up and says, ''I make a point of order because I believe this violates the Byrd Rule, where the House inserted a provision, you have to show that you are you lawfully in the U.S. in order to get the tax credit,'' well, there may be people that are so used to massive numbers here in Washington that they would say, well, those millions or tens or hundreds of millions, that may not be material, that may be only incidental.

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I hope my friend, my Vice President, would understand that, to Americans, the kind of money we would be talking about is hard-earned and it is material to the budget. So what happens if the Vice President then rules—who is the President of the Senate—well, your point of order is overruled, it is not appropriate, it doesn't violate the Byrd rule. Well, then that same Democrat or another could jump up and say: I appeal the ruling of the char.

Then what happens?

Normally, a Republican would stand and move to table the appeal of the ruling of the Chair. And then there are far more than enough Republicans to vote to table the appeal of the ruling of the Chair, which means the ruling stands, nothing is fatal, and we get closer to a repeal of ObamaCare. Even more important than that, we get closer to giving our constituents the help they really need.

So it has been a long few weeks. It was a very long conference, but I am encouraged, Mr. Speaker. I hope that Americans end up encouraged. I am glad the bill didn't pass on Friday just as I was 3 years ago when the original de facto amnesty bill that Speaker Boehner tried to shove through. I think we can get to a good bill. I am looking forward to seeing that happen and working with my friends here to get it done.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MARINO (at the request of Mr. MCCARTHY) for today and the balance of the week on account of a death in the family.

Mr. RUSH (at the request of Ms. PELOSI) for March 27 through March 30 on account of a death in the family.

SENATE JOINT RESOLUTIONS REFERRED

Joint resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S.J. Res. 30. Joint Resolution providing for the reappointment of Steve Case as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

S.J. Res. 35. Joint Resolution providing for the appointment of Michael Govan as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

S.J. Res. 36. Joint Resolution providing for the appointment of Roger W. Ferguson as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 47 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, March 29, 2017, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

918. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Missouri's Air Quality Implementation Plans; Open Burning Requirements [EPA-R07-OAR-2016-0470; FRL-9958-72-Region 7] received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

919. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — State of Iowa; Approval and Promulgation of the Title V Operating Permits Program, the State Implementation Plan, and 112(1) Plan [EPA-R07-OAR-2016-0453; FRL 9957-84-Region 7] received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

920. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

921. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the annual report pursuant to Sec. 2(9) of the Senate's Resolution of Advice and Consent to the Treaty with the United Kingdom Concerning Defense Trade Cooperation (Treaty Doc. 110-07); to the Committee on Foreign Affairs.

922. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the annual report pursuant to Sec. 2(8) of the Senate's Resolution of Advice and Consent to the Treaty with Australia Concerning Defense Trade Cooperation (Treaty Doc. 110-10); to the Committee on Foreign Affairs.

923. A letter from the General Counsel, Government Accountability Office, transmitting the Office's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public

Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

924. A letter from the Secretary and Chief Administrative Officer, Postal Regulatory Commission, transmitting the Commission's FY 2016 No FEAR Act report, pursuant to 5 U.S.C. 2301 note; Public Law 107-174, 203(a) (as amended by Public Law 109-435, Sec. 604(f)); (120 Stat. 3242); to the Committee on Oversight and Government Reform.

925. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Cooper River Bridge Run, Cooper River and Town Creek Reaches, Charleston, SC [Docket No.: USCG-2017-0021] (RIN: 1625-AA-08) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

926. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone: Eastport Breakwater Terminal, Eastport, Maine [USCG-2014-1037] (RIN: 1625-AA00) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

927. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Anchorage Regulations: Special Anchorage Areas; Marina del Rey Harbor, Marina del Rey, CA [Docket No.: USCG-2014-0142] (RIN: 1625-AA01) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

928. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; James River, Newport News, VA [Docket No.: USCG-2017-0051] (RIN: 1625-AA00) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

929. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone, TICO Warbird Air Show; Indian River, Titusville, FL [Docket No.: USCG-2017-0130] (RIN: 1625-AA00) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

930. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Areas; Escorted Submarines Sector Jacksonville Captain of the Port Zone [Docket No.: USCG-2016-0032] (RIN: 1625-AA11) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

931. A letter from the Office Program Manager, Office of Regulations Policy and Management, Office of the Secretary (00REG), Department of Veterans Affairs, transmitting the Department's final rule — Release of VA Records Relating to HIV (RIN: 2900-AP73) received March 24, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. NEWHOUSE. Committee on Rules. House Resolution 233. Resolution providing for consideration of the bill (H.R. 1431) to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes; (Rept. 115–64). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. JOHNSON of Georgia (for himself, Ms. SPEIER, Mr. DAVID SCOTT of Georgia, Ms. KELLY of Illinois, Mr. BEYER, Mr. RASKIN, Ms. NORTON, Mr. HASTINGS, Mr. CONNOLLY, and Mr. LEWIS of Georgia):

H.R. 1746. A bill to prohibit certain individuals from possessing a firearm in an airport, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE (for himself and Mr. TONKO):

H.R. 1747. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to reauthorize and improve the Brownfields revitalization program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCOTT of Virginia (for himself, Ms. ADAMS, Ms. BASS, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Mr. BROWN of Maryland, Ms. BROWNLEY of California, Ms. JUDY CHU of California, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLAY, Mr. CORREA, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DESAULNIER, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. JAYAPAL, Mr. JEFFRIES, Ms. KELLY of Illinois, Mr. KIHUEN, Mr. LANGEVIN, Mrs. LAWRENCE, Mr. LAWSON of Florida, Ms. LEE, Ms. MOORE, Mrs. NAPOLITANO, Mr. NOLAN, Mr. NORCROSS, Ms. NORTON, Mr. PAYNE, Mr. POLIS, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Mr. SABLAN, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. DAVID SCOTT of Georgia, Mr. SERRANO, Ms. SEWELL of Alabama, Ms. SHEA-PORTER, Mr. TAKANO, Mrs. TORRES, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, Mr. MEEKS, Mr. SWALWELL of California, and Ms. BLUNT ROCHESTER):

H.R. 1748. A bill to provide at-risk and disconnected youth with subsidized summer and year-round employment and to assist local community partnerships in improving high school graduation and youth employment rates, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BILIRAKIS:

H.R. 1749. A bill to direct the Secretary of Veterans Affairs to establish a pilot program for the provision of dental care to certain veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. YOUNG of Iowa (for himself, Mr. LOEBSACK, Mr. KING of Iowa, Mr. PETERSON, Mr. BLUM, and Mr. LAHOOD):

H.R. 1750. A bill to amend the Internal Revenue Code of 1986 to expand certain exceptions to the private activity bond rules for first-time farmers, and for other purposes; to the Committee on Ways and Means.

By Mr. MOONEY of West Virginia:

H.R. 1751. A bill to impose sanctions in response to cyber intrusions by the Government of the Russian Federation and other aggressive activities of the Russian Federation, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, Financial Services, Oversight and Government Reform, Armed Services, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRAT (for himself and Mr. GAETZ):

H.R. 1752. A bill to prohibit mandatory or compulsory checkoff programs; to the Committee on Agriculture.

By Mr. BRAT (for himself and Ms. TITUS):

H.R. 1753. A bill to prohibit certain practices relating to certain commodity promotion programs, to require greater transparency by those programs, and for other purposes; to the Committee on Agriculture.

By Mr. LATTA (for himself and Mr. OLSON):

H.R. 1754. A bill to amend the Federal Trade Commission Act to clarify the scope of the exception for common carriers; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUMENAUER:

H.R. 1755. A bill to amend the Internal Revenue Code of 1986 to clarify that products derived from tar sands are crude oil for purposes of the Federal excise tax on petroleum, and for other purposes; to the Committee on Ways and Means.

By Mrs. COMSTOCK (for herself, Mr. WITTMAN, and Mr. GRIFFITH):

H.R. 1756. A bill to require the Secretary of the Interior to conduct offshore oil and gas Lease Sale 220 as soon as practicable, and for other purposes; to the Committee on Natural Resources.

By Mr. DANNY K. DAVIS of Illinois (for himself, Ms. KELLY of Illinois, and Mrs. BUSTOS):

H.R. 1757. A bill to address the psychological, developmental, social, and emotional needs of children, youth, and families who have experienced trauma, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESTY (for herself, Mr. KATKO, Mr. DEFAZIO, and Mrs. NAPOLITANO):

H.R. 1758. A bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to brownfield remediation grants, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA (for himself, Ms. LEE, Mr. CONNOLLY, Mr. LANGEVIN, Mr. JOHNSON of Georgia, Mr. TED LIEU of California, Mr. QUIGLEY, Mr. MEEKS, Ms. SCHAKOWSKY, Ms. MCSALLY, Mr. MCGOVERN, Ms. CASTOR of Florida, Mr. COSTELLO of Pennsylvania, Mr. COHEN, and Mr. BLUMENAUER):

H.R. 1759. A bill to amend the Animal Welfare Act to restrict the use of exotic and wild animals in traveling performances; to the Committee on Agriculture.

By Mr. GROTHMAN:

H.R. 1760. A bill to amend the Food and Nutrition Act of 2008 to eliminate the authority of the Secretary of Agriculture to grant a waiver from the work requirements for participation in the supplemental nutrition assistance program on account of an area's high unemployment rate or limited employment availability for individuals who reside in the area; to the Committee on Agriculture.

By Mr. JOHNSON of Louisiana:

H.R. 1761. A bill to amend title 18, United States Code, to criminalize the knowing consent of the visual depiction, or live transmission, of a minor engaged in sexually explicit conduct, and for other purposes; to the Committee on the Judiciary.

By Mr. KENNEDY (for himself, Ms. GABBARD, Mr. YOUNG of Alaska, Mrs. MCMORRIS RODGERS, Mrs. BROOKS of Indiana, Ms. KUSTER of New Hampshire, Mr. MEEHAN, Ms. CLARK of Massachusetts, Mr. COHEN, Mr. SWALWELL of California, Ms. TSONGAS, Mr. JOYCE of Ohio, and Ms. SPEIER):

H.R. 1762. A bill to promote pro bono legal services as a critical way in which to empower survivors of domestic violence; to the Committee on the Judiciary.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 1763. A bill to direct the Attorney General to carry out a pilot program to provide grants to eligible entities to divert individuals with low-level drug offenses to prebooking diversion programs, and for other purposes; to the Committee on the Judiciary.

By Mr. MESSER:

H.R. 1764. A bill to amend the Internal Revenue Code of 1986 to exclude room and board costs and certain research expenses from gross income of certain students; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 1765. A bill to provide that the authority to grant clemency for offenses against the District of Columbia shall be exercised in accordance with law enacted by the District of Columbia; to the Committee on Oversight and Government Reform.

By Mr. ROE of Tennessee (for himself and Mrs. BLACKBURN):

H.R. 1766. A bill to prohibit conditioning health care provider licensure on participation in a health plan or the meaningful use of electronic health records; to the Committee on Energy and Commerce.

By Mr. RUSSELL:

H.R. 1767. A bill to amend the Higher Education Act of 1965 to discontinue certain administrative cost allowances, and for other purposes; to the Committee on Education and the Workforce.

By Mr. RUSSELL:

H.R. 1768. A bill to provide that no additional Federal funds may be made available for National Heritage Areas, and for other purposes; to the Committee on Natural Resources.

By Mr. VALADAO:

H.R. 1769. A bill to affirm an agreement between the United States and Westlands Water District dated September 15, 2015, and for other purposes; to the Committee on Natural Resources.

By Mrs. COMSTOCK (for herself, Mr. BEYER, Mr. CONNOLLY, Mr. BROWN of Maryland, Mr. DELANEY, Ms. NORTON, Mr. RASKIN, and Mr. HOYER):

H.J. Res. 92. A joint resolution granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to amend the Washington Area Transit Regulation Compact; to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. JOHNSON of Georgia:

H.R. 1746.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 (Clauses 1, 3, and 18), which grants Congress the power to provide for the common Defense and general Welfare of the United States; to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; and to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.

By Mr. PALLONE:

H.R. 1747.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. SCOTT of Virginia:

H.R. 1748.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. BILIRAKIS:

H.R. 1749.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States and Article I, Section 8, Clause 7 of the Constitution of the United States.

Article I, section 8 of the United State Constitution, which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and provide for organizing, arming, and disciplining the militia.

By Mr. YOUNG of Iowa:

H.R. 1750.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. MOONEY of West Virginia:

H.R. 1751.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying the execution of the foregoing powers, and all powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. BRAT:

H.R. 1752.

Congress has the power to enact this legislation pursuant to thefollowing:

''This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 18 of the United States Constitution.''

By Mr. BRAT:

H.R. 1753.

Congress has the power to enact this legislation pursuant to the following:

''This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 18 of the United States Constitution.''

By Mr. LATTA:

H.R. 1754.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. BLUMENAUER:

H.R. 1755.

Congress has the power to enact this legislation pursuant to the following:

The Constitution of the United States provides clear authority for Congress to pass tax legislation. Article I of the Constitution, in detailing Congressional authority, provides that ''Congress shall have Power to lay and collect Taxes . . .'' (Section 8, Clause 1). This legislation is introduced pursuant to that grant of authority.

By Mrs. COMSTOCK:

H.R. 1756.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the U.S. Constitution: ''The Congress shall have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.''

By Mr. DANNY K. DAVIS of Illinois:

H.R. 1757.

Congress has the power to enact this legislation pursuant to the following:

Article 1 of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Ms. ESTY:

H.R. 1758.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of Section 8 of Article I of the Constitution

By Mr. GRIJALVA:

H.R. 1759.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. GROTHMAN:

H.R. 1760.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States. [Page H5913]

By Mr. JOHNSON of Louisiana:
H.R. 1761.
Congress has the power to enact this legislation pursuant to the following:
Aticle I, Section 8.
By Mr. KENNEDY:
H.R. 1762.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8
By Mr. SEAN PATRICK MALONEY of New York:
H.R. 1763.
Congress has the power to enact this legislation pursuant to the following:
Art. I, Sec. 8
By Mr. MESSER:
H.R. 1764.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the Constitution
By Ms. NORTON:
H.R. 1765.
Congress has the power to enact this legislation pursuant to the following:
clause 17 of section 8 of article I of the Constitution.
By Mr. ROE of Tennessee:
H.R. 1766.
Congress has the power to enact this legislation pursuant to the following:
Consistent with the original understanding of the Commerce Clause, the authority to enact this legislation is found within Clause 3 of Section 8, Article 1 of the U.S. Constitution. Furthermore, the treatment of Medicaid among other provisions provide for the general welfare of the Unites States and thereby retain authority within Clause 1 of Section 8, Article of the U.S. Constitution.
By Mr. RUSSELL:
H.R. 1767.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3
By Mr. RUSSELL:
H.R. 1768.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 3
By Mr. VALADAO:
H.R. 1769.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 18 of the Constitution of the United States.
By Mrs. COMSTOCK:
H.J. Res. 92.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 10, Clause 3: ''No State shall, without the Consent of Congress . . . enter into any Agreement or Compact with another State . . .''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 24: Mr. GROTHMAN, Mr. FITZPATRICK, Mr. SCHRADER, Mr. BACON, and Mr. MEADOWS.
H.R. 38: Mrs. ROBY, Mr. NUNES, and Mr. BARTON.
H.R. 250: Mr. BABIN, Mr. GARRETT, and Mr. SMITH of Texas.
H.R. 282: Mr. FRANKS of Arizona, Mr. JONES, Mr. CALVERT, Mr. WEBSTER of Florida, and Mr. FASO.
H.R. 352: Mr. POE of Texas.
H.R. 367: Mr. PEARCE and Mrs. ROBY.
H.R. 371: Mr. LARSON of Connecticut.
H.R. 390: Mr. GOHMERT.
H.R. 392: Mr. JOHNSON of Ohio, Ms. BLUNT ROCHESTER, and Ms. DELBENE.
H.R. 477: Mr. LUCAS.
H.R. 479: Mr. WILSON of South Carolina.
H.R. 490: Mr. WILSON of South Carolina.
H.R. 510: Mr. FITZPATRICK.
H.R. 530: Mr. LANGEVIN.
H.R. 548: Mr. TIPTON.
H.R. 564: Mr. MOOLENAAR.
H.R. 565: Mr. GOHMERT.
H.R. 579: Mr. EVANS.
H.R. 620: Mr. FOSTER and Mr. DENHAM.
H.R. 671: Mr. MCEACHIN and Mr. GALLEGO.
H.R. 672: Mr. ROYCE of California, Mr. DONOVAN, Mr. SHERMAN, Mr. POE of Texas, Mr. SIRES, and Mr. CICILLINE.
H.R. 676: Ms. VELÁZQUEZ and Mr. PAYNE.
H.R. 723: Mr. CARTWRIGHT.
H.R. 747: Mr. ROYCE of California and Mr. LAMALFA.
H.R. 754: Mr. COOK.
H.R. 807: Mr. ROTHFUS and Mr. NOLAN.
H.R. 816: Mr. DESAULNIER.
H.R. 822: Mr. MOULTON.
H.R. 846: Mr. VARGAS and Mr. GUTHRIE.
H.R. 849: Mr. OLSON, Mr. KELLY of Pennsylvania, Mr. STEWART, Mr. WEBSTER of Florida, Mr. MULLIN, Mr. MESSER, Mr. LARSON of Connecticut, Mr. TED LIEU of California, Mr. GROTHMAN, Mr. TIPTON, Mr. LAMBORN, Mr. FARENTHOLD, Mr. DIAZ-BALART, Mr. COLE, and Mr. HARRIS.
H.R. 873: Ms. GABBARD and Mr. WITTMAN.
H.R. 879: Mr. ROUZER.
H.R. 909: Mr. CORREA, Mr. CRIST, Mrs. BEATTY, and Ms. ROSEN.
H.R. 964: Mr. CONNOLLY.
H.R. 973: Ms. MCSALLY.
H.R. 1027: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 1038: Mr. FORTENBERRY.
H.R. 1116: Mr. EMMER
H.R. 1148: Mr. RUPPERSBERGER.
H.R. 1150: Mr. RENACCI, Mr. BARR, Mr. BOST, Mr. CALVERT, Mrs. BLACKBURN, Mr. BROOKS of Alabama, Mr. LONG, Mr. COLE, Mr. BYRNE, and Mr. VALADAO.
H.R. 1155: Mr. DEFAZIO and Mr. POCAN.
H.R. 1160: Mr. DELANEY.
H.R. 1172: Mr. HUFFMAN, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. PINGREE, and Mr. NOLAN.
H.R. 1180: Mr. BYRNE.
H.R. 1203: Mr. EMMER.
H.R. 1222: Mr. ABRAHAM, Mr. SWALWELL of California, Mr. LOEBSACK, Mr. BOST, Mr. SOTO, Mr. POCAN, Mrs. MCMORRIS RODGERS, Mrs. MURPHY of Florida, Mr. WEBSTER of Florida, Mr. MULLIN, Mr. EVANS, Mr. STIVERS, Mr. GUTHRIE, Mr. CONNOLLY, and Ms. NORTON.
H.R. 1235: Mr. PASCRELL and Mr. TED LIEU of California.
H.R. 1264: Mr. CULBERSON, Mr. BABIN, and Mr. POE of Texas.
H.R. 1267: Mr. CARTER of Georgia, Mr. CURBELO of Florida, and Mr. KEATING.
H.R. 1303: Mr. PALLONE and Mr. MCGOVERN.
H.R. 1318: Ms. ESTY and Mr. THOMPSON of California.
H.R. 1334: Mr. ALLEN.
H.R. 1346: Ms. FRANKEL of Florida and Mr. YOUNG of Alaska.
H.R. 1358: Mr. COHEN.
H.R. 1393: Mr. YARMUTH.
H.R. 1405: Mr. PALLONE and Mr. POLIS.
H.R. 1406: Mr. MEEHAN, Mr. SWALWELL of California, Mr. CHABOT, and Mr. GAETZ.
H.R. 1421: Ms. DEGETTE.
H.R. 1444: Mr. PERLMUTTER and Mr. SMUCKER.
H.R. 1452: Ms. BONAMICI and Mr. DESAULNIER.
H.R. 1466: Mr. PERLMUTTER.
H.R. 1485: Ms. TENNEY and Mr. COOK.
H.R. 1494: Mr. CUELLAR, Mr. PAULSEN, Mr. COLE, Mr. NOLAN, Mr. HURD, Mr. CUMMINGS, Mr. VISCLOSKY, Mr. POCAN, Mr. JOHNSON of Ohio, Ms. JUDY CHU of California, and Mr. RUIZ.
H.R. 1515: Mr. TAKANO, Mr. BLUMENAUER, and Ms. SINEMA.
H.R. 1516: Mr. YARMUTH and Mr. CONYERS.
H.R. 1528: Mr. POLIS.
H.R. 1552: Mr. ALLEN, Mr. GOSAR, Mr. KELLY of Mississippi, Mrs. MIMI WALTERS of California, and Mr. ISSA.
H.R. 1582: Mr. PETERS, Mr. LYNCH, and Mr. MOOLENAAR.
H.R. 1588: Mr. COHEN.
H.R. 1589: Mr. LARSON of Connecticut.
H.R. 1609: Miss RICE of New York.
H.R. 1614: Mr. KHANNA, Mr. DESAULNIER, and Ms. SEWELL of Alabama.
H.R. 1626: Mr. PETERSON.
H.R. 1644: Ms. ROS-LEHTINEN, Mr. COOK, Ms. GABBARD, and Mr. WILSON of South Carolina.
H.R. 1665: Mr. KINZINGER, Mr. BOST, Mr. SHIMKUS, and Mr. LAHOOD.
H.R. 1676: Ms. DELBENE, Mr. HECK, and Ms. MCCOLLUM.
H.R. 1678: Mr. MAST.
H.R. 1694: Mr. SESSIONS.
H.R. 1695: Mr. SCHNEIDER.
H.R. 1697: Mr. FARENTHOLD, Mrs. BEATTY, Mr. ROYCE of California, Mr. DUNCAN of South Carolina, Mr. YODER, Mr. CHAFFETZ, Mr. MARCHANT, Ms. WASSERMAN SCHULTZ, Mr. BARR, Mr. STEWART, Mr. SCHNEIDER, Mr. FITZPATRICK, Mr. KINZINGER, Mr. WEBSTER of Florida, Mr. MURPHY of Pennsylvania, Miss RICE of New York, Mr. COOK, Ms. SINEMA, Mr. HIGGINS of New York, Ms. ROSEN, Mr. PETERSON, Mr. NEAL, Mr. HOLDING, Mr. SMITH of New Jersey, Mr. GIBBS, and Mrs. NAPOLITANO.
H.R. 1698: Mr. CICILLINE, Mr. STIVERS, Mrs. DAVIS of California, Mr. RENACCI, Mr. COHEN, Ms. SINEMA, Ms. WASSERMAN SCHULTZ, Mr. CARTWRIGHT, Mr. YOUNG of Iowa, Mrs. WATSON COLEMAN, Ms. FRANKEL of Florida, Mr. FARENTHOLD, Mr. KEATING, Mr. GARRETT, Mr. DUNCAN of South Carolina, Mr. ROSKAM, Mr. YODER, Mr. DELANEY, Mr. POE of Texas, Mr. CHAFFETZ, Ms. MATSUI, Mr. MARCHANT, Mr. BARR, Mr. SMITH of New Jersey, Mr. KINZINGER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CONNOLLY, Mr. WEBSTER of Florida, Mr. MURPHY of Pennsylvania, Miss RICE of New York, Mr. KELLY of Pennsylvania, Mr. COOK, Mr. HIGGINS of New York, Mr. PETERSON, Ms. KELLY of Illinois, Mr. NEAL, Mr. WALKER, Ms. JENKINS of Kansas, Mr. LAMBORN, Mr. FITZPATRICK, Mr. CRAWFORD, Mr. STEWART, Mr. GIBBS, Mr. GAETZ, and Mrs. NAPOLITANO.
H.R. 1702: Mr. BLUM.
H.R. 1711: Mr. PALLONE, Ms. JAYAPAL, Mrs. WATSON COLEMAN, Mr. NADLER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CLAY, Mr. POCAN, Ms. KAPTUR, Ms. SCHAKOWSKY, Mr. MCEACHIN, Mr. JEFFRIES, Mr. HIGGINS of New York, Mr. MCGOVERN, and Mr. FOSTER.
H.R. 1724: Mr. EVANS.
H.R. 1737: Mr. SMITH of Texas and Mr. HENSARLING.
H.R. 1739: Mr. POLIS, Mr. GRIJALVA, and Mr. BRADY of Pennsylvania.
H.J. Res. 53: Mr. KRISHNAMOORTHI and Ms. GABBARD.
H.J. Res. 59: Mr. LOUDERMILK.
H.J. Res. 73: Mr. GALLAGHER, Mr. COLLINS of Georgia, and Mr. WALKER.
H. Con. Res. 38: Mr. HUFFMAN.
H. Con. Res. 40: Mr. HIGGINS of Louisiana.
H. Res. 28: Mrs. DEMINGS, Mr. HECK, Mr. PAYNE, Mr. YODER, and Mr. GENE GREEN of Texas.
H. Res. 30: Mr. HUDSON, Ms. LOFGREN, and Mr. BRADY of Pennsylvania.
H. Res. 90: Mr. GUTIÉRREZ.
H. Res. 92: Mr. POE of Texas and Mr. KINZINGER.
H. Res. 121: Mr. GUTHRIE.
H. Res. 135: Mr. BILIRAKIS.
H. Res. 137: Mr. SHERMAN.
H. Res. 145: Mr. CICILLINE and Mr. SHERMAN.

H. Res. 148: Ms. LOFGREN.

H. Res. 163: Mr. EVANS.

H. Res. 184: Mrs. DINGELL, Mr. LEVIN, Mr. CRIST, Mr. NORCROSS, Mr. LOEBSACK, Ms. HANABUSA, and Mrs. DEMINGS.

H. Res. 186: Mrs. TORRES, Ms. VELÁZQUEZ, Mr. CARSON of Indiana, Mr. KILDEE, Ms. LOFGREN, Mr. EVANS, and Mr. CARBAJAL.

H. Res. 187: Mr. WALZ, Mr. CHABOT, Mr. ENGEL, Mr. CONNOLLY, and Mr. BERA.

H. Res. 203: Mr. TED LIEU of California, Mr. CICILLINE, and Mr. COHEN.

H. Res. 206: Mr. EVANS.

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PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

Vol. 163 WASHINGTON, TUESDAY, MARCH 28, 2017 *No. 54*

Senate

The Senate met at 10 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.

O God, our shield, look with favor upon our Senators today. Guide them around the obstacles that hinder their progress, uniting them for the common good of this great land.

Lord, free them from anxiety and fear as they put their trust in You. Enable them to go from strength to strength, fulfilling Your purpose for their lives in this generation. Guide them to use their abilities and talents to accomplish Your holy will. As they strive to please You, help them to stand for right and leave the consequences to You.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. SASSE). The majority leader is recognized.

ENERGY REGULATORY POLICY

Mr. MCCONNELL. Mr. President, throughout my career in the Senate, I have worked hard to defend coal communities and the jobs they and so many across the country depend on. These men and women have dedicated their lives to providing an affordable and reliable power source for our homes, businesses, and communities. They deserve our respect and our support.

The same is true of America's middle class, more broadly. Middle-class families had a hard enough time over the past 8 years without Washington making things worse. I think they deserve respect and support, not fewer jobs and unaffordable energy bills.

Unfortunately, the previous administration didn't see things the same way. Instead, the Obama administration launched energy attack after energy attack on Kentucky and America's middle class, threatening critical jobs and making coal more costly to mine and use.

Indeed, a couple years ago, then-President Obama finalized a massive regressive energy regulatory scheme that claimed to be about helping the climate but actually would have done little to truly impact global emissions. What it would have done is punish coal families, ship middle-class jobs overseas, and hurt the economy. It was also likely illegal. So I sent a letter counseling Governors to wait for the courts to rule on the legality of the regulation before submitting a compliance plan. It was not a popular move at the time, but it turns out that it was the right one. I am glad that nearly half of our Nation's Governors agreed with my advice to take a wait-and-see approach before needlessly putting their States in economic jeopardy.

I am proud to report that we will notch an important victory in this struggle later today. I commend President Trump for the decision to sign the energy independence Executive order and send several anti-middle-class regulations back to the drawing board. From the outset, I warned that regulations like these would hurt coal workers and America's middle class. One report predicted that more than 40 States could have seen double-digit electricity rate hikes as a result of the Clean Power Plan energy regulatory plan. We all know that low- and fixed-income families would have suffered the most. And for what? For a regulation that hardly would have moved the needle on climate anyway.

Talking about bad policy, it is important to remember how we got here. President Obama came into office with huge majorities in both Houses of Congress. He could have done virtually anything he wanted, and he certainly tried. He pushed through one left-wing policy after another. He even tried to push through a regressive, anti-middle-class energy regulatory plan—one so extreme that he couldn't even get his own Democrat-controlled Congress to go along with it. Undeterred, he went around Congress and imposed a similarly regressive energy scheme anyway.

It was evident that the Obama administration had overstepped its authority. That is why I sent the letter I mentioned earlier to the Nation's Governors, urging them not to comply with the CPP's demands but instead to take a wait-and-see approach before putting their States in economic jeopardy.

Because of the legal uncertainty of President Obama's plan, 27 States joined the fight in Federal court. In February 2016, the Supreme Court issued an unprecedented nationwide halt on this regulation—a nationwide halt. Despite the Court's order, the damage of President Obama's war on coal has already negatively impacted middle-class families across the country and coal communities in Kentucky. When plants shut down and miners lose their jobs, the entire community feels the pain. With less tax revenue, local governments are unable to pay teachers and first responders. These hardships often lead to a rise in crime and drug abuse that troubles these communities. Moreover, the Obama administration's massive regulatory burdens were imposed during a period when production and supply of natural gas had

been high and its costs relatively low—a devastating one-two punch to families already struggling to make it.

To make matters worse, President Obama didn't stop with the CPP. He also sought to impose similar limitations on any new plants in an attempt to prevent them from being built at all. It is an equally concerning regulation and one that would have further devastated coal communities. I am glad President Trump will include it in his Executive order today.

Coal communities face enough challenges without Washington piling on more with these unfortunate attacks. Fortunately, we have a President who will work with us to provide much needed relief.

Today's Executive order is good news for coal communities. It is a victory for middle-class families and another important step away from the overregulation of the Obama years.

We all want clean air and clean water, but that is not what President Obama's energy regulatory policies were actually about. It was an ideological vanity project. It wouldn't have even solved the problem it purported to address.

Now, fortunately, the EPA will have the opportunity to go back to the drawing board and get this right with balanced and serious policies. The EPA should work with stakeholders across the country to develop sensible policies that balance the economic needs of our communities with the realities of our environment. This way we can protect America's middle class, America's miners, and America's natural resources all at once.

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. 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 Democratic leader is recognized.

NOMINATION OF NEIL GORSUCH

Mr. SCHUMER. Mr. President, first I will speak on the Supreme Court. Last Thursday, I announced my opposition to Judge Neil Gorsuch and endeavored to explain why, on the merits, I don't believe he deserves to be elevated to a lifetime appointment on the Supreme Court.

I listen to my friend, the distinguished majority leader, each morning. Since the beginning of this Congress, he has chalked up every Democratic request or objection in this body to ''sour grapes,'' to some leftover resentment from the election. It is just not true, but he keeps trying. Now he is trying the same strategy with Judge Gorsuch. He repeatedly cites a quote by a friend of the judge's who, of course, said ''there is no principled reason'' to oppose this nomination, so it must be politics, the majority leader concludes. I respectfully but wholeheartedly disagree with the majority leader on this point.

There are several principled reasons to oppose Judge Gorsuch's nomination.

First, Judge Gorsuch was unable to sufficiently convince me that he would be an independent check on a President who has shown almost no restraint from Executive overreach. He asserted independence but could not point to a single thing in his record to guarantee it.

He refused to publicly condemn what the President did when he went after the three-judge panel on the Ninth Circuit. He had a case before them, and the President said: If they don't decide my way, they will be guilty of terrorism. I have never seen anything like that in all my years of politics. Judge Gorsuch refused to publicly condemn. He said privately to different people that he was disheartened. When President Trump said: He didn't mean me, Judge Gorsuch shrugged his shoulders, going along with what the President said.

Second, he was unable to convince me that he would be a mainstream Justice who could rule free from the biases of politics and ideology. His career, his early writings, and his judicial record suggest not a neutral legal mind but instead someone with a deep-seated conservative ideology. He was championed by the Federalist Society and the Heritage Foundation and has not shown 1 inch of difference between his views and theirs. I would ask my colleagues this question: Are all these groups who are spending dark, secret, undisclosed money to support his nomination doing so because they just want a Justice on the Court who will ''call balls and strikes''? I doubt it. Some here may agree with the Heritage Foundation, but they are not a mainstream organization. They are on the far right. That is their right to be. But their advocacy of Judge Gorsuch suggests he is not a ''balls and strikes'' guy.

Finally, Judge Gorsuch is someone who almost instinctively favors the powerful over the weak and corporations over working Americans. That is what his record shows. Judge Gorsuch repeatedly sided with insurance companies that wanted to deny disability benefits to employees, and in employment discrimination cases, he sided with employers the great majority of the time.

He wrote—in dissent—that trucking company executives were right to fire truckdriver Alphonse Maddin for leaving his trailer in order to save his life. And just last week, we saw another example of how extreme Judge Gorsuch's views are when the Supreme Court unanimously rebuked his interpretation of the Individuals with Disabilities Act. In the opinion of even Justice Thomas, the educational rights Judge Gorsuch would allow to disabled students under the law amount to no education at all.

Judge Gorsuch's opportunity to disabuse us of all of those objections was in the hearing process, but he declined to substantively answer question after question. Absent a real description of his judicial philosophy, all we have to go on is his record—a record that landed Judge Gorsuch on the lists of the conservative Federalist Society and Heritage Foundation. President Trump, of course, selected Judge Gorsuch off those preapproved conservative lists, as he promised he would during his campaign.

To claim, as the majority leader does, that Judge Gorsuch is simply a neutral judge is belied by his history since his college days, his own judicial record, and the manner of his selection.

These are principled reasons to oppose Judge Gorsuch, even if people on the other side disagree with them. We need a Justice who will be an independent check on the President. We need someone who will consider fairly the plight of average citizens, not further tip the scales of justice in favor of already powerful corporations. Judge Gorsuch—his record and his performance in the hearing—did nothing to show me he could be that kind of Justice.

So when Republicans said that if Democrats won't support Judge Gorsuch, we won't support any Republican-nominated judge, that is simply not true. It may be hard for us to support anyone from a list culled by the Federalist Society and the Heritage Foundation, but we have several reasons to be concerned with Judge Gorsuch specifically.

For all the hand-wringing by my friends on the other side of the aisle that they cannot imagine Democrats voting against Judge Gorsuch, I would like to remind them that only three—three—of the current Senators on the Republican side voted for either of President Obama's confirmed nominees, and all of them went along with my friend the majority leader's unprecedented plan to refuse President Obama's third nominee, Judge Garland, even a hearing or a vote for nearly a year.

Which brings us back to the present day, where we Democrats have participated in a fair, transparent, and thorough process of advice and consent. Now that the time to decide whether to provide consent approaches, we take that responsibility seriously. A lifetime appointment on the highest Court of the land is not something to be taken lightly.

To participate in hearings and a thorough process—something we were denied—does not mean you have to be a rubberstamp. After a thorough review of Judge Gorsuch's record, many of my colleagues and I have concluded we cannot consent.

If Judge Gorsuch fails to reach 60 votes, it will not be because Democrats are being obstructionists, it will be because he failed to convince 60 Senators that he belongs on the Supreme Court.

My friend the majority leader made the decision to break 230 years of Senate precedent by holding this seat open for over a year. If the nominee cannot earn the support of 60 Senators, the answer is not to break precedent by fundamentally and permanently changing the rules and traditions of the Senate; the answer is to change the nominee. This idea that if Judge Gorsuch doesn't get 60 votes, the majority leader has to inexorably change the rules of the Senate—that idea is utter bunk.

It is the free choice of my colleagues on the other side of the aisle to pursue a change in rules if that is what they decide. And I would remind the majority leader that he doesn't come to this decision with clean hands. He blocked Merrick Garland for over a year. We wouldn't even be here if Judge Garland had been given fair consideration. That is why we are here today—not because of any Democrat.

BORDER WALL

Mr. SCHUMER. Mr. President, finally, on the wall—a place where there may be more agreement between some of us than on Judge Garland—last night we learned that the Trump administration will be seeking deep cuts to critical domestic programs in order to pay for a border wall. The administration is asking the American taxpayer to cover the cost of a wall—unneeded, ineffective, and absurdly expensive—that Mexico was supposed to pay for. He is cutting programs that are vital to the middle class in order to get that done.

They want to cut the New Starts Transportation Program and TIGER grants. These are the lifeblood of our road and tunnel and bridge building efforts. Build a wall or repair or build a bridge or tunnel or road in your community? What a choice. They want to cut off NIH funding for cancer research to pay for the wall. How many Americans would support that decision? They want to cut programs that create jobs and improve people's lives—all so the President can get his ''big, beautiful wall''—a wall that we don't need and that will be utterly ineffective. Think about that. The President wants to slow down cancer research and make the middle-class taxpayer shoulder the cost of a wall that Mexico was supposed to pay for. He wants to cut funding for roads and bridges to build a wall that Mexico was supposed to pay for.

The proposed cuts the administration sent up last night will not receive the support of very many people, I believe, in this Chamber. These cuts would be bad for the American people. They are not what the American people want, and they are completely against one of the President's core promises in his campaign. I believe they will be vigorously opposed by Members on both sides of the aisle.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

PROTOCOL TO THE NORTH ATLANTIC TREATY OF 1949 ON THE ACCESSION OF MONTENEGRO

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of Executive Calendar No. 1, the Montenegro treaty, which the clerk will state.

The senior assistant legislative clerk read as follows:

Treaty document No. 114–12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro.

Pending:

McConnell amendment No. 193, to change the enactment date.

McConnell amendment No. 194 (to amendment No. 193), of a perfecting nature.

The PRESIDING OFFICER. The majority whip.

THE PRESIDENT'S BUDGET

Mr. CORNYN. Mr. President, I came to the floor to talk about the nomination of Judge Gorsuch to serve as the next Supreme Court Justice, and I happened to walk in while the Democratic leader was speaking. In the brief time I heard him comment this morning, I concluded that basically the Democrats are against everything. They are against everything. He knows as well as anybody that when the President sends over a budget, it is a proposal by the President that Congress routinely changes, arriving at its own budget priorities, working with the White House.

NOMINATION OF NEIL GORSUCH

Mr. President, before I get too distracted by the minority leader's opposition to anything and everything, let me comment a little bit on the Gorsuch nomination.

We will meet next week, on April 3, to vote Judge Gorsuch's nomination out of the Senate Judiciary Committee, at which time his nomination will come to the floor. The world had a chance to see—and certainly all of America—during the 20 hours that Judge Gorsuch testified before the Judiciary Committee that he is a superb nominee. He is a person with a brilliant legal mind. He has an incredible educational resume and extensive experience both in the public sector—working at the Department of Justice—and in private practice and then for the last 10 years, of course, serving as a Federal judge on the Tenth Circuit Court of Appeals out of Denver.

I believe he is one of the most qualified nominees in recent history, to be sure, and you might have to go back into our early history to find somebody on par with Judge Gorsuch in terms of his qualifications for this important office. Unfortunately, in spite of this, we are seeing the minority leader threatening to filibuster this incredibly well-qualified judge. I hope other Democrats will exercise independence and do the right thing.

I was glad to see just yesterday our colleague, the former chairman of the Judiciary Committee, the senior Senator from Vermont, say that he had a different take. He was quoted in a Vermont newspaper—perhaps it is a blog—it is called VTDigger.org. Senator LEAHY, the former chairman of the Judiciary Committee, said: ''I am not inclined to filibuster.''

Just for the benefit of anybody who might be listening, let me distinguish between the use of the filibuster as opposed to voting against the nominee.

It is a fact that there has never been a successful partisan filibuster of a Supreme Court nominee in American history—never.

The only time cloture was denied on a bipartisan basis of a nominee to the Supreme Court was in 1968, when Abe Fortas was nominated by then-President Lyndon Johnson. Mr. Fortas, then serving as an Associate Justice on the Supreme Court of the United States, had a number of problems, one of which was that he was still advising President Johnson while he was a sitting member of the U.S. Supreme Court. He was basically giving political advice from the bench to the President of the United States, with whom he had a long-established relationship.

Then there was a suspicion that Earl Warren, the Chief Justice of the United States, had cut a deal with the President such that he would resign effective upon the qualifying of his successor. So there wasn't any literal vacancy to fill. The President would then nominate Abe Fortas, then an Associate Justice, and he would then nominate Homer Thornberry, then a judge on the Fifth Circuit Court of Appeals, to fill the Fortas Associate Justice slot. There were a couple of embarrassing items to Judge Fortas that caused a bipartisan denial of cloture, or the cutting off of debate, after which his nomination was withdrawn after 4 days of floor debate.

I mention all of this because sometimes people want to lead you down this rabbit trail, claiming that what they are doing is something that is well established in our history and in this precedence of the Senate when that is absolutely not true. There has never been a partisan filibuster of a Supreme Court nominee that has been successful in denying that Justice to the Supreme Court's nomination to be confirmed—never. What Democrats are threatening to do next week when

Judge Gorsuch's nomination comes to the floor is unprecedented. It has never happened before.

I am glad to hear some voices of sanity and wisdom from people like Senator LEAHY, who said he was not inclined to join in that filibuster. I also saw that our colleague from West Virginia, Senator MANCHIN, has said he will not filibuster the nominee. It is totally a separate issue as to whether they vote to confirm the nominee ultimately because, as we all know, in working here in the Senate, in order to get to that up-or-down vote, you have to get past this cloture vote, which requires 60 votes, and it has been traditional that we have not even had those cloture votes with regard to Supreme Court nominations.

As a matter of fact, there have only been four of those in our history. Two of them were with regard to William Rehnquist when nominated as Associate Justice to the Supreme Court and then when he was nominated to be Chief Justice of the Supreme Court. With Samuel Alito, there was cloture obtained. Ultimately, he won an up-or-down vote and got a majority of votes on the Senate floor. Then, of course, there was the Fortas nomination, which I mentioned earlier. In none of those four cases was there a partisan filibuster that denied an up-or-down vote to the nominee. Again, the only one that is a little of an outlier is the Fortas nomination, which was ultimately withdrawn, so the Senate did not have the opportunity to come back and revisit that initial failed cloture vote because of the ethical problems that led Judge Fortas to resign from the Supreme Court and return to private practice.

Let me talk a minute about the excuses our Democratic colleagues have given in opposing Judge Gorsuch.

First, they said they would fight a nominee who was not in the mainstream.

I believe that out of the 2,700 cases Judge Gorsuch has participated in, 97 percent of those have been affirmed on appeal—97 percent. He has only been reversed in maybe one case. I believe there was a discussion about it. There was even an argument as to whether that was an outright reversal. It is very unusual, in my experience, to see a judge who enjoys such a tremendous record of affirmance on appeal and such a very low record of reversal, particularly for an intermediate appellate court like the Tenth Circuit Court of Appeals.

After they realized this ''out of the mainstream'' argument wouldn't work, they then moved the goalpost. Some of my friends on the other side of the aisle have implied they might oppose Judge Gorsuch because of his refusal to answer questions about issues that could come before him on the Court. In doing so, the judge was doing exactly what is required by judicial ethics. In other words, how would you feel if the judge before whom you appeared had previously said ''If I get confirmed, I will never vote in favor of a litigant with this kind of case''? Judges do not do that. Judges are not politicians who run for office on a platform. In fact, judges are supposed to be the anti-politician—ruling on the law and the facts. It is not based on a personal agenda or a political agenda at all, and our colleagues know that.

This is the same rule that was embraced by Ruth Bader Ginsburg—someone whom our friends across the aisle admire on the Court. Elena Kagan did the same thing in refusing to comment or speculate, saying that it would be improper for them to prejudge these cases or to campaign, basically, for a lifetime appointment on the Supreme Court. Judge Gorsuch did the same thing as Justices Ginsburg and Kagan, and he fulfilled his ethical obligations as a sitting judge and preserved the independence of the judiciary by keeping an open mind as to cases that come before him.

When they failed to make the case that Judge Gorsuch was somehow out of the mainstream, when they failed to make the case that he somehow was being nonresponsive in his answering questions by the Judiciary Committee, the goalpost moved yet again. Last week, some suggested that Judge Gorsuch never ruled in favor of the ''little guy.'' This was following a line of arguments peddled by some outside groups who were trying to paint Judge Gorsuch as unsympathetic to the litigants who appeared in his court.

Fortunately, Judge Gorsuch set the record straight. He made clear that his motivation in each and every case is to follow the law wherever it may lead and to reach a decision based on where the law stands, not on his personal opinion or emotions. Again, a good judge does not judge the litigants but, rather, the case at hand.

I should point out, as I did with regard to the more than 2,700 cases Judge Gorsuch has decided, that virtually all of them have been affirmed, meaning that every judge on the panel, including those nominated by Democrats, reached the same conclusion that he did, and they were approved, or affirmed, by the higher court, certainly not reversed.

I think our colleagues are making a tragic mistake by denying this President his nominee for the Supreme Court of the United States. If Judge Gorsuch is not good enough for them, they will never vote to confirm any nominee from this or any other Republican President of the United States. What would happen if that view were to prevail? I think we would see the Supreme Court essentially become nonfunctional and shut down, and litigants who were hoping to get access to a hearing before the Court would have nowhere to turn. It is not acceptable.

Some of our colleagues remind me of the old story about the child who murders his parents and then comes before the court and asks for leniency, saying: I am an orphan. This is a situation of their own making.

I really regretted hearing the Democratic leader talk about a case in which somehow there was the argument that because the judge followed the precedent that then existed but that a future decision in a Supreme Court case changed that precedent—that the judge should have anticipated it and somehow failed to follow the current precedent because the Supreme Court at some later date might change that precedent. It makes absolutely no sense.

So what our colleagues are doing is basically saying that no nominee of President Trump's or any Republican nominee is going to get confirmed to the Supreme Court because it is going to require 60 votes to do so. This would be unprecedented in our Nation's history. I think it will be an abuse of the power we have in the Senate of encouraging debate, which is the cloture vote, by filibustering this outstanding nominee.

I have said it before and I will say it again: Judge Gorsuch is going to have his day on the Senate floor. We are going to have a fulsome debate. We are going to give our Democratic colleagues a chance to do the right thing and to vote at some point to cut off debate and then have an up-or-down vote to confirm the nominee, just as has happened in every single case before, with the possible exception of the Fortas nomination, which I described earlier, which was ultimately withdrawn and the judge resigned because of an ethical scandal.

I hate to see our colleagues taking us down this path, but they are determined to oppose anything and everything these days. We used to say there was a difference between campaigning and governing. Basically, they are so upset with the outcome of the election that they are continuing the political campaign now and making it impossible for us to do our work here in the Senate. It is a crying shame.

I can only hope that cooler heads will prevail and that others in the Democratic caucus will listen to Senator LEAHY and others who say they are not inclined to filibuster. Whether they decide to vote against the nominee is entirely up to them, but denying the majority in the Senate a chance to vote to confirm the nominee is simply unacceptable, and it will not stand.

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.

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

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

Ms. COLLINS. Mr. President, confirming a Supreme Court nominee is one of the Senate's most significant constitutional responsibilities. I come

to the floor today to announce that I shall cast my vote for Judge Neil Gorsuch to be a Justice of the U.S. Supreme Court. In making my decision, I evaluated Judge Gorsuch's qualifications, experience, integrity, and temperament. I questioned him for more than an hour in a meeting in my office, evaluated his record, spoke with people who know him personally, and reviewed the Judiciary Committee's extensive hearing record. While I have not agreed with every decision Judge Gorsuch has made, my conclusion is that he is eminently well qualified to serve on our Nation's highest Court.

Judge Gorsuch has sterling academic and legal credentials. In 2006, the Senate confirmed this outstanding nominee by a voice vote to his current position on the U.S. Court of Appeals. A rollcall vote was neither requested nor required.

Judge Gorsuch's ability as a legal scholar and judge has earned him the respect of members of the bar. The American Bar Association Standing Committee on the Federal Judiciary has unanimously given him its highest possible rating of ''well qualified.'' President Obama's former Acting Solicitor General testified before the Judiciary Committee in support of Judge Gorsuch, praising him as fair, decent, and committed to judicial independence.

I have also received a letter signed by 49 prominent Maine attorneys with diverse political views, urging support for Judge Gorsuch's nomination. They wrote:

> Gorsuch's judicial record demonstrates his remarkable intelligence, his keen ability to discern and resolve the central issues at dispute in a legal proceeding . . . and his dedication to the rule of law rather than personal predilections. His judicial record also confirms that he is committed to upholding the Constitution, enforcing the statutes enacted by Congress, and restraining overreach by the executive branch.

In my view, these are precisely the qualities that a Supreme Court Justice should embody.

I ask unanimous consent that this letter be printed in the RECORD following my remarks.

Our personal discussion allowed me to assess the judge's philosophy and character. I told him that it was important to me that the judiciary remain an independent check on the other two branches of government as envisioned by our Founders. Therefore, I asked him specifically whether anyone in the administration had asked him how he would rule or sought any commitment from him on any issue. He was unequivocal that no one in the administration had asked him for such promises or to prejudge any issue that could come before him. He went on to say that the day a nominee answered how he would rule on a matter before it was heard or promised to overturn a legal precedent, that would be the end of an independent judiciary.

During the Judiciary Committee hearings, when Senator LINDSEY GRAHAM asked him a similar question about whether he was asked to make commitments about particular cases or precedents, he gave the same answer. In fact, Judge Gorsuch notably said that if someone had asked for such a commitment, he would have left the room because it would never be appropriate for a judge to make such a commitment, whether asked to do so by the White House or a U.S. Senator.

Neil Gorsuch is not a judge who brings his personal views on any policy issues into the courtroom. If it can be said that Judge Gorsuch would bring a philosophy to the Supreme Court, it would be his respect for the rule of law and his belief that no one is above the law, including any President or any Senator.

I am convinced that Judge Gorsuch does not rule according to his personal views, but rather follows the facts and the law wherever they lead him, even if he is personally unhappy with the result. To paraphrase his answer to one of my questions about putting aside his personal views, he said that a judge who is happy with all of his rulings is likely not a good judge.

The reverence that Judge Gorsuch holds for the separation of powers, which is at the core of our American democracy, was also evident in our discussion. As he reiterated throughout his confirmation hearing, the duty to write the laws lies with Congress, not with the courts and not with the executive branch. Members of this body should welcome his deep respect for that fundamental principle.

Judge Gorsuch's record demonstrates that he is well within the mainstream of judicial thought. He has joined in more than 2,700 opinions, 97 percent of which were unanimously decided, and he sided with the majority 99 percent of the time.

I asked Judge Gorsuch how he approaches legal precedents. I asked him if it would be sufficient to overturn a long-established precedent if five current Justices believed that a previous decision was wrongly decided. He responded: ''Emphatically no.'' And that, to me, is the right approach. He said a good judge always starts with precedent and presumes that the precedent is correct.

During his Judiciary Committee hearing, Judge Gorsuch described precedent as ''the anchor of the law'' and ''the starting place for a judge.'' He has also coauthored a book on legal precedent with 12 other distinguished judges, for which Justice Stephen Breyer wrote the introduction.

Now, there has been considerable discussion over the course of this nomination process about the proper role of the courts in our constitutional system of government. It is also important for us to consider the roles that the executive and legislative branches play in the nomination process.

Under the Constitution, the President has wide discretion when it comes to nominations to the Supreme Court. The Senate's role is not to ask, Is this the person whom I would have chosen to sit on the bench? Rather, the Senate is charged with evaluating each nominee's qualifications for serving on the Court.

I have heard opponents of this nominee criticize him for a variety of reasons, including his methodology and charges that he is somehow extreme or outside of the mainstream. But I have not heard one Senator suggest that Judge Gorsuch lacks the intellectual ability, academic credentials, integrity, temperament or experience to serve on the U.S. Supreme Court. Yet it is exactly those characteristics that the Senate should be evaluating when exercising its advice and consent duty.

This is especially true when Senators contemplate taking the extreme step of filibustering a Supreme Court nomination. As you well know, unfortunately, it has become Senate practice of late to filibuster almost every question before this body simply as a matter of course. But that would be a serious mistake in this case, and it would further erode the ability of this great institution to function. In 2005, when the Senate was mired in debate over how to proceed on judicial nominations, a bipartisan group of 14 Senators proposed a simple and reasonable standard. That group—of which I am proud to have been a part—declared that for Federal court nominations a Senator should only support a filibuster in the case of extraordinary circumstances.

Since coming to the Senate, I have voted to confirm four Justices to the Supreme Court. Two were nominated by a Democratic President, and two were nominated by a Republican President. Each was confirmed: Chief Justice Roberts by a vote of 78 to 22, Justice Alito by a vote of 58 to 42, Justice Sotomayor by a vote of 68 to 31, and Justice Kagan by a vote of 63 to 37.

Before I became a Senator, this body confirmed Justice Kennedy, 97 to 0; Justice Scalia, 98 to 0; Justice Thomas, 52 to 48; Justice Ginsburg, 96 to 3; and Justice Breyer, 87 to 9.

Note that two of the current members of the Supreme Court were confirmed by fewer than 60 votes, but consistent with the standard that we established in 2005, neither one was filibustered.

Even Robert Bork, whose contentious confirmation hearings are said to have been the turning point in the Senate's treatment of Supreme Court nominations, was rejected by a simple failure to secure a majority of votes—42 yeas to 58 nays—not by a Senate filibuster. In fact, the filibuster has been used successfully only once in modern history to block a Supreme Court nomination. That was an attempt to elevate Justice Abe Fortas to be Chief Justice in 1968, nearly half a century ago. In that case, Justice Fortas ended up withdrawing under an ethical cloud.

The result of the votes on Justice Alito's nomination are also illuminating. In 2006 Senators voted to invoke cloture by a vote of 75 to 25. That is considerably more Senators than those who ultimately voted to confirm him, which was accomplished by a vote of 58 to 42. Here again, Senators proceeded to a ''yes'' or ''no'' vote on the nomination.

Let me be clear. I do believe strongly that it is appropriate for the Senate to use its advice and consent power to examine nominations carefully or even to defeat them. In fact, I have voted against judicial nominees of three Presidents. But playing politics with judicial nominees is profoundly damaging to the Senate's reputation and stature. It politicizes our judicial nomination process and threatens the independence of our courts, which are supposed to be above partisan politics. Perhaps most importantly, it undermines the public's confidence in the judiciary.

Since the Founders protected against the exertion of political influence on sitting Justices, the temptation to do everything in one's power to pick nominees with the right views is understandably very strong. But the more political Supreme Court appointments become, the more likely it is that Americans will question the extent to which the rule of law is being followed. It erodes confidence in the fair and impartial system of justice, and it cultivates a suspicion that judges are imposing their personal ideology.

The Senate has the responsibility to safeguard our Nation against a politicized judiciary. The Senate should resist the temptation to filibuster a Supreme Court nominee who is unquestionably qualified, the temptation to abandon the traditions of comity and cooperation, and the temptation to further erode the separation of powers by insisting on judicial litmus tests. It is time for the Senate to rise above partisanship and to allow each and every Senator to cast an up-or-down vote on this nominee.

This nomination deserves to move forward, as the dozens of distinguished Maine attorneys who wrote to me in support of his nomination said:

In sum, during his tenure on the U.S. Court of Appeals, Judge Gorsuch distinguished himself as a judge who follows the law with no regard for politics or outside influence. We could not ask for more in an associate Justice.

I agree, and I look forward to the confirmation of Judge Neil Gorsuch to be a Justice of the U.S. Supreme Court.

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

MARCH 23, 2017.

Re: Nomination of Judge Neil Gorsuch.

Hon. SUSAN M. COLLINS,
U.S. Senator, Dirksen Senate Office Building, Washington, DC.

Hon. ANGUS S. KING,
U.S. Senator, Hart Senate Office Building, Washington, DC.

DEAR SENATORS COLLINS AND KING: The undersigned Maine attorneys respectfully request that you support the confirmation of Judge Neil M. Gorsuch as Associate Justice of the United States Supreme Court.

Our practices are varied by geography, practice area, size of firm, and type of clients we represent. We also hold a diverse set of political views. Nonetheless, we agree that Judge Gorsuch is exceptionally well qualified to join the Supreme Court.

As members of the Maine legal community, we have an interest in the nomination of Judge Gorsuch. While most of us will never have the opportunity to appear before the United States Supreme Court, each of us has a strong interest in supporting the confirmation of highly qualified jurists who will maintain the Supreme Court's commitment to the rule of law. The precedents established by the Supreme Court affect each of us and the fellow Mainers whom we serve as our clients.

As you have surely found during the nomination process, Judge Gorsuch is eminently qualified to serve as Associate Justice. His qualifications were recently confirmed by the American Bar Association, which rated him as ''well qualified,'' its highest rating. Judge Gorsuch's judicial record demonstrates his remarkable intelligence, his keen ability to discern and resolve the central issues at dispute in a legal proceeding, his notably clear and concise writing style, and his dedication to the rule of law rather than personal predilections. His judicial record also confirms that he is committed to upholding the Constitution, enforcing the statutes enacted by Congress, and restraining overreach by the Executive Branch. He voted with the majority in 98 percent of the cases he heard on the Tenth Circuit, and was frequently joined by judges appointed by Democratic Presidents. Seven of his opinions have been affirmed by the Supreme Court—four unanimously—and none reversed.

In sum, during his tenure on the U.S. Court of Appeals, Judge Gorsuch distinguished himself as a judge who follows the law with no regard for politics or outside influence. We could not ask for more in an Associate Justice and we ask for your strong support of him and vote of confirmation.

Sincerely,

John J. Aromando; Brett D. Baber; Shawn K. Bell; Daniel J. Bernier; Fred W. Bopp III; Timothy J. Bryant; Aaron D. Chadbourne; John W. Chapman; Michael J. Cianchette; Roger A. Clement, Jr.; Randy J. Creswell; Christopher M. Dargie; Avery T. Day; Bryan M. Dench; Thomas R. Doyle; Michael L. Dubois; Joshua D. Dunlap; Charles S. Einsiedler, Jr.

James R. Erwin; Kenneth W. Fredette; Justin E. French; Benjamin P. Gilman; Kenneth F. Gray; P. Andrew Hamilton; Jeffrey W. Jones; Ralph I. Lancaster, Jr.; Ronald P. Lebel; Tyler J. LeClair; Scott T. Lever; William P. Logan; Holly E. Lusk; Chase S. Martin; Sarah E. Newell; Bradford A. Pattershall; Dixon P. Pike; Gloria A. Pinza.

Susan J. Pope; Michael R. Poulin; Norman J. Rattey; Daniel P. Riley; Adam J. Shub; Joshua E. Spooner; Robert H. Stier, Jr.; Patrick N. Strawbridge; Alexander R. Willette; Timothy C. Woodcock; Eric J. Wycoff; Sarah S. Zmistowski; Thad B. Zmistowski.

Ms. COLLINS. I yield the floor.

Seeing no one seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FLAKE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Missouri.

Mr. BLUNT. Mr. President, I come today to talk about the nomination of Judge Neil Gorsuch to serve on the U.S. Supreme Court. Once again, throughout the hearings last week, Judge Gorsuch proved that he has the knowledge, he has the temperament, and he has the experience to serve on our Nation's highest Court. He laid out a clear judicial philosophy that adheres to what I think most Americans want to see happen today on the Court and what clearly the Framers of the Constitution thought would happen.

In his own words, Judge Gorsuch said: ''I have one client, it's the law.'' That is the way the Founders saw the Supreme Court. They didn't see it as a legislative body. All good judges had to do was to read the law. They didn't have to be happy with the law. They didn't have to approve the law. They didn't have to determine that the law and the Constitution met their exact standard. They just had to determine what the law and the Constitution said. In fact, the first Supreme Court had six judges. There was no thought that it was a legislative body that had to have a tie-breaking judge so you could legislate.

They thought six judges were plenty. By the way, they thought they needed six circuits. Each of those judges rode a circuit. So even when there was an appeal to the Supreme Court, one of the judges had already heard the case at the lower level. That judge heard the case again and then listened to see if that judge heard anything new, something that might change their mind. The other five of them were sitting there with the appeal of one of their colleagues, and nobody saw that as a problem because the Court wasn't about legislating.

The Court was about determining what the law should say. Again, Judge Gorsuch said: ''I have one client, it's the law.'' It is not the little guy. It is not the big guy. It is not the medium-size guy: It is the law. He was asked over and over: Are you going to find for the little guy or the big guy? Well, that is not the judge's job. The judge's job is to read the law so both the little guy and the big guy know when they are in court that this is a country where the rule of law matters. They know, when they enter into a contract, that if you and your lawyer have read the law right, there shouldn't, at the end of the day, be very much gray space about what that contract said.

Throughout his career, Judge Gorsuch has demonstrated his commitment to interpret the Constitution as it is written, applying the rule of law and not legislating from the bench. ''Judges are not politicians in robes.'' I think that may be another Gorsuch comment: ''Judges are not politicians in robes.'' If he didn't say it, his career as a judge shows that he believes it. Unfortunately, some of my colleagues have shown that their deference to the Constitution is not the same when it

comes to the Senate's role to advise and consent.

I am particularly dismayed by the Democratic leader's intention to filibuster Judge Gorsuch's nomination. Republicans have never filibustered a Democratic nominee, yet colleagues across the aisle appear willing to do just that. Such a maneuver would only be an affront to our national norms.

I don't know in the history of the country—I think there was one filibuster led by Democrats against a nomination by a Democrat President when Lyndon Johnson nominated Abe Fortas to move from Associate Justice to the Chief Justice's role. It didn't happen in 1968 because it was a Presidential year and Justices don't get confirmed in the Supreme Court in a Presidential year in vacancies that hadn't even occurred yet. No. 2, it was led by Democrats in a Senate that had an overwhelming Democratic majority. There has never been a partisan filibuster effort involving any Justice on the Supreme Court until right now—until right now—and I am disappointed that that is what the Democratic leader of the Senate says he wants to do.

According to Robert David Johnson, a Brooklyn College history professor, ''The chances of success'' of a partisan filibuster ''are basically zero.'' So my thought would be: Why pursue it?

Kim Strassel recently wrote in the Wall Street Journal: ''Never in U.S. history have we had a successful partisan filibuster of a Supreme Court nominee.''

In the last half century, only three Supreme Court Justices have even faced a filibuster. The most recent, Justice Alito, was ultimately confirmed when 19 Democrats refused to back the filibuster of his nomination. He had the full vote, and he got a majority vote.

One would think that if Senate Democrats are willing to upend Senate tradition to block this nomination, they would have an unassailable reason to block it. They would be saying this judge is not qualified. This judge hasn't served his time. We don't know what he would do as a judge. He has been on the circuit court of appeals for a decade, and when looking at case after case, appeal after appeal, we see his unbelievably fine record as a judge.

In announcing his intention to mount this filibuster, the leader of the Democrats in the Senate said that Judge Gorsuch ''was unable to sufficiently convince me that he'd be an independent check'' on the executive branch. The American Bar Association unanimously gave Judge Gorsuch's nomination their highest rating. They disagree. As they explained, ''based on writings, interviews, and analyses we scrutinized to reach our rating, we discerned that Judge Gorsuch believes strongly in the independence of the judicial branch of government, and we predict that he will be a strong but respectful voice in protecting it.''

This is from the American Bar Association, which many of my colleagues on both sides of the aisle have said over and over again is the ultimate test of qualification for the Court.

When I met with the judge last month, he left no doubt in my mind that he would uphold the judiciary's unique constitutional role in our system of checks and balances.

Let me go back to the other quote here for a minute. What was it that the Senator from New York said? ''Judge Gorsuch was unable to sufficiently convince me that he'd be an independent check'' on the executive branch. I am not even sure I know where in the Constitution that is the job of the judge. The job of the judge is to read the law and look at the Constitution. The job of the Congress is to pass the law. The job of the President is to sign the law. Unless there is some constitutional problem with that law, it is not the judge's job to decide whether the law is right or not, unless there is a constitutional reason to do that.

Last week, I mentioned Judge Gorsuch's qualifications for the bench, but I think they bear repeating as we enter the next few days. As a graduate of Columbia University, a graduate of Harvard Law and Oxford University, his academic credentials are at the highest level. Judge Gorsuch has served his country admirably as a Supreme Court clerk, first for a Democrat on the Court, Byron White, who had been appointed by President Kennedy, and for a Republican appointee, Anthony Kennedy, appointed by President Reagan. He has been the principal Deputy Associate Attorney General of the United States at the Department of Justice, and in 2006, George W. Bush nominated him to serve on the Tenth Circuit Court of Appeals. The Senate unanimously confirmed his position at that time. Every single Democrat—12 of them now serving in the Senate who were in office, supported his nomination in 2006. In the decade that he served on the Tenth Circuit Court, he has shown independence, integrity, and he has shown a mainstream judicial philosophy. He has demonstrated a legal capacity that makes him a worthy successor to Justice Scalia on the Court. There is no precedent for requiring a 60-vote threshold to confirm a Supreme Court Justice, and Judge Gorsuch has given this body no reason to demand one now.

I look forward to supporting his nomination. It will reach the Senate floor, I believe, after the Judiciary Committee deals with it early next week. I hope by the time we leave here a week from Friday that Judge Gorsuch is on his way to join the Supreme Court as an Associate Justice. By the way, if he does that, he will be the first Associate Justice ever to serve on the Court with a Justice for whom he clerked two decades or more ago. When he and Justice Kennedy get a chance to serve together—I look forward to seeing that happen.

ORDER FOR RECESS

Mr. President, I ask unanimous consent that the Senate recess from 12:30 p.m. until 2:15 p.m. today for the weekly conference meetings.

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

Mr. BLUNT. 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. DURBIN. 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. DURBIN. Mr. President, I rise to speak on the nomination of Judge Neil Gorsuch to serve on the U.S. Supreme Court.

It is important to reflect for a moment on how we have reached this moment. It has been more than a year since the untimely passing of Justice Antonin Scalia in February of 2016. Under article II, section 2 of the U.S. Constitution, President Barack Obama had a duty to make a nomination to fill that vacant seat. He met that obligation by nominating Chief Judge Merrick Garland in March of 2016.

Yet the leader of the Senate Republicans, Majority Leader MCCONNELL, announced that, for the first time in the 230-year history of the Senate, he would refuse the President's nominee, Judge Garland, a hearing and a vote. Senator MCCONNELL further said that he would refuse to even meet with Judge Garland. It was a transparent political decision made by the Republican leader in the hopes that a Republican would be elected President and fill the vacancy. It was part of a broader Republican political strategy to influence, if not capture, the judicial branch of government on every level of the court system.

Not only did the Senate Republicans keep a Supreme Court seat vacant for over a year, they turned the Senate's Executive Calendar into a nomination obituary column for 30 other judicial nominees who had been reported out of the Judiciary Committee with bipartisan support. They were hoping a Republican President would fill all of those seats, and they were prepared to leave them vacant for a year or more to achieve that end.

What kind of nominees were they hoping for? Nominees who had been blessed by special interests, by big business, and by Republican advocacy organizations.

It was last year that then-Candidate Donald Trump released a list of 21 potential Supreme Court candidates who were handpicked by two Republican advocacy groups—the Federalist Society and the Heritage Foundation. I am not speculating on the fact that they were chosen by those two groups, as President Trump publicly thanked the groups for giving him a list of names with which to fill the vacancies on the Supreme Court. It was unprecedented for anyone, including a candidate for President, to outsource the judicial selection process to special interest

groups, but President Trump did it. True to his word to these special interest groups, he nominated one of the names on the list—Judge Neil Gorsuch.

The first telephone call Judge Gorsuch received about his nomination was not from the White House; it was from the Federalist Society, which was one of these Republican advocacy groups. Eventually, Judge Gorsuch made it to the interview stage with President Trump's inner circle. He met with Steve Bannon, Reince Priebus, and President Trump himself. Those men each took the measure of Judge Gorsuch and gave him their approval to serve for a lifetime appointment on the highest Court in the land. President Trump, who had announced numerous litmus tests for judicial nominations, appeared very satisfied with Neil Gorsuch as his nominee.

The President's Chief of Staff, Reince Priebus, even said: ''Neil Gorsuch . . . represents the type of judge that has the vision of Donald Trump.''

There was certainly no political subtlety in that evaluation.

After Judge Gorsuch's nomination was announced, a dark money machine shifted into gear. A national campaign, which cost at least $10 million, was launched to support the Gorsuch nomination. Because it is dark money, there is no disclosure about who is bankrolling this effort, but it is a safe bet that the suppliers of dark money have at least a passing interest in cases before the U.S. Supreme Court.

Despite this unprecedented and unsettling process that led to Judge Gorsuch's nomination, the Democrats on the Senate Judiciary Committee gave Judge Gorsuch a courtesy that Republicans denied to Judge Garland—a hearing and a vote. Why? Because Senate Democrats take the Constitution seriously. We do not turn our backs on the constitutional responsibility of advice and consent, even though that is exactly what our Republican colleagues did when it came to Merrick Garland.

Last week, the Senate Judiciary Committee met for 4 days to consider the Gorsuch nomination. In leading up to the hearing, I made it clear on the Senate floor that I thought that Judge Gorsuch had a burden to bear at that hearing.

On February 2, I said here on the floor that Judge Gorsuch needed to demonstrate that he would be a nominee who would uphold and defend the Constitution for the benefit of everyone, not just for the advantage of a privileged few who happened to engineer his nomination.

I also said that Judge Gorsuch needed to be forthright with the American people about his record and his views. I made it clear that avoiding answers to critical questions was unacceptable.

I said that he needed to demonstrate that he would be an independent check on President Trump and every President and that he was prepared to disappoint the President and the right-wing groups that handpicked him if the Constitution and the law required it.

Judge Gorsuch was given a full and fair hearing. He was given every opportunity to explain his judicial record and his views and to meet the expectations I laid out for him. I came away from this hearing firmly convinced that I must oppose the nomination of Neil Gorsuch.

Here are the reasons:

Judge Gorsuch favors corporations and elites over the rights and voices of Americans, often using selective textualism to advance his agenda. Judge Gorsuch's hearing reinforced my fear that he would lean toward corporations and special interest elites at the expense of American workers and families.

Big business and special interests have found a friend under the Roberts Supreme Court. I noted at the hearing a study by the Constitutional Accountability Center that found that under Chief Justice John Roberts the Supreme Court has ruled for positions that have been advocated by the Chamber of Commerce 69 percent of the time.

I am concerned, based on a review of his record, that Judge Gorsuch is likely to increase the pro-business leanings of the Roberts Court. In a series of decisions—and I have read many of them—involving workers' rights, discrimination claims, consumer rights, and access to the courts, Judge Gorsuch has, time and again, favored corporations. He has often substituted his own judgment for those of the agencies that are tasked with protecting the workers.

No case was more egregious than the TransAm Trucking case, which was brought up repeatedly at the hearing. The facts are pretty well known by now. In January, Alphonse Maddin, a truck driver from Detroit, was stuck on the side of Interstate 88 in my home State of Illinois, and it was 14 degrees below zero outside. The brakes on his trailer were frozen. After waiting for a repair truck for several hours without his having any heat in the cab of his truck, Alphonse Maddin's body was starting to go numb. He called the trucking company one more time. They said: You have two options—stay in that truck or drag that frozen trailer down the interstate highway.

Both of those options were a risk to health and safety and common sense. So, instead, Al Maddin unhitched the broken-down trailer and drove to a gas station to fuel up and get warm and then returned to the disabled trailer. For this, the company fired him, and that firing blackballed him from ever working as a truck driver again.

Al Maddin came by my office and explained what he did. He had heard that there was some Federal agency that might consider what he had considered to be an unfair firing, so he went down to the agency and took out a ballpoint pen and filled out the complaint in longhand without the advice of counsel or any help. He was shocked when he won.

The case went further on appeal. Seven different judges heard Al Maddin's case. Six of them agreed that what had happened to him was unfair and unlawful. The only judge who found for the trucking company was Neil Gorsuch.

Judge Gorsuch's dissent claimed that he was merely looking at the plain text of the law and the dictionary's definition and that was why Al Maddin had been fired. But the Tenth Circuit majority said that Neil Gorsuch was cherry-picking one dictionary's definition to come to his conclusion. Other dictionaries and the law's purpose of protecting health and safety had been ignored by Judge Gorsuch.

Republican nominees like Judge Gorsuch often claim they are using the supposedly neutral philosophies of originalism and textualism to guide their decision making, but Al Maddin's case shows how Judge Gorsuch used a selective choice of text to advance a pro-business agenda at the expense of this American worker.

There are many other cases in Judge Gorsuch's record that demonstrate this trend, leading the Associated Press to say that Gorsuch's workers' rights opinions are ''often sympathetic but coldly pragmatic, and they're usually in the employer's favor.''

Take a look at the Hobby Lobby case. In that case, Judge Gorsuch expanded the idea that a corporation—a business—is a person. Why? He wanted to permit a for-profit corporation to impose its owners' personal religious beliefs on more than 13,000 employees who worked at that corporation and to limit their access to healthcare under insurance policies.

In finding for the corporation, Judge Gorsuch barely acknowledged that this decision burdened these thousands of employees and their personally constitutionally protected religious beliefs and choices.

Judge Gorsuch also has a troubling record when it comes to protecting the rights of Americans with disabilities and those who are victims of discrimination. It was quite a scene when, last week, in the midst of our hearing on Judge Gorsuch, the Supreme Court issued a unanimous ruling that rejected a standard that had been created by Judge Gorsuch. I am sure that has never happened in history. This standard, which Judge Gorsuch had promoted for a case in which he wrote the majority opinion, weakened protections for students with disabilities under the Individuals with Disabilities Education Act.

In 2008, Judge Gorsuch wrote in the Luke P. case that, under the IDEA, schools need only to provide educational benefits to students with disabilities that are merely more than de minimis.

At issue was the legal responsibility of a school district to provide educational opportunities for a child with

disabilities. In this case, Luke was a boy from Colorado who had suffered from severe autism. With the assistance and support of his teachers, Luke had made significant progress in school—in kindergarten and first grade. Then, when his family moved to a new home, he had to change school districts. At his new school, Luke began to lose the skills he had gained. His behavior was worse.

After unsuccessful attempts to address these concerns, Luke's parents decided that they ''could not in good conscience continue to expose their son, Luke, to this environment that was so detrimental to his educational and behavioral development.'' They decided to enroll Luke in a residential school that was dedicated to the education of children with his type of autism spectrum disorder.

A due process hearing officer, a Colorado State administrative law judge, and a Federal district court all found that the school district had failed to provide the education that was guaranteed to Luke under the Federal law of IDEA and that it was, therefore, required to reimburse the cost of the private residential school placement that Luke needed.

His parents were desperate to give Luke a chance in life, but then Judge Gorsuch ruled against them. In so doing, he created a new, lower standard for school districts in the process.

I asked Judge Gorsuch about this. He claimed he was just following the law and precedent, but as I pointed out at the hearing, that was not accurate. A legal analysis showed that Judge Gorsuch was the first judge in that circuit to add the word ''merely'' to the standard.

Luke P.'s father, Jeff, testified at the hearing and said that Judge Gorsuch's ''subtle wordcraft'' had the effect of ''further restricting an already restricted precedent with, unfortunately, my son in the bull's-eye of that decision.''

What did Chief Justice John Roberts of the U.S. Supreme Court say of the Gorsuch standard? Here is what he said: ''When all is said and done, a student offered an educational program providing 'merely more than de minimis' progress [Gorsuch's words] from year to year can hardly be said to have been offered an education at all.''

The Supreme Court sent a strong message when they released this opinion in the midst of Judge Gorsuch's hearing. The Court unanimously said that the Judge Gorsuch standard was inconsistent with the law. On this issue, Judge Gorsuch, the nominee, is somewhere to the right even of Justice Clarence Thomas. This case is not an outlier. In fact, an analysis of his disability decisions shows that Judge Gorsuch has ruled against disabled students in 8 out of 10 IDEA cases.

There was also a consistent pattern of Judge Gorsuch's record on discrimination and retaliation involving employers. Bloomberg BNA analyzed this record and found that he ruled for employers 8 out of 12 times.

For example, he ruled against a sex discrimination claim brought by a UPS saleswoman; a disability discrimination claim that was brought by a college professor; an age discrimination claim that was brought by two maintenance workers; a race discrimination claim that was brought by an African-American grocery store employee who was called a ''monkey'' by his supervisor; a gender and disability discrimination claim that was brought by a female county accountant with multiple sclerosis; and a discrimination claim that was brought by a transgender woman who sought to use the restroom of her gender identity.

The case of Grace Hwang was particularly troubling to me. Ms. Hwang had been a college professor for 15 years. Then she was diagnosed with cancer. She needed a bone marrow transplant, so they gave her 6 months of sick leave. As it was about to expire, they told her to return to the classroom. Just at this same time, a flu epidemic was sweeping across the campus. Ms. Hwang asked to extend her leave and work from home so she wouldn't get infected. She felt especially vulnerable, having just had a bone marrow transplant.

The university denied her request and terminated her employment because she asked to be protected from this flu epidemic. Judge Gorsuch authored an opinion upholding the dismissal of Ms. Hwang's disability discrimination complaint.

Judge Gorsuch would not let a jury consider the reasonableness of her request. Instead, he wrote that six months' leave was ''more than sufficient'' and wrote that the purpose of disability law is ''not to turn employers into safety net providers for those who cannot work.''

Grace Hwang's children said that Judge Gorsuch's opinion ''removed the human element from the equation. It did not bring justice.''

Also, during the hearing, Judge Gorsuch refused to distance himself from the extreme and bigoted views of one of his college professors and his dissertation supervisor, Professor John Finnis, a man whom he has publicly praised.

Overall, Judge Gorsuch's record raised serious concerns about what his confirmation would mean for the vulnerable and the victimized.

We also came to learn that Judge Gorsuch was an aggressive defender of Executive power when he worked at the Justice Department during the Bush administration. In June 2004, after the terrible Abu Ghraib torture scandal, I offered the first legislation to ban cruel and inhuman treatment of detainees. This legislation ultimately became the McCain torture amendment, which, despite a veto threat by President Bush, passed this Senate in 2005 by an overwhelming 90-to-9 vote.

But Judge Gorsuch advocated that the President should issue a statement claiming that the McCain amendment was ''essentially codifying'' torture techniques like waterboarding. This is despite overwhelming evidence from Senator MCCAIN and others in Congress that this amendment was intended to do the exact opposite by outlawing cruel, inhuman, and degrading treatment.

Judge Gorsuch testified that he was simply an attorney working for a client, but Gorsuch's email correspondence revealed that he was viewed as a ''true loyalist'' to the Republican administration. And this is a client that the judge actively lobbied to serve, even though their troubled record on torture was already a matter of public record.

These documents from Gorsuch's tenure at the Department of Justice, which were not available during his earlier confirmation hearing for the Tenth Circuit, provide a revealing look at his beliefs on Executive power. They raise deeply troubling questions about what Judge Gorsuch would do if he is called upon to stand up to this President or any President who claims the power to ignore laws that protect fundamental human rights.

For the majority of questions from Democratic Senators at his hearing, Judge Gorsuch failed to meaningfully respond. He had a standard set of evasions and nonanswers that he used whenever he was asked about fundamental legal principles and landmark cases. It didn't take long before this Senator, and many others, could finish his sentences before he started.

In ducking these critical questions, Judge Gorsuch ended up saying nothing to assuage my concerns about Reince Priebus's pronouncement that Judge Gorsuch ''has the vision of Donald Trump.''

The Supreme Court must serve as an independent check on President Trump, not a rubberstamp. But Judge Gorsuch wouldn't even comment on the original meaning of the Constitution's emoluments clause, apparently for fear of possibly implicating the President who nominated him.

Judge Gorsuch might not be the first nominee to avoid answering questions about his views, but he went further than others. As a result, members of the committee can look only to his judicial record and his work for the Justice Department to decide their vote for this lifetime appointment on the Supreme Court.

His record on the bench and his record at the Justice Department make it clear that Judge Gorsuch is not the right person to serve in the highest Court in the land. We all want judges to follow the law and apply the facts fairly, but it is naive to believe that this is some kind of robotic exercise. Every judge brings some values to the court. In close cases, those values can tip the meaning of the law or even the facts before the court. One key purpose of these hearings is to provide reassurance that the nominee's values are in

the American mainstream. I did not find this assurance in Judge Gorsuch's testimony last week, and I certainly didn't find it in his record. He received a fair hearing, but he did not earn my vote.

Because Republicans control the Senate, we can expect Judge Gorsuch to be reported out of the Judiciary Committee next week and then to receive a vote on the Senate floor. But no one should be surprised that Judge Gorsuch will need to meet the threshold of 60 Senate votes in order to be confirmed.

Majority Leader MCCONNELL has made clear time and again that 60 votes is the standard for matters of controversy in this Senate. I will cite a few of the leader's more memorable quotes.

On December 2, 2007, Senator MCCONNELL said: ''I think we can stipulate once again for the umpteenth time that matters that have any level of controversy about it in the Senate will require 60 votes.''

On October 28, 2009, Senator MCCONNELL said: ''Well, it's fairly routine around the Senate that controversial matters require 60 votes.''

Then again, on July 17, 2007, Senator MCCONNELL said: ''Sixty votes in the Senate? As common as gambling in Casablanca.''

Sixty votes is a threshold that Supreme Court nominees have met for the past quarter century. If a Supreme Court nominee cannot garner 60 votes in the Senate, then the President should put forward a new nominee.

We are at a unique moment in history. The President has already fired an Attorney General and had his unconstitutional Executive actions blocked by many Federal courts. The President, in the first few weeks, has also launched unprecedented attacks on the integrity of the Federal judiciary. And now the Federal Bureau of Investigation has confirmed it is investigating Russian involvement in his election.

A new bombshell is revealed almost every day.

In this context, the Senate cannot simply rubberstamp a lifetime Supreme Court appointment for the President. Neil Gorsuch is the man Donald Trump urgently wants on the Supreme Court. That should give many Americans pause. It certainly gives pause to me.

I cannot support the nomination of Neil Gorsuch. I will vote no when his nomination comes before the Judiciary Committee next week, I will vote no on cloture, and I will oppose his nomination on the Senate floor.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, the most solemn and serious and consequential act that the United States can undertake at any moment is to make the decision to send Americans into war. From time to time, war may be an unfortunate decision but a necessary decision—a necessary and potentially tragic function of any republic. And it might be necessitated by the need to safeguard the rights and the freedoms of the government's own citizens from foreign states—from those who would harm us. Yet we should enter into those wars and enter into any alliances that could lead to war only after utmost deliberation and strategic consideration, focusing specifically on the well-being of the American citizens—those people whom we are sworn to protect, those people whose safety is at stake whenever we go to war.

That is why, for the past several months, I have asked that the Senate have a rollcall vote on the measure to ratify Montenegro's accession to the North Atlantic Treaty, and that is why I will be casting my vote against expanding NATO later today.

Of course, treaties and alliances with other countries can be beneficial; there is no question about that. But the Founders of this country understood that their seriousness needs also to be considered—that the seriousness of a treaty needs to be taken into account in the same way that you have to consider very carefully the seriousness of going to war, and for the very same reasons. That is why both of these powers—the power to make and ratify treaties and the power to declare and execute war—are given not to one single branch of the Federal Government, but rather they are shared by the legislative and executive branches acting together. In addition to this, treaty ratification requires not just a majority vote, but a two-thirds supermajority vote within the Senate.

The United States should enter into treaties and alliances with foreign nations that will enhance the ability of American citizens to exercise their rights and freedoms and to safeguard those same people. At the heart of the NATO alliance is the article 5 guarantee for collective defense, stating, in essence, that an attack against any one NATO ally will be perceived and responded to as an attack against all. This means that the United States is obligated by treaty to make war because of an attack on an ally, and those allies are obligated to us for the same purpose and to the same extent. This, of course, is a very significant agreement. It is one that we should never take lightly. It is never one that we should just assume into existence any time we have a decision to make.

Simply put, I don't see how the accession of Montenegro—a country with a population smaller than most congressional districts and a military smaller than the police force of the District of Columbia—is beneficial enough that we should share an agreement for collective defense. Montenegro becoming a member of NATO is certainly attractive to European countries because it makes the United States the security guarantor of yet another country in a region prone to instability and ethnic unrest, but that doesn't automatically make it of interest to the American people. It doesn't automatically mean that the benefits outweigh any risks to the American people by bringing this country into NATO.

On the other hand, I believe the risks could outweigh the benefits to the detriment of the American people and result in more of our servicemembers being deployed overseas and at risk. The resolution of ratification on which the Senate is voting states that ''an attack against Montenegro, or its destabilization arising from external subversion, would threaten the security of Europe and jeopardize United States national security interests.''

This makes NATO responsible not only for external security but for combating destabilization in a historically volatile part of the world. Undertaking obligations like this only increases the likelihood of Americans being placed in harm's way, of our brave young service men and women having to go into a potential field of battle.

Further, expanding NATO does not address some of the systemic problems that U.S. administrations from both sides of the aisle have long pressed to their European counterparts: the failure of many NATO countries to meet decades-old defense spending obligations and the increasingly concerning behavior of some NATO members.

For example, several weeks ago it was announced that American military personnel are now being used in northern Syria for the purpose of preventing infighting between one of our NATO allies—Turkey—and our Kurdish allies in the coalition against ISIS. This was followed in short order by a diplomatic crisis between Turkey and the Netherlands—both NATO allies—in which the Turkish President accused the Dutch Government of fascism. European Commission President Jean-Claude Juncker in February rejected calls from the Trump administration, which were similar to pleas from the Obama administration, for European countries to increase their own defense spending in fulfillment of their existing obligations through NATO.

Addressing such issues is much more vital to the future of NATO and American interests in Europe than further rounds of expansion.

Finally, some of my colleagues have argued that we should move forward with Montenegro's accession into NATO because the Russians oppose it, just as the Russians have opposed all previous rounds of expansion. This is not the basis for a sound foreign policy. While the United States should not let another country have a veto over our national security decisions, it would be equally unwise for the United States simply to engage in certain actions just because geopolitical adversaries might oppose them. Such reactionary statecraft contradicts the ideals of prudence and practicality that our Founders hoped would guide our foreign policy.

On a more practical level, it still doesn't mean that we should just be willing to put our Armed Forces in a position where our brave young men and women might have to go into harm's way as a result of the fact that a geopolitical adversary takes the opposite viewpoint.

Further, elected officials should not have their patriotism or loyalty to country questioned because of their understandable concerns about national security, treaty obligations, and war. There are many thoughtful leaders and policy experts who have legitimate concerns—both, about Russia's behavior and about the direction of NATO—and who support meaningful pressure against Russia through economic and diplomatic means, as well as the modernization of our strategic deterrent and missile defense systems.

This vote, of course, is likely to pass and Montenegro will become the newest member of NATO this year. It is my sincere hope that the country will be a constructive force in addressing the operational and mission problems that I have described and that the Trump administration will press for needed reforms. But I also hope that American diplomatic leaders and Congress will work to identify and act on the security interests most relevant to the American people and think more strategically about our alliances and treaty partners in the future.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I come to the floor today to talk about the importance of the Senate's vote to ratify the accession of Montenegro into the North Atlantic Treaty Organization, or NATO. I am confident we will see an overwhelming, bipartisan majority of our colleagues here in the Senate support Montenegro's effort to join NATO. This is in Montenegro's interest, it is in Europe's interest, and it is in the national security interest of the United States.

NATO is the most successful security alliance in history, and it is essential to the stability, freedom, and prosperity that Europe enjoys and that the United States has enjoyed, and, really, to that stability that has existed since after World War II. NATO has provided the security and stability for the freedoms we enjoy and the prosperity. Montenegro's accession to NATO will help the alliance become more resilient, and it will deter Russian aggression on Europe's eastern flank, which is why the alliance invited Montenegro to become its 29th member last year.

I agree that Montenegro is a small country, but it is geopolitically important. Its membership in NATO will complete the alliance's control of the Adriatic coastline, and that will strengthen NATO's southern border.

Since its independence from Serbia 10 years ago, Montenegro has pursued inclusion in Euro-Atlantic institutions, and it has been a good partner to NATO. For example, Montenegro has contributed ably to the mission in Afghanistan, which is the only time article 5 of NATO has been invoked. It was after the attacks of 9/11 on the United States, and our response was to go into Afghanistan. Montenegro joined us, along with our other NATO allies in this effort. Montenegro also imposed sanctions on Russia for its aggression in Ukraine.

Montenegro's accession to NATO is also critically important for the wider Balkan region, which faces increasing Russian influence and interference. After all, remember that the two major wars of the last century, World Wars I and II, started in the Balkans. We need to do everything we can to maintain stability there. This is one of the things that I believe Montenegro's accession to NATO will help us do. We saw the increasing Russian influence and the increasing effort to destabilize the Balkans last year in Montenegro's fall elections.

Since those elections, Montenegrin authorities have arrested several people in connection with a coup attempt and a plot to assassinate Montenegro's Prime Minister. There is indisputable evidence that ties both violent plots back to Russia, which was trying to eliminate a high-profile supporter of Montenegro's accession to NATO and install, instead, a pro-Kremlin political party there. Montenegrin police are still working with international authorities to locate the suspected Russian masterminds of these efforts.

But when the bipartisan codel from the Senate and House, led by Senators MCCAIN and WHITEHOUSE, went to the Munich Security Conference in February, we had a chance to meet with Montenegro's Prime Minister Djukanovic. He told us in very vivid detail about the efforts to assassinate him and about Russia's efforts to install instead a pro-Russian government. Do we really think that Mr. Putin, who desires nothing more than to weaken the NATO alliance, would work so hard to disrupt Montenegro's inclusion in NATO if he didn't think it would strengthen the alliance?

Approving Montenegro's accession to NATO would signal support for Montenegro's independence and sovereignty and for their continued efforts to move towards the West and away from Russia. It would also demonstrate our solidarity with countries like Montenegro that Vladimir Putin is trying to bully, especially in light of our own recent experience with Russian meddling in our Presidential election. Now is a critically important time to send Russia the message that we will not tolerate this behavior. Last fall, a bipartisan group of diplomats, national security experts, and former administration officials sent a letter to Congress urging quick action on Montenegro's accession.

Earlier this month, Secretary of State Rex Tillerson wrote a letter to Senator MCCONNELL and Senator SCHUMER detailing the reasons Montenegro's accession to NATO is in our interest and urging that we schedule a prompt floor vote on the accession. Virtually all NATO members have already formally blessed Montenegro's inclusion in the alliance. So it is just the United States that hasn't taken this important step forward.

The case for the Senate to support Montenegro's NATO accession is overwhelming. That is why it is so frustrating that it has taken so long. With Senator JOHNSON, I cochaired the Foreign Relations Committee hearing on this subject back in September of last year. In December and again in January, the Foreign Relations Committee approved Montenegro's accession protocol, and efforts were made to secure the necessary agreement for the full Senate to do the same. These efforts have been blocked by just a few Senators, despite the overwhelming bipartisan support for approval.

I am glad that Montenegro's accession is finally getting the vote in the Senate that it deserves. The United States has long stood for freedom and democracy in Europe, and I urge my Senate colleagues to stand strong for freedom and democracy now by voting to approve Montenegro's accession to NATO.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from South Dakota.

NOMINATION OF NEIL GORSUCH

Mr. THUNE. Mr. President, last week the Senate Judiciary Committee held hearings on Judge Neil Gorsuch's nomination to the Supreme Court. Everything we heard from this nominee confirmed what has been clear from the beginning: Judge Gorsuch is the kind of judge all of us should want on the Nation's highest Court.

Judge Gorsuch obviously has a distinguished resume. He graduated with honors from Harvard Law School and went on to receive a doctorate in legal philosophy from Oxford University, where he was a Marshall scholar.

He clerked for two Supreme Court Justices—Byron White and Anthony Kennedy—and he worked in both private practice and at the Justice Department before being nominated to the Tenth Circuit Court of Appeals, where he has served with distinction for 10 years.

He is widely regarded as a brilliant and thoughtful jurist and a gifted writer whose opinions are known for their clarity. Most importantly, however, Judge Gorsuch understands the proper role of a judge, and that role is to interpret the law, not make the law; to judge, not legislate; to call balls and strikes, not to rewrite the rules of the game.

It is great to have strong opinions. It is great to have sympathy for causes or organizations. It is great to have plans for fixing society's problems, but none of those things has any business influencing your ruling when you sit on the bench. Your job as a judge is to apply

the law as it is written—and here is the fundamental thing—even when you disagree with it.

''A judge who likes every outcome he reaches is very likely a bad judge,'' Judge Gorsuch said more than once. Why? Because a judge who likes every outcome he reaches is likely making decisions based on something other than the law. That is a problem. Equal justice under the law, equal protection under the law—these principles become meaningless when judges step outside of their role and start changing the meaning of the law to suit their feelings about a case or their personal opinions.

Judge Gorsuch's nomination has attracted support from both sides of the political spectrum. I think the main reason for that is because both liberals and conservatives know they can trust Judge Gorsuch to rule based on the plain text of the law, irrespective of his personal opinions. Here is what Neal Katyal, an Acting Solicitor General for President Obama, had to say about Judge Gorsuch:

I have no doubt that if confirmed, Judge Gorsuch will help to restore confidence in the rule of law. His years on the bench reveal a commitment to judicial independence—a record that should give the American people confidence that he will not compromise principle to favor the President who appointed him.

The Colorado Springs Gazette recently highlighted a letter signed by 96 prominent Colorado lawyers and judges and sent to the senior Senator from Colorado. Here is what those individuals had to say about Judge Gorsuch:

We hold a diverse set of political views as Republicans, Democrats, and Independents. Many of us have been critical of actions taken by President Trump. Nonetheless, we all agree that Judge Gorsuch is exceptionally well qualified to join the Supreme Court. We know Judge Gorsuch to be a person of utmost character. He is fair, decent, and honest, both as a judge and a person. His record shows that he believes strongly in the independence of the judiciary.

A former law partner and friend of Judge Gorsuch—a friend who describes himself as ''a longtime supporter of Democratic candidates and progressive causes''—had this to say about the judge:

Gorsuch's approach to resolving legal problems as a lawyer and a judge embodies a reverence for our country's values and legal system. The facts developed in a case matter to him; the legal rules established by legislatures and through precedent deserve deep respect; and the importance of treating litigants, counsel and colleagues with civility is deeply engrained in him. . . .

I have no doubt that I will disagree with some decisions that Gorsuch might render as a Supreme Court Justice. Yet, my hope is to have Justices on the bench such as Gorsuch . . . who approach cases with fairness and intellectual rigor, and who care about precedent and the limits of their roles as judges.

Again, that is from a self-described ''longtime supporter of Democratic candidates and progressive causes.''

During his years on the bench, Judge Gorsuch has had a number of law clerks. On February 14, every one of Judge Gorsuch's former clerks, except for two currently clerking at the Supreme Court, sent a letter on his nomination to the chairman and ranking member of the Senate Judiciary Committee. Here is what they had to say:

Our political views span the spectrum . . . but we are united in our view that Judge Gorsuch is an extraordinary judge. . . . Throughout his career, Judge Gorsuch has devoted himself to the rule of law. He believes firmly that the role of the judge in our democracy is to apply the laws made by the political branches—that is, to adhere to our Constitution and statutes our elected representatives have enacted, and not to confuse those things with a judge's own policy preferences.

As law clerks who have worked at his side, we know that Judge Gorsuch never resolves a case by the light of his personal view of what the law should be. Nor does he ever bend the law to reach a particular result he desires.

For Judge Gorsuch, a judge's task is not to usurp the legislature's role; it is to find and apply the law as written. That conviction, rooted in his respect for the separation of powers, makes him an exemplary candidate to serve on the nation's highest court.

That is the unanimous opinion of 39 of Judge Gorsuch's former law clerks, whose political views in their own words ''span the spectrum.'' Unfortunately, no amount of testimony in favor of Judge Gorsuch will ever be enough for some Senate Democrats.

The Senate minority leader took to the floor last week to announce a determination to oppose Judge Gorsuch's nomination. He also announced his determination to push for a filibuster of Judge Gorsuch's nomination. The minority leader's reasons? Well, for starters, the minority leader apparently doesn't trust that Judge Gorsuch will use the bench to implement the leader's preferred policies. He disagrees with some of Judge Gorsuch's decisions, and he apparently considers that sufficient grounds to bar Judge Gorsuch from the Supreme Court. The minority leader demonstrated little interest in whether Judge Gorsuch's legal interpretations were correct. For the minority leader, judging is about getting one's preferred outcome, irrespective of what the law actually says.

The minority leader also mentioned another reason for opposing Judge Gorsuch: He doesn't trust the judge to be independent or impartial, even though liberals and conservatives alike have praised Judge Gorsuch's independence and impartiality as two of his defining characteristics.

The minority leader also made the laughable claim that Judge Gorsuch is somehow out of the judicial mainstream. Well, let me quote what the Wall Street Journal said on this subject. In February, the Journal wrote:

Judge Gorsuch has written some 800 opinions since joining the Tenth Circuit Court of Appeals in 2006. Only 1.75 percent (14 opinions) [out of 800] drew dissent from his colleagues. That makes 98 percent of his opinions unanimous even on a circuit where seven of the 12 active judges were appointed by Democratic Presidents and five by Republicans.

Let me repeat that last line: ''That makes 98 percent of his opinions unanimous even on a circuit where seven of the 12 active judges were appointed by Democratic Presidents and five by Republicans.''

Well, I wonder if the minority leader intended to suggest that the entire Tenth Circuit is composed of extremist judges or that all of the judges on the Tenth Circuit lacked impartiality or independence, because, logically speaking, if you are going to suggest that Judge Gorsuch is an extremist, then you would have to argue that his colleagues who agreed with his opinions 98 percent of the time are extremists too.

The truth is, Democrat opposition to Judge Gorsuch has zero to do with whether Judge Gorsuch meets the qualifications of a Supreme Court Justice. It is obvious that the judge has all the qualifications one could want in a Justice. Democrats are opposing Judge Gorsuch because they are mad. They are mad that their party didn't win the Presidential election, they are mad that their party doesn't have control of Congress, and they are mad that they are having to consider a judge nominated by a Republican President. It doesn't matter how qualified Judge Gorsuch is, how impartial he is, how independent he is, some Democrats are just going to oppose him anyway.

This isn't the first time Judge Gorsuch has been before this body. Back in 2006, the Senate considered Judge Gorsuch's nomination to the Tenth Circuit. At that time, the judge's nomination sailed through the Senate. Both of his home State Senators—one a Republican and one a Democrat—supported his nomination, and he was confirmed by unanimous vote. Then-Senator Obama could have objected to the nomination, but he didn't. The current minority leader, who was serving in the Senate at that time, could have objected to the nomination, but he didn't. Senators Biden or Clinton could have objected to the nomination, but they didn't. Why? Presumably because they saw what almost everybody sees today: that Judge Gorsuch is exactly the kind of judge we want on the bench—supremely qualified, thoughtful, fair, and impartial. It is incredibly disappointing that some Democrats are now planning to oppose this eminently qualified Supreme Court nominee simply because they can't deal with losing an election.

The Senate has a 230-year tradition of approving Supreme Court nominees by a simple majority vote. There has never been a successful partisan filibuster of a Supreme Court nominee in 230 years, and the only ones who have ever attempted one are the Democrats. Well, some Democrats may follow the minority leader in opposing Judge Gorsuch. I am hopeful that others will listen to the many voices, liberal and conservative, speaking out in support of his nomination.

There is no good reason to oppose Judge Gorsuch, and there is every reason to support him. It is time to confirm the supremely qualified judge to the Supreme Court.

Mr. President, I yield the floor.

(Disturbance in the Visitors' Galleries.)

The PRESIDING OFFICER. Expressions of approval will not be permitted by the gallery.

The Senator from Minnesota.

BROADBAND CONSUMER PRIVACY

Mr. FRANKEN. Mr. President, I rise today to talk about the effort by my Republican colleagues to gut critical consumer privacy protections. Last week, the Senate voted 50 to 48 to allow internet service providers such as Comcast, Verizon, and AT&T to freely collect, share, and sell its customers' private information. Later today, the House will vote on the same measure.

Let's be clear what we are talking about here. From web browsing histories to app usage information, broadband providers have easy access to a whole lot of Americans' personal information. Comcast knows exactly what ails you when you visit WebMD's Symptom Checker or that you have recently experienced a major life event when you are browsing maternity clothes on target.com. They would like the ability to use or sell this information to target advertising toward you, and they would really like to use or sell this information without first having to ask your permission.

Now, for me, the interests of consumers in Minnesota, Texas, and across our country have always come before those of big corporations. That is why I have long championed an internet that is open, accessible, and protects Americans' fundamental rights to privacy. For most Americans, I don't think those are controversial ideas.

For example, I suggest that most if not all of us in the Senate believe in the importance of ensuring that Americans have access to affordable high-speed internet. It is one of those great issues on which Members on both sides of the aisle can agree. See, we all know that Americans' cable and broadband bills are too high. The Consumer Federation of America recently reported that the average American household spends about $2,700 a year for phone, TV, and Internet services. That is why it is so disappointing that instead of acting to make broadband more affordable and more accessible for Americans, my Republican colleagues have actually paved the way for multibillion-dollar companies to make even more money off of their consumers by monetizing some of the most intimate details of their lives. Make no mistake about it, this is purely and simply a corporate handout at the expense of Americans' privacy.

When the FCC voted to pass the broadband privacy rules, the broadband industry was quick to oppose and oppose loudly. In recent months, internet service providers have used their vast resources to lobby the FCC and my fellow lawmakers. If House Republicans heed their call, as my colleagues in the Senate have done, companies like Comcast, Verizon, and AT&T will be free to sell their customers' personal information to the highest bidder, and importantly, they will do so without the oversight or regulation of either the Federal Communications Commission or the Federal Trade Commission.

For my part, I have long held that Americans have a fundamental right to privacy. We deserve both transparency and accountability from companies that have the capacity to trade on their private information. Should some people choose to leave their personal information in the hands of those companies, they certainly deserve to know that their information is being safeguarded to the greatest degree possible. I am going to keep fighting on behalf of consumers in Minnesota and across the country to secure these rights because I work for them and not the broadband industry.

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

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

THE NUCLEAR OPTION

Mr. CORKER. Mr. President, we find ourselves at an interesting point. Let me start by saying what a tremendous privilege it is to serve in this body. Every single day that I come to the building from where I live, I express that to myself—what a tremendous privilege it is for all of us to serve in this body, denoted by many as the greatest deliberative body in the world. Certainly, we find ourselves here in a place where we can effect so many things that not only affect our citizens but citizens across the world. What a privilege that is.

The Presiding Officer and I have had numerous conversations in the past. I spent a life in business before coming to the Senate, and I know the Presiding Officer did a lot of unique things as well. At the age of 25, I was fortunate enough to build a business, starting with a small amount of money. It ended up operating all around the country. One of the things we did after every project—I built shopping centers around the country—is that we would get together and analyze the things we had done well and the things we had done not so well in an effort to become better. At the end of each year, we would sit down and look at our company, which was growing very rapidly, and try to analyze those things. Sometimes we would have setbacks, but generally speaking, the company continued to operate on an upward trend.

What I find here is just the opposite. I have been here now a decade, and what we do is just the opposite of that. What we do is we continue a downward trend because the way the two parties operate with each other is when it gets to a point where there is something very critical that has to happen, the other side says, well, if they were in power, this is what they would do, so let's go ahead and do this ourselves. So what we have in the Senate, at least since I have been here in the last decade, is instead of an escalating situation where we continue to operate better and deal with these things in a more balanced way, what we do is we are on this continual downward trend.

One of our younger Members mentioned the other day as we were discussing this—and I thought it was a great point—that what has happened in the Senate is that neither party has had the ability to withstand the pressure that is brought to them by their base in either party.

I have seen that play out right now. What happens is their base puts pressure on, and we end up breaking the traditions of the Senate. We did it legislatively with the cloture vote being the scored vote by outside groups. So that is where we find ourselves.

What is happening in our own caucus—I just realized over the weekend—is that we are now trying to figure out whom to blame. I heard a discussion last Wednesday that was totally divorced from reality as far as how we had gotten where we are today. I realized that we are getting ready to do some things here that will change the Senate dramatically. What is really happening is that both sides are trying to make sure history records that it was the other side that caused this to happen.

We are now starting to see editorials in various publications—some that we Republicans read and some that Democrats read—to try to set the story straight. I about came out of my chair last Wednesday with regard to one of the explanations as to how we got where we are today. My guess is, today at lunch on the other side of the aisle, the same thing will be taking place. Obviously, on our side, it is the other side. On their side, it is our side.

Let me go back to 2013. We had a breakdown taking place. President Obama was bringing forth some nominations, and it was right after he was elected for a second term. We went through the summer of 2013 with some of his nominees not getting cloture votes. I was called, as were a few other Senators, to make what we would call some tough votes. These were nominees whom we did not support. Cloture had again become the vote that people were scoring, but I and JOHN MCCAIN and LAMAR ALEXANDER and a few others were asked to make some votes that, candidly, were not very pleasant to keep us from getting to a place at which Senator Reid would impose the nuclear option.

We made it through the summer, and we went into the fall. We had just confirmed a new circuit court judge for the

DC Circuit, which is just below the Supreme Court relative to importance for lots of reasons. So we had a 4-to-4 balance on this circuit court. Senator Reid brought forth three more nominees, and they were not bad nominees. I think most people thought they were actually pretty decent nominees. But we did not want the balance of the DC Circuit to change; it was at 4-to-4.

We know that a lot of administrative rulings that are relative to the administration take place in the DC court, so we made the argument that there were already enough judges there and that they did not have a very good case. It was the same argument, by the way, that Democrats made back in 2006 when Bush was also trying to make some nominations. We do the same to each other. So we ended up filibustering those three nominees.

What we thought was going to take place was a negotiation on how many judges would actually go when all of a sudden Senator Reid, out of the blue, with some of his Members not realizing what had happened, did the nuclear option. He ruled and called upon the person sitting in the Chair and the Parliamentarian. All of a sudden, we destroyed what had been the case of it taking 60 votes to move beyond to an actual vote on the nominee. I was livid.

Somebody said the other day that that was fine and that we had just gotten to where we had wanted to be. Are you kidding me? We were livid. We were livid that on some circuit court nominees, Senator Reid had pulled the nuclear option.

I will tell you this: There were days—not days, months—where people who had normally worked with people on the other side of the aisle just kind of shut down. It was hard to believe the nuclear option had been invoked.

Last Wednesday, somebody acted like it was no big deal, that it had just gotten us back to where we had always been. The fact is that we have not used filibusters much—years ago. The fact is that we are using them a lot today. Look, this was a big deal.

Now we find ourselves in a situation in which we are getting ready to take the last step, if you will, on nominations. Let's face it: We have a nominee in this judge who is on the floor who is really beyond reproach.

I realize my friends on the other side of the aisle have pressures. I have talked to some of them, and I respect them. I understand that their base is saying that because of what we did last year. Remember, it had been an hour since the great Justice passed away, and we had already declared we were not going to allow another Justice to be confirmed until after the Presidential race. It was a pretty audacious move, let's face it, and obviously it created some hard feelings on the other side of the aisle after the election was determined.

Within their base, many of them are saying they are going to invoke the filibuster here. Our leadership is saying: If that happens, then we ourselves have to invoke the nuclear option on the Supreme Court Justice.

We understand where this is going. I do not know what has been said on the floor other than during the hearings, but let's face it: One side is reacting to their base, to their pressure. They are having ads run against them if they are even considering voting to move beyond the cloture vote to an actual vote on the nominee. On our side, obviously, we are in a situation in which, if that happens, then our leader is going to call the nuclear option.

By the way, everybody says: Oh, we are never going to do it on legislation. Come on. Let me go back to that for a minute.

Back in 2010, the Democrats passed a healthcare bill with 60 votes. Then there was an election, and it took them down below 60 votes. They just needed to fix a little element on the healthcare bill with a reconciliation bill, and the Republicans went crazy over that. How many times have we talked about their passing this healthcare bill with reconciliation? It has been going on for 7 years. Now we are in the driver's seat. We have the majority. We are writing an entire bill through reconciliation because we understand the power of being able to do something with 51 votes. I understand. So what we do is we just keep upping the ante with each other. Are you kidding me?

If we continue on the path we are on right now, the very next time there is a legislative proposal that one side of the aisle feels is so important, they cannot let their base down, the pressure builds, then we are going to invoke the nuclear option on a legislative piece. That is what will happen. Somebody will do it. Somebody will say that if they were in control, they would do it. That is the way trust has gotten around here. So we ought to do it because this is our opportunity to really change history.

Look, I hope that before we move to the place that we all know we are going—I do not think anybody here would deny that pressures have built. Let's face it. If we do not have respect for the institution we serve and for ourselves, no one else will. Who will? These people know what we are getting ready to do to this place. For us to act like if we do it here, there is no way we would ever do it on a legislative piece—let me tell you this: Two years ago, after Senator Reid did what he did—a friend of mine and somebody I worked very closely with, I think most people know it took me a while to get back to normal with him. Two years ago, there would not have been a single Republican in our caucus who would have even considered voting for the nuclear option. As a matter of fact, we had discussions about changing it back. Then the election occurred, and we decided not to do that.

What it looks like to me is that there is a whole host of Republican Senators who are willing to do that today. Everyone knows that on the other side of the aisle—maybe everyone; I don't know. Yet to say that we will never get to the point at which we will not change a legislative piece—give me a break. Somebody is not living in reality, because we each continue to take the other down.

Again, I do not really care how history writes it; I am going to tell you how I am going to write it. Neither side of the aisle has had the maturity or the willingness to stand up to the pressures and cause this institution to operate in the way it should—neither side of the aisle. As for anybody who tries to say that one side of the aisle is worse than the other, come on. It takes two of us to take the institution to the place at which we are getting ready to take it next week. That is my history. I have been here 10 years. I have watched it. Neither side of the aisle has clean hands. We have one side. They have a decision to make. Are they really going to filibuster this judge? Let's face it. If you go back and look at the principles of the Gang of 14 that were put in place back in the 2000s, when both sides came together and said: We are not going to do the nuclear option as long as a judge meets these criteria—this judge meets that criteria. It is clear. By the way, I am not criticizing; I am just observing.

We both have pressures. We know that if a filibuster takes place—and you will know that immediately; of course, it would be after a few filibuster votes just to show that it cannot happen—the leader on this side is going to invoke the nuclear option. You all know that. I do not know if people are saying that it could happen, but of course that is what is going to happen. And then the very next time another big legislative issue comes up, the same thing is going to happen unless we have the ability to sit down and talk about this. I would love to do it out on the floor. Typically, we do not do those kinds of things because things get out of control when we talk about things honestly here on the floor, but I would like for us to do that. I would love for us to have maybe a 4-hour discussion about what we are getting ready to do here in the Senate. To me, that would be a healthy thing.

I think all of these staffers who work up here, whom we respect, know exactly what is getting ready to happen here in the Senate.

I think we owe this to people who are getting ready to run for the Senate or maybe to people who are thinking about running for reelection. We should go ahead and have this discussion so that they will know whether they are running for a 6-year House term—a 6-year House term because we do not have the maturity, because we do not trust each other, because we are on this constantly deescalating deal and our leaders do not talk to each other and fight and all of those kinds of things happen, because we are getting ready to take this institution to a

place that I do not think many of us are going to be proud of. But, again, for the people who are thinking about running for the Senate, let's go ahead and clear it. Let's have a discussion about this legislative issue so that people will know, if they are seeking election to the U.S. Senate, that they are, in essence, going to sign up, possibly, for a 6-year House term.

I am at a place in my Senate life where I have tremendous respect for the people with whom I have served. Every day I come here, I look at the things I have the ability to affect as one Senator. I look at that with such honor, to be able to be in a body that debates these kinds of things and affects people in the way we do. What an honor it is to be here. I am here with no malice.

I am here, though, at a time when I see what is getting ready to happen without a lot of discussion, and I hope that somehow or another, we will have the ability to avoid what I see as something that is very, very detrimental to the Senate and, in the process, very detrimental to our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I understand there is a time agreement on the recess before lunch.

I ask unanimous consent that I be allowed to finish and complete my remarks.

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

NOMINATION OF NEIL GORSUCH

Mr. GARDNER. Mr. President, I wanted to come to the floor again to express my strong support for a very mainstream, well-qualified nominee for the Supreme Court, Judge Neil Gorsuch.

Last week, this country got to watch the Senate Judiciary Committee carry out days of hearings that questioned and probed Judge Gorsuch's legal approach, that questioned his temperament to the bench, his suitability to be on our Nation's High Court. I believe every member of the Senate Judiciary Committee had at least an hour to question Judge Gorsuch, to provide lengthy opening statements, to have an extended period of time to have a back-and-forth with Judge Gorsuch in order to go over his judicial philosophy—his approach—that he would take with him from the Tenth Circuit Court to the Nation's High Court.

A number of interest groups and personal witnesses were talking about whether or not they believe Judge Gorsuch is qualified for the bench, and some were highly favorable and spoke very highly of him, and others opposed his confirmation. That is what is great about this country—to be able to come before our Congress, our government, and to testify for or against somebody who will be in that third important branch of government, the judicial branch. It is incredibly inspiring to watch this process unfold. There were student groups around the country, classes and teachers, who were watching the confirmation hearing as a project, as an educational experience, as a lesson in civics, democracy, and government.

I mentioned, of course, that Judge Gorsuch is a judge on the Tenth Circuit Court today. He is a fourth generation Coloradan. He was confirmed to that position in 2006, 11 years ago, unanimously. He was confirmed to the Tenth Circuit Court 11 years ago unanimously. Based on some of the comments we have heard opposing Judge Gorsuch, it is hard to believe that anybody would have supported him unanimously 11 years ago—based on the things we have heard from the other side of the aisle about him. Judge Gorsuch was confirmed unanimously by 12 current Democratic Senators who did not oppose his confirmation 11 years ago and who serve in this body today.

Twelve Democratic Senators serve in this Chamber today who agreed with his confirmation or didn't oppose his confirmation 11 years ago. In fact, not a single Democrat opposed his nomination—not a single one, and his nomination was unanimous—not Minority Leader SCHUMER, not Senator LEAHY, not Senator FEINSTEIN, not Senator DURBIN, not Senator CANTWELL, not Senator CARPER, not Senator MENENDEZ, not Senator MURRAY, not Senator NELSON, not Senator Reid, not Senator STABENOW, and not Senator WYDEN. Judge Gorsuch's nomination also was not opposed by then-Senator Barack Obama. It was not opposed by then-Senator Joe Biden, and it was not opposed by then-Senator Hillary Clinton.

This level of support for the other party's nomination is almost unheard of in today's political climate. But now, these very same colleagues are vowing to break 230 years of Senate tradition, to dispense with 230 years of precedent, and to join a partisan filibuster of a nominee who has the right judicial temperament and holds mainstream views that are supported by the Constitution.

Throughout the confirmation hearing process, we heard Judge Gorsuch talk about the over 2,000 opinions that he was a part of—2,700 decisions that he was a part of—and I believe he testified before the committee that he joined in the majority in 97 percent of those opinions. That is somebody who sounds to me like the person who could have received the unanimous support of the Senate—who did receive the unanimous support of the Senate, including colleagues who serve with us today.

But, unfortunately, across the aisle, we still haven't heard a reason articulated—a compelling rationale—for why this supremely qualified nominee should be opposed. Sometimes they will reference a letter from a law student at the University of Colorado, or perhaps they will find one case out of the 2,700 cases that tugs at the heartstrings but not at the law and try to hang their hat on that decision as to why they should oppose Judge Gorsuch. To use a baseball analogy, it is a little bit like a batting average. You would think that a professional baseball player that had a 400 batting average was a pretty doggone good baseball player, but that would mean they missed the ball a heck of a lot much of the time. It seems to me the argument they are making with Judge Gorsuch is that unless he had a perfect batting average and never missed a single pitch and had a hit every single time—that is the standard, apparently, that our colleagues are looking for. It is a standard that no one has ever met in this country before.

We are looking for mainstream judges with the right temperament and the right philosophy, and that is what Judge Gorsuch has proven time and again in the Tenth Circuit Court—that temperament that we need on the highest Court.

Our colleagues on the other side of the aisle should abandon their threats of a filibuster and allow an up-or-down vote to occur for Judge Gorsuch. It is what Senate tradition and precedent requires.

Today, though, I thought it important to talk about Judge Gorsuch's exceptionally strong record on religious liberty. Judge Gorsuch is perhaps widely known for his participation in the Tenth Circuit's Hobby Lobby case, a decision which involved the protections afforded by the Religious Freedom and Restoration Act and which was ultimately affirmed by the Supreme Court. In his concurrence, Judge Gorsuch made a number of telling pronouncements regarding religious liberty. Regarding the case, he wrote that the law in question requires the owners of Hobby Lobby to ''violate their religious faith by forcing them to lend an impermissible degree of assistance to conduct their religion teaches to be gravely wrong.''

Let me say that again. In Hobby Lobby, Judge Gorsuch wrote that the law requires the owners of Hobby Lobby to ''violate their religious faith by forcing them to lend an impermissible degree of assistance to conduct their religion teaches to be gravely wrong.''

In determining which religious beliefs are entitled to protection, Judge Gorsuch said it doesn't matter if the beliefs are contestable or even offensive. It only matters if they are sincerely held—if they are sincerely held.

He went on to stress that ''it is not the place of courts of law to question the correctness or the consistency of tenets of religious faith, only to protect the exercise of faith.''

It is these same constitutional principles of religious liberty that Judge Gorsuch has also used to protect religious minorities and prison inmates.

In Yellowbear v. Lampert, Judge Gorsuch ruled that a Native American prisoner was entitled to the use of a prison sweat lodge under Federal law.

Judge Gorsuch went on to stress that while prisoners give up many liberties, the freedom to sincerely express their religion is not one of them. His reasoning was later adopted by the Supreme Court to extend similar religious liberty protections to a Muslim prisoner. Judge Sotomayor even quoted the opinion of Judge Gorsuch in her concurrence in that case.

From his opinions, it is clear that Judge Gorsuch is a mainstream nominee who understands the importance of putting personal beliefs aside and applying the law as written. This is why George Washington University Law School professor Jonathan Turley argued that Judge Gorsuch shouldn't be penalized for his past opinions. As he said, ''the jurisprudence reflect, not surprisingly, a jurist who crafts his decisions very close to the text of a statute and, in my view, that is no vice for a federal judge.''

It is for the reasons I have cited today and for the reasons we have seen over the past week that I am certain Judge Gorsuch will make Colorado proud and that his decisions will have a positive impact on the Supreme Court and this country for generations to come.

I look forward to working with my distinguished colleagues on both sides of the aisle to expeditiously confirm his nomination and to make sure that we uphold the best traditions and the precedent of this Senate.

Mr. President, thank you.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:52 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

PROTOCOL TO THE NORTH ATLANTIC TREATY OF 1949 ON THE ACCESSION OF MONTENEGRO—Continued

The PRESIDING OFFICER. The Senator from Arizona.

(The remarks of Mr. FLAKE pertaining to the introduction of S. 745 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. FLAKE. Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

RUSSIA

Mr. SASSE. Mr. President, I rise to comment briefly on Russian interference in the electoral processes in this country and across the West and governments of many of Russia's own neighbors.

We are in the middle of a civilization warfare crisis of public trust in this country. This isn't about the last 2 months. This isn't just about the last Presidential election. This is fundamentally about the last few decades of declining public trust in a broad range of our institutions: the press, political parties, executive branch agencies, the Congress, and beyond.

Russia is not unaware of our own distrust of each other. Russia is not unaware of our own increasing self-doubt about our shared values. Russia is today very self-consciously working to further erode confidence in our self-government by pulling at the threads of our public and civic life. Moscow's influence campaigns don't start by creating wholly new problems out of thin air, but rather by exploiting fissures that already exist in our civilization. The simplest way for Russia to try to weaken us is by trying to exploit the places where we are already weak, the places where we are already distrustful, and the places where we are failing to pass along a shared understanding of American values to the next generation.

The sad state of modern politics and the explosion of digital media are proving to be ripe targets for many of our own internal doubts and our own discord. We—all of us, Republicans and Democrats, the legislature and the executive branch—are ill-prepared for the challenges that are already on our doorstep, let alone what comes next with the acceleration of these kinds of technologies.

Today in the Wall Street Journal, we in this body were rebuked—rightly rebuked, I think, and rebuked in a bipartisan way by former Congressman MIKE ROGERS. Chairman ROGERS, a Republican, served as the Chairman of the House Intelligence Committee from 2011 through 2015. I am going to read his op-ed rebuke into the RECORD today, but I would humbly ask that all 100 Members of this body calmly and self-critically consider carefully Chairman ROGERS' argument, for his argument is not fundamentally against Republicans alone. It is not against Democrats alone. He is offering double-barreled criticism of all of us in the Congress—criticism of both parties. Why of both parties? Because Russia's influence campaign is a really big deal. Are we Republicans listening? Also, because our response to Russia's influence campaign is not primarily about who you supported last November in the Presidential election.

Listening to the Democrats, it is sometimes hard to understand if that side of the aisle remembers that basic fact about what Russia's influence campaign was up to. Russia's goals in our most recent election were not initially about one candidate versus another candidate. We need to underscore this. There are particulars that those of us who spend time reading classified intelligence know we can't discuss in this unclassified setting. But the big, broad point is simple and needs to be shouted, and that is that Putin's fundamental goals are about undermining NATO. Putin's fundamental goals are about making us doubt our own values: freedom of speech, freedom of religion, freedom of the press, freedom of assembly, the right of protest or redress of grievances.

The Kremlin isn't attempting an influence campaign to make Americans believe that the sky is green or the grass is blue. He is trying to undertake an influence campaign to make us doubt our own First Amendment values. The Kremlin wants us to believe that our society is as corrupt as the thugocracy that Putin and his cronies are trying to advance. That isn't true, but if you listen to us in this body, we regularly do very little to restore the kind of public trust that Putin is actively working to undermine.

So I ask that each Member of this body would humbly and carefully consider Chairman ROGERS' rebuke to the Congress this morning. This is from the Wall Street Journal, Chairman ROGERS; headline: ''America is Ill-Prepared to Counter Russia's Information Warfare.''

When historians look back at the 2016 election, they will likely determine that it represented one of the most successful information operation campaigns ever conducted. A foreign power, through the targeted application of cyber tools to influence America's electoral process, was able to cast doubt on the election's legitimacy, engender doubts about the victor's fitness for office, tarnish the outcome of the vote, and frustrate the new President's agenda.

Historians will also see a feckless Congress—both Democrats and Republicans—that focused on playing partisan ''gotcha'' and fundamentally failed in its duty to gather information, hold officials accountable, and ultimately serve our country's interests.

Whether or not the Trump campaign or its staff were complicit in Moscow's meddling is missing the broader point: Russia's intervention has affected how Americans now view the peaceful transition of power from one president to the next. About this we should not be surprised. Far from it.

Propaganda is perhaps the second- or third-oldest profession. Using information as a tool to affect outcomes is as old as politics. Propaganda was familiar to the ancient Greeks and Romans, the Byzantines, and the Han Dynasty. Each generation applies the technology of the day in trying to influence an adversary's people.

What's new today is the reach of social media, the anonymity of the internet, and the speed in which falsehoods and fabrications can propagate. Twitter averaged 319 million monthly users in the fourth quarter of 2016. Instagram had 600 million accounts at the end of last year. Facebook's monthly active users total 1.86 billion—a quarter of the global population. Yet each of these staggering figures doesn't fully capture the internet's reach.

In February, Russia's minister of defense, Sergey Shoigu, announced a realignment in its cyber and digital assets. ''We have information troops who are much more effective and stronger than the former 'counter-propaganda' section,'' Mr. Shoigu said, according

to the BBC. Russia, more than any other country, recognizes the value of information as a weapon. Moscow deployed it with deadly effect in Estonia, in Georgia and most recently in Ukraine, introducing doubt into the minds of locals, spreading lies about their politicians, and obfuscating Russia's true intentions.

A report last year by RAND Corporation, ''The Russian 'Firehose of Falsehood' Propaganda Model,'' noted that cyber propaganda is practically a career path in Russia now. A former paid troll told Radio Free Europe that teams were on duty around the clock in 12-hour shifts and he was [personally] required to post at least 135 comments of not fewer than 200 characters each.

In effect, Moscow has developed a high-volume, multichannel propaganda machine aimed at advancing its foreign and security policy. Along with the traditional propaganda tools—favoring friendly outlets and sponsoring ideological journals—this represents an incredibly powerful [new] tool.

Now [let's] extrapolate that one step further: Apply botnets, artificial intelligence and other next-generation technology. The result will be automated propaganda, rapid spamming and more. We shouldn't be surprised to see [more] of this in the future.

Imagine [if you will] an American Senator who vocally advocates a new strategic-forces treaty with European allies.

Pausing from the article for a minute—it is interesting to note that is the debate we are actually having in the Senate today. We are talking about expanding NATO to include Montenegro.

Picking back up:

Moscow, feeling threatened, launches a directed information campaign to undermine the senator. His emails are breached and published, disclosing personal details and family disputes, alongside draft policy papers without context. Social media is spammed with seemingly legitimate comments opposing the senator's policy position. The senator's phone lines are flooded with robocalls. Fake news articles are pushed out on Russian-controlled media suggesting that the Senator has probably broken campaign-finance laws.

Can you imagine the disruption to American society? The confusion in the legislative process? The erosion of trust in democracy? Unfortunately, this is the reality the U.S. faces [next], and without a concerted effort it will get [much] worse.

Congress is too focused on the trees to see the frightening forest. Rather than engaging in sharp-edged partisanship, lawmakers should be investigating Russian propaganda operations and information warfare. They should be figuring out how to reduce the influence of foreign trolls, and teaching Americans about Moscow's capabilities. This would go a long way [toward saving] the republic.

That is the end of the op-ed. Again, this was Chairman Mike Rogers, who led the House Intelligence Committee from 2011 to 2015, writing an op-ed in the Wall Street Journal this morning.

Here is what he is really saying. What he is saying is that America has a future in foreign policy and national security and global security that is going to have a lot more propaganda, and a body like this—the Congress generally, but the Senate in particular—has an obligation to help make sure the American people understand Moscow's capabilities and their intentions.

Their intentions are to make us doubt our values. Their intentions are to make us doubt our investment in NATO, the most successful military alliance of last 2,000 years. Their intentions are to exploit the ways that we already distrust each other in ways that should be Republican versus Democratic policy, fighting about particular forms of government intervention and the economy, for instance, but that are subordinate to fundamental American beliefs about who we are as a people and the things that we believe together before we are Republicans and Democrats.

But if you listen to this body right now, would you have much confidence that the American people hear people who come together and believe things that are prepolitical and prepartisan first? Do we have shared American values that we know how to trumpet? Do we have ways to celebrate the things that fundamentally make us Americans well before we are Republicans or Democrats?

I worry that if you watch cable news any given night right now, you would not, as an American citizen, have that as a takeaway. Instead, you would hear Americans saying—American public listeners and viewers to those radio shows and cable shows thinking that the great divide in the world is between Republicans and Democrats. That is actually not true.

By voting record, I am the third most conservative guy around here out of 100, so I care deeply about Republican versus Democratic answers to most of the policy fights we have. But those things are radically subordinate to the things we believe in common about the dignity of people who are created with rights. The government doesn't give us rights. God gives us rights by nature, and we come together as a government to secure those rights. The rights of free speech, press, assembly, and religion are fundamentally American things well before we get to any of our policy bickering.

Yet, if the Americans listen to us in the Congress most days or most weeks or most months, I bet their takeaway is that Republican versus Democrat is the great divide, and we shouldn't trust anybody across that aisle.

Well, guess what. That is exactly what Putin is trying to do. His fundamental objective is to make Americans doubt our own values and to doubt our own civilization so that we fight with each other first, instead of agreeing as Americans first then fighting about a bunch of important policy things—but first agreeing who we are as Americans.

The future that we face is a future where there is going to be a lot more propaganda that tries to exploit our internal divisions to begin with. It makes it all the more critical that a body like this exists to help 320 million Americans with a lot of diversity and a lot of disagreement about really important things. They ought to trust that an institution like this exists to restore some sense of those shared values and exists to restore some of that shared trust. Right now that is not usually what they take away from us in the Congress. So I call on the 100 Members of this Senate to consider carefully Chairman Rogers' rebuke of us this morning in the Wall Street Journal.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. HOEVEN). Without objection, it is so ordered.

Mr. MURPHY. Mr. President, I am on the floor to speak in favor of the pending business before the Senate—to allow for Montenegro to join NATO as a new member. I have been a proponent of this move for a long time, having spent time in Montenegro and having chaired for a period of time the Europe and Regional Security Cooperation Subcommittee of the Foreign Relations Committee, now serving Senator JOHNSON as his ranking member.

I am convinced that NATO will be stronger if Montenegro joins. I am convinced that our alliance will be stronger if Montenegro joins. It is a small country with a very small military, but it occupies an incredibly important space on the world map. It is the only part of the Adriatic coast that breaks up the current NATO map, and it will provide a strengthening of our alliance in that region.

Montenegro is ready. It has made significant progress on internal reform, especially in the area of the rule of law and security sector reform. The Ministry of Defense has met all of the requirements for NATO membership. It is moving to modernize its military. It is moving to try to operationalize itself in a way that it can interact with both U.S. and European equipment. It is replacing its aircraft that previously had required Russian spare parts so that they are more compatible with European and American air equipment. There is still work that Montenegro needs to do, but now it can continue under the umbrella of the alliance.

I am very happy that we are taking an important step here to signal that NATO's open-door policy is still in practice. I think there was some doubt, frankly, and some concern, after years and years of Montenegro's desire to join amidst the interest from Georgia and prior to the crisis in Ukraine, that some of these transatlantic institutions were closing down. This is a sign that NATO is not only viable but is still open to those countries that want to join, that want to find additional safety and security under our umbrella. I am glad we are going to have a bipartisan vote here in favor of Montenegro's joining NATO.

I want to make a broader point about our future policy in the Balkans. It was

not that long ago that it was a precondition, if you were a Member of Congress, to be an expert on the Balkans. The United States was at war in the Balkans, as were Russia and our European allies. It was the hottest spot on the globe. Thanks to U.S. military might as well as diplomatic might, the Dayton Peace Accords brought peace and relative economic prosperity to a region of the globe that has been, frankly, at the center of almost every major conflict in and around Europe over the greater part of the last 100 years. It is a moment to celebrate this period of political and security stability in the Balkans and to remember that we should not take it for granted. There are still festering ethnic and nationalist tensions that play out every day in the Balkans. We see them in small ways.

When I was there, a drone with a map of greater Albania dropped down into the middle of a football match between the Serbian national team and the Albanian national team, which was a deliberate attempt to inflame the Serbians. It seemed like a small thing, but it resulted in the cancelation of a historic meeting between the Prime Minister of Albania and the Prime Minister of Serbia.

Just recently, we have seen some breakdown in the progress Serbia and Kosovo had been making to try to resolve their differences, resulting ultimately, we hope—we believe—in the recognition of Kosovo's statehood by the Serbian Government, which is a reminder that bringing Montenegro into NATO is important for the alliance's sake, but it is also an important step in continuing to make investments in security in the Balkans.

It is important for a second reason in that there is another player out there that is desperately trying to make the Balkans less stable, and that is Russia. For a very long time, Russia has had legitimate interests in the Balkans. They have relations with the people of the Balkan nations, as well as with those governments, but today they have an interest in trying to destabilize that region, to create a crisis for Europe, to create a crisis for NATO.

As we all know, Russia fills vacuums of power better than almost any other player out there. Whether or not we like it, as Members of the Senate, there is an enormous vacuum in the world right now that is created by the withdrawal of America. Without a robust State Department, without coherent U.S. foreign policy, we are just not players in the world today like we were a year ago. Example A may be the Balkan region.

The Balkans require attention because there are these simmering potential conflicts, and the United States has been a force for good but in ways that most Americans probably do not even know. It required the constant attention from Vice President Biden, Secretary of State Kerry, and Assistant Secretary of State Victoria Nuland to make sure that the Balkans—in particular, the western Balkans—continued their move toward Europe and rejected offers from Russia for a different kind of alignment. Weekly big and small interventions allowed the Balkan nations to feel comfort in a future with Europe and with the United States. That intervention, that attention, has, frankly, just disappeared, and the Russians have filled that vacuum.

There was a coup attempt in Montenegro. You do not see a lot of coup attempts these days in countries in and around Europe, but there was an attempt to storm the Parliament—an attempt that has been connected to Russian nationals. Those Russian nationals, according to Montenegro, have connections directly with the Russian Government. That has not been confirmed yet, but it is incredibly disturbing to know that Russian nationals were behind an attempted military coup inside Montenegro.

We have seen a much tighter joining of the leaders of the Republika Srpska and Russian interests and operatives in a move toward a referendum for independence in the Republika Srpska, which is a component of Bosnia and Herzegovina. It looks suspiciously like the kind of independence referendums that have threatened to take place in parts of Ukraine and Luhansk and Donetsk.

There are reports that the same players who are trying to fund and operationalize independent referendums in Ukraine are also at work inside Serbia—players with connections back to the Kremlin.

There are reports of a massive increase in Russian media presence in the Balkans—more offers from Russian TV stations and radio stations to provide free content to cash-strapped Balkan media outlets.

There are over 100 different nonprofit organizations in Serbia alone, according to one report, that have financial connections back in and through Russia.

Russia is filling this vacuum in the Balkans. It is trying to win friends and trying to create an instability that ultimately would land at the doorstep of NATO, at the doorstep of Europe, and at the doorstep of the United States. They are filling that vacuum because we do not have a presence there today.

Secretary Tillerson has no meaningful experience in the Balkans. He has no Deputy and he has no Assistant Secretary for the Balkans. When you pair that next to a proposal that Secretary Tillerson endorses cutting his budget by 40 percent, you will make America relatively feckless in that region because it is those funds that the administration is seeking to cut that are often our linkages to influence.

In Belgrade, our Ambassador has made enormous progress with a small amount of money for exchange programs. You look at people in powerful positions in Serbia today, and many of them are close to the United States because they have participated in State Department exchange programs. They have spent time here in the United States getting to know our country, maybe getting educated here, and they have gone back to Serbia to be part of the government in order to represent Serbian interests but with a connection to the United States and to the West that is important. Those exchange programs are basically eviscerated by a 40-percent cut. They will not exist any longer. It is a very small program, but it has not only gotten us important results in the Balkans, it has contributed to our ability to argue for stability and to argue for the calming of tensions because it gets doors opened for the United States.

Without anybody being on call for the State Department in the Balkans, without any funding in order to try to promote stability and economic connections between those countries, we cede ground to Russia every single day. Russia sees vacuums, and they fill them, and we have created them. We have created a vacuum globally, but we have created a specific vacuum in the Balkans. It is filled in part by this movement to join Montenegro with NATO.

I do appreciate the fact that Secretary Tillerson, I believe, and Secretary Mattis have both recommended to this body that we take up this matter. I think that was important, and I applaud them for standing against the recommendations of the Russian Government and for the accession of Montenegro into NATO, but it is not enough.

I wanted to come to this floor—and I see my great friend and colleague from Ohio, who is ready to speak—to make the case as to why this is so important and to make the case that as Russia tries to view Montenegro as an opportunity to establish a Kaliningrad on the Mediterranean, we can prevent its happening with this vote and with the vote of our European allies to join Montenegro with NATO, but it is not enough. We have to remember that stability in the Balkans is nothing to be taken for granted. The next global crisis may come from a small act of tension between neighbors that spins out of control, in part because the United States is not paying attention and because Russian intervention in the region, which is bigger and broader now than ever before, has an interest not in stability but actually ultimately in instability.

I thank Leader MCCONNELL for bringing this before the body. This is a chance for us to join together in supporting Montenegro as it joins NATO. Hopefully, there will be more opportunities for us to work together to make sure that this administration, to make sure that our country has a comprehensive policy to continue to build on the NATO peace accords and double down on the work we do to promote long-term stability and prosperity in the Balkan region.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, first I want to thank my colleague for coming to the floor today to speak about Montenegro and the importance of its accession into NATO, as well as for his focus on the Balkans and for his comment that right now the people of the Balkans and, for that matter, the people in Ukraine and other countries in eastern Southern Europe are feeling a lot of pressure. I applaud him for working on a bipartisan basis over the last couple of years to help us push back against some of the disinformation and propaganda that is primarily being promoted by Russia.

In each of these countries—and I know my colleague Senator MURPHY has visited these countries—the first issue I hear about when I go on a trip to Latvia, where I went recently, and certainly Ukraine and even Poland is concern about this sort of unrelenting campaign of disinformation, as we call it; maybe the other term would be ''propaganda.'' We do need to stand up and be counted. The new department of global engagement at the State Department is beginning to do that. I know Senator MURPHY has had some meetings recently—and I have, too—where they are starting to get their feet on the ground and being able to allow people to be able to see the objective truth; in other words, to sort of separate narratives from reality, to be able to ensure that we don't have an undermining of these great democracies—these fledgling democracies, many of them.

So we are talking today, as my colleague from Nebraska did earlier, about the meddling in our own election here and the effect it is having on the level of trust in this country, and this is true not just here but in other democracies. I appreciate Senator MURPHY standing up and being counted on that issue and then today specifically being able to help Montenegro to have the opportunity to develop its own institutions. As I said, it is not perfect, but they have made progress, they have made reforms, and they have followed the directions many of us have given them to enable them to be responsible members of NATO. So I thank Senator MURPHY for being here today and talking about that.

READ ALOUD MONTH

Mr. President, I am actually speaking out today about another issue, which is one that is a little closer to home, and that is about the importance of reading to our kids. It turns out that this month of March has been designated as Read Aloud Month, and this group called Read Aloud is doing fantastic work around the country. They actually started in my hometown of Cincinnati, OH, so I am a little biased about them, but what they are doing is incredibly important. It is about education, it is about the economy, and more importantly, it is about the lives of young people around the country and the ability to achieve their dreams. It is about child literacy.

Here is the information. Elementary schools and libraries are talking about this more and more back home. If you read to your kids when they are young, they will have a much better chance of succeeding in life. According to a study that dates back to 1995—kind of a famous study—by the time a child born into poverty reaches age 3, he or she has heard 30 million fewer words than his or her peers. Let me repeat that. A kid who is born into poverty is going to hear 30 million fewer words by the time he or she is 3 years old. Why does that matter? Why does this word gap, as they call it, matter? Well, it matters because it turns out these verbal skills, like other skills, develop as they are used, and if they are not used, they don't develop. So a lot of kids who already have the challenge of growing up in poverty are also burdened with the disadvantage of not developing these verbal skills. That makes it harder for them to get good grades, harder for them to develop social skills, and harder for them to get a good job and ultimately to be able to live out their dreams.

I know Washington, DC, may be the only place on Earth where 30 million sounds like a small number, but it is a big number. It makes a huge difference. This word gap leads to an achievement gap later in life based on all the studies. Experts tell us that a child's vocabulary is reflective of his or her parents' vocabulary. It makes sense. Kids learn what they see and what they hear.

There is a 2003 study by Elizabeth Martin and Tom Risley studying word gaps which found that by age 3, before even reaching school age, children's ''trends in the amount of talk, vocabulary growth, and style of interaction were well established and clearly suggest widening gaps to come.'' So having poor reading skills makes it harder to make a living, it affects self-esteem, and it makes life more difficult in so many small ways. Think about this: unable to read a manual when you buy something, unable to read a list of ingredients, unable to read a newspaper to understand what is going on, to be online.

Millions of our friends and neighbors are struggling with these consequences every day. According to the Department of Education, about 32 million adults in this country can't read. Think about that. That is a group nearly 3 times the size of the State of Ohio and maybe 25 to 30 times the size of the Presiding Officer's State—32 million. Too many of these adults, of course, started off life with the disadvantage of this word gap, and they never caught up.

That is why this Read Aloud Month is so critical. Parents and other caretakers need to know they can steer their child in a better direction—develop vocabulary skills and end the word gap just by reading aloud to them.

Developing these skills, according to experts, affects the biology of the brain. Dr. Tzipi Horowitz-Kraus of Cincinnati Children's Hospital—a great institution in my hometown and one of the top three children's hospitals in the country, based on U.S. News and World Report. Anyway, he is an expert on this topic, and this is what he said: ''The more you read to your child, the more you help the neurons in the brain to grow and connect.'' So it is physiological.

Dr. Kim Noble, a brain scientist at Columbia University, has found that this word gap actually translates into a brain-sized gap in the areas dealing with language.

Dr. Dana Suskind of the University of Chicago has found that more than 80 percent of a child's brain development occurs by age 3—80 percent—and the effects of the word gap are detected in brain development in babies as young as 9 months old. These aren't children; these are babies. Doctor Suskind says that by reading aloud, every parent has the ability to grow their child's brain.

So certainly before a child can read, before a child can even speak, it is important to be speaking to that child. Think about that. Think about the impact you can have. So get out a book and do some reading to a child, a grandchild, someone who is in the neighborhood, one of your kids. Do it tonight.

Sometimes when I talk about this, people say: Well, ROB, parenting is pretty tough. Everybody is busy. Some people are working two shifts. Both parents are working. Where do you make time for this? Here is my answer to that: Fifteen minutes a day. That is the goal here. Fifteen minutes a day makes a huge difference to be able to close that gap.

Others say: We can't afford it. How do you afford to buy these books if you are going to read all the time? To me, that is pretty simple. Buy a library card. They are free, usually. If not, they are cheap. You don't need a lot of new books, but you do need a library card, and that is very helpful. They helped Jane and me to be able to have books to read to our kids.

Again, I am very proud Ohio has led on this issue. In 2008, this group Read Aloud was started in Cincinnati, OH. It has now become a national movement. It has more than 10,000 grassroots partners—including daycare facilities, schools and libraries, and rotary clubs—in all 50 States.

So what can you do to help? I would say that this issue is not going to be found here in this body. It is not about Washington, DC, doing anything except encouraging people to do what makes sense, which is to spend time with your kid, to ensure that if you have a kid in school, that you know that kid gets the right start in life, to ensure that everybody has the ability to have a successful life.

Senator HARRIS and I introduced a resolution about this recently in the U.S. Senate. It is called the Read Aloud Month resolution. It encourages parents and caregivers to read to their kids for 15 minutes a day. We are asking our colleagues on both sides of the aisle, Republican and Democratic, to sign off on that resolution. That would help raise the visibility of this issue.

Again, I hope everybody listening today takes the opportunity to follow up, to read to a kid, to help ensure they can close that words gap in their lives and therefore have a better chance of getting better grades, getting a better job, and achieving whatever their dream is in life.

Mr. President, 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. JOHNSON. 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. JOHNSON. Mr. President, as chairman of the Subcommittee on Europe and Regional Security Cooperation, I rise today to support Montenegro's accession to the North Atlantic Treaty Organization, also known as NATO.

NATO is a defensive alliance founded in 1949 to provide collective security against the threat posed by the Soviet Union. Although the world had hoped that the threat had subsided with the collapse of the Soviet Union, under the rule of Vladimir Putin, Russia has become an ever-growing menace to its neighbors and to world peace and security. As a result, NATO remains as relevant today as it was in the year of its founding.

As Defense Secretary GEN James Mattis stated in his January confirmation hearing, ''If we did not have NATO today, we would need to create it.''

NATO has evoked article 5 of its charter—which states that an attack against one member shall be considered an attack against all—only once in its history, in response to the 9/11 attacks against America. Since then, our NATO allies have sent their sons and daughters to fight and die alongside our own in the generational war against radical Islamist terrorism.

The accession of Montenegro to NATO is important for a number of reasons. Montenegro has shown that it is committed to NATO and to making the internal reforms required to remain a member in good standing. Because of that commitment, Montenegro's membership in NATO will enhance stability in Europe.

Finally, Russia's alleged support of an attempted coup in Montenegro must not be rewarded by NATO turning its back on a country that exhibits such courage in resisting Russia's persistent aggression.

Just a few days ago, I met with Montenegro's Foreign Minister and the Ambassador to the United States. They expressed their sincere gratitude that the Senate will be voting this week on their accession and that Montenegro would be one step closer to aligning itself with the freedom-loving nations of NATO.

Montenegro is a small country, but it has already demonstrated its commitment to the international community in implementing internal reforms. Montenegro has sent members of its military to Afghanistan in support of the International Security Assistance Force and as a member of the coalition to counter ISIS.

In the years leading up to its formal invitation to join the alliance, Montenegro has partnered with NATO members to make a wide range of changes to strengthen its military, its intelligence operations, and its rule of law. While it currently falls short of the goals stated in the 2014 NATO Wales Summit to spend 2 percent of its GDP on defense, Montenegro has committed to meeting this target by 2024.

Expanding NATO to include nations that desire to join the alliance and commit to meeting membership requirements contributes to a strong and stable Europe. It wasn't all that long ago that the Balkans region was unstable and war-torn, but because Slovenia, Croatia, and Albania have joined NATO, the Balkans is a far more stable region. Montenegro's accession will further enhance the stability of the Balkans and greater Europe.

Finally, I support Montenegro and NATO because it sends a clear message to Moscow that it cannot deter NATO from expanding the alliance and it cannot bully countries to prevent them from joining. Russia has warned Montenegro that it will face consequences if it continues to pursue NATO membership. As Russia continues its destabilizing actions throughout Eastern Europe and the world, it is imperative that we send an unwavering message of strength and resolve by approving Montenegro's accession to NATO.

In an era defined by polarization, Montenegro's accession to NATO has been thoroughly bipartisan. I thank my ranking members on the European subcommittee, Senator MURPHY for the current Congress and Senator SHAHEEN during the 114th Congress, for their strong support on this issue. I also thank Chairman CORKER and Ranking Member CARDIN for their continued efforts to move this legislation forward, Senator MCCAIN for being an outspoken supporter of Montenegro's accession, and Leader MCCONNELL for his willingness to bring the protocol on the accession of Montenegro to the Senate floor.

It is time for the United States to approve Montenegro's accession to NATO. The Senate Foreign Relations Committee has twice unanimously approved this measure, and Secretary of State Tillerson has communicated this administration's full support for Senate passage.

I urge my colleagues to vote in favor of Montenegro's accession and hope President Trump will soon sign the protocol on the accession of Montenegro.

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

The PRESIDING OFFICER (Mr. STRANGE). Without objection, it is so ordered.

NOMINATION OF NEIL GORSUCH

Mr. ALEXANDER. Mr. President, redundancy is often a virtue, so I am about to practice redundancy.

Last week, I made a speech on the floor of the Senate about the upcoming votes in connection with the President's nomination of Neil Gorsuch to be Associate Justice of the Supreme Court of the United States, and I talked about the 230-year history of this body to always have Presidential nominations for judges—for Supreme Court Justices, for Federal district judges, and for circuit judges up to 2003 by a majority vote. Never in the history of this body has the Senate refused to allow a vote, an up-or-down vote on a Supreme Court Justice.

Because I hear that may be what the Democrats are planning to do—even though Mr. Gorsuch may be one of the most remarkably talented nominees in a long, long time—I want to make the address that I made last week again, and I am going to deliver it word for word in hopes that someone may actually hear it.

President Trump's nomination of Judge Neil Gorsuch to be a member of the U.S. Supreme Court will be considered on the floor of the Senate next week. Some have suggested that instead of allowing a majority of Senators to decide whether to approve the Gorsuch nomination, there should first be a so-called cloture vote to determine whether to cut off debate.

Now, you can see what would happen. Cutting off debate requires the approval of 60 Senators. There are 46 Democratic Senators, so if 41 of the 46 Democrat Senators vote not to cut off debate, we would never get to a vote on Judge Gorsuch. We would never get to a vote. In other words, the 41 Democratic Senators would have filibustered to death the Gorsuch nomination to the Supreme Court of the United States, a partisan act that has never happened before in the 230 years of the Senate.

Filibustering to death the Gorsuch nomination or any Presidential nomination, for that matter, flies in the face of 230 years of Senate tradition.

Throughout the Senate's history, approval of even the most controversial Presidential nominations have required only a majority vote. For example, in 1991, President George H.W. Bush nominated Clarence Thomas to be Associate Justice of the U.S. Supreme

Court. The debate was bitter. The vote was narrow. The Senate confirmed Justice Thomas 52 to 48.

Although Senate rules have allowed any one Senator to try to filibuster the nomination to death, to insist on a 60-vote vote, not one did. In fact, Senate rules have always allowed Senators the option to filibuster to death a Presidential nomination, yet it has almost never happened.

According to the former Senate historian, with one possible exception, which I will describe later, the number of Supreme Court Justices in our country's history who have been denied their seats by filibuster is zero. The number of the President's Cabinet members in our country's history who have been denied their seats by a filibuster is zero. The number of Federal district judges in our country's history who have been denied their seats by a filibuster is zero. I know that for a fact because an attempt was made to filibuster one—Judge McConnell from Rhode Island—and I voted against that, as did other Republican Senators, because we thought it was wrong to break the Senate's 230-year tradition of always considering judges by majority vote, and we prevailed.

We could have done it, but we didn't do it. That is the point.

Next week, the Democrats can filibuster Judge Gorsuch to death, but they shouldn't do it. They shouldn't do it.

Until 2003, the number of circuit judges in our country's history who have been denied their seats by filibuster was zero.

Senator Everett Dirksen did not filibuster President Lyndon Johnson's nominees. Senator Robert Byrd did not filibuster President Reagan's nominees. Senator Howard Baker did not filibuster President Carter's nominees. Senator Bob Dole did not filibuster President Clinton's nominees.

During most of the 20th century, when one party controlled the White House and the Senate 70 percent of the time, the minority never filibustered to death a single Presidential nomination.

On the other hand, there have been plenty of filibusters on legislation—so many that in 1917, the Senate adopted the so-called cloture rule as a way to end filibusters. The idea is, after you talk enough, you should bring it to an end, so they had a supermajority for that purpose. The rule was amended in 1949, 1959, 1975, 1979, and 1986—always in response to filibusters on legislation, never on nominations. It was the 1975 change that established the current cloture standard of 60 votes to end debate, except on amendments to the Standing Rules.

Filibustering a Presidential nomination has always been treated differently than filibustering a legislative matter. The filibuster of legislation is perhaps the Senate's most famous characteristic. It has been called ''democracy's finest show, the right to talk your head off.''

As the actor Jimmy Stewart says in the movie ''Mr. Smith Goes to Washington'': ''Wild horses aren't going to drag me off this floor until those people have heard everything I've got to say, even if it takes all winter.'' That was Jimmy Stewart talking about his filibuster.

The late Robert Byrd described the importance of a legislative filibuster in this way in his last speech to the Senate: ''Our Founding Fathers intended the Senate to be a continuing body that allows for open and unlimited debate and protection of minority rights. Senators have understood this since the Senate first convened.''

In fact, the whole idea of the Senate is not to have a majority rule on legislation. Throughout Senate history, the purpose of the legislative filibuster has been to force consensus on issues, to force there to be a group of Senators on either side who have to respect one another's views so they work together and produce 60 votes on important matters. We did that last December in a piece of legislation that the majority leader called the most important legislation of the Congress, the 21st Century Cures Act. There were enormous differences of opinion about it, but because Senator MURRAY, the ranking Democrat and I, and the Democrats and Republicans in the Senate and in the House, and President Obama and Vice President Biden all wanted a result, we formed a consensus. We resolved our differences, and we agreed on this most important piece of legislation that will help virtually every American family by advancing cures for cancer, Alzheimer's, diabetes, and a variety of diseases.

Nominations have always been treated differently from legislation. For example, under Senate rule XIV, any Senator can bring legislation directly to the Calendar of General Orders, bypassing committees. There is no such power for nominations. There is no rule XIV for nominations. Senate rules allow debate and, therefore, the possibility of filibuster on a motion to proceed to legislation. Debate is not allowed on a motion to proceed to nominations. So there can't be a filibuster on a motion to proceed to a nomination. In summary, while Senate rules have always allowed for extended debate or filibusters, the filibuster was never used to block a nomination until recently.

As I mentioned earlier, it was never used to block a Cabinet nomination, never used to block a Federal district judge, until 2003, never used to block a Federal circuit judge, and never used to block a Supreme Court Justice, with one possible exception. The exception occurred in 1968 when President Lyndon Johnson sought to elevate Associate Justice Abe Fortas to be Chief Justice. There was bipartisan opposition to that idea. When it became clear that the Senate majority would not agree, President Johnson engineered a 45–43 cloture vote so that Fortas could save face and appear to have won something, according to the former Senate Historian. Fortas then asked the President to withdraw the nomination.

Other than that, never has a Supreme Court nominee been filibustered to death in the Senate. Other than the Fortas nomination, the filibuster was never used to block any judicial nomination until 2003 and 2004, when Democrats for the first time decided to use the 60-vote cloture requirement to block 10 of President George W. Bush's nominees. I had just arrived in the Senate. I remember it well. I was really outraged by it because, as for the nominees, it was the right of the President to name them and the right of the Senate to reject them. But throughout history it was always by 51 votes. This unprecedented action by the Senate Democrats produced a threat by Republicans to change the Senate rules to make it clear that only a majority is required to approve a Presidential nomination. There was a negotiation, and eventually five of Bush's nominees were approved, five were blocked, and the rules weren't changed.

Then in 2011 and 2013, Republicans returned the favor. That happens around here—a precedent set by that side then becomes a precedent that this side, then, undertakes. In 2011 and 2013, the Republicans returned the favor by seeking to block five of President Obama's nominees for the circuit court by insisting on a 60-vote cloture on each. Republicans alleged the President was trying to pack the Federal Circuit Court of the District of Columbia with three liberal justices. To overcome Republican objections, the Democrats invoked the so-called nuclear option. They broke the Senate rules to change the rules. The new rule eliminated the possibility of 60-vote cloture motions for all Presidential nominations except for the Supreme Court, which is where we are today.

There have been other examples of minority Senators filibustering nominations to death, all of them during the last three administrations and all involving sub-Cabinet nominations. Then, of course, there have been delays in considering nominations.

My own nomination in 1991 as U.S. Education Secretary was delayed for 51 days—I thought improperly—by a Democratic Senator. President Reagan's nomination of Ed Meese as Attorney General of the United States was delayed 1 year by a Democratic Senate. No one has ever disputed our right in the Senate, regardless of who was in charge, to use our constitutional duty of advice and consent to delay and examine and sometimes to cause nominations to be withdrawn or even to defeat nominees by a majority vote.

But, as we approach the vote next week on Neil Gorsuch on the floor of the Senate, it is useful to remember that the tradition of the Senate has been to treat legislative matters one way and Presidential nominations a different way: to filibuster to death

legislation, yes; to filibuster to death Presidential nominations, no.

Should the Gorsuch nomination come to the floor soon, as I believe it will, overwhelming Senate tradition requires that whether to approve it should be decided by a majority vote and there should be no attempt by the minority to filibuster the nomination, especially of such a qualified man.

I thank the Presiding Officer, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. JOHNSON). Without objection, it is so ordered.

Mr. COTTON. Mr. President, I ask unanimous consent that, notwithstanding rule XXII, all postcloture time on Executive Calendar No. 1, the Montenegro treaty, be expired; that all pending amendments be withdrawn, the resolution of ratification be reported, and the Senate vote on the resolution of ratification with no intervening action or debate; and that if the resolution of ratification is agreed to, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments (No. 193 and 194) were withdrawn.

The PRESIDING OFFICER. The clerk will report the resolution of ratification.

The senior assistant legislative clerk read as follows:

Resolution of Advice and Consent to Ratification of the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro, which was opened for signature at Brussels on May 19, 2016, and signed that day on behalf of the United States of America.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification.

Mr. COTTON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 97, nays 2, as follows:

[Rollcall Vote No. 98 Ex.]

YEAS—97

Alexander	Flake	Nelson
Baldwin	Franken	Perdue
Barrasso	Gardner	Peters
Bennet	Gillibrand	Portman
Blumenthal	Graham	Reed
Blunt	Grassley	Risch
Booker	Harris	Roberts
Boozman	Hassan	Rounds
Brown	Hatch	Rubio
Burr	Heinrich	Sanders
Cantwell	Heitkamp	Sasse
Capito	Heller	Schatz
Cardin	Hirono	Schumer
Carper	Hoeven	Scott
Casey	Inhofe	Shaheen
Cassidy	Johnson	Shelby
Cochran	Kaine	Stabenow
Collins	Kennedy	Strange
Coons	King	Sullivan
Corker	Klobuchar	Tester
Cornyn	Lankford	Thune
Cortez Masto	Leahy	Tillis
Cotton	Manchin	Toomey
Crapo	Markey	Udall
Cruz	McCain	Van Hollen
Daines	McCaskill	Warner
Donnelly	McConnell	Warren
Duckworth	Menendez	Whitehouse
Durbin	Merkley	Wicker
Enzi	Moran	Wyden
Ernst	Murkowski	Young
Feinstein	Murphy	
Fischer	Murray	

NAYS—2

Lee	Paul

NOT VOTING—1

Isakson

The PRESIDING OFFICER. On this vote, the yeas are 97, the nays are 2.

Two-thirds of the Senators voting, a quorum being present, having voted in the affirmative, the resolution of ratification is agreed to.

The resolution of ratification agreed to is as follows:

Resolved, (two-thirds of the Senators present concurring therein),

SECTION 1. SENATE ADVICE AND CONSENT SUBJECT TO DECLARATIONS, AN UNDERSTANDING, AND CONDITIONS.

The Senate advises and consents to the ratification of the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro, which was opened for signature at Brussels on May 19, 2016, and signed that day on behalf of the United States of America (the ''Protocol'') (Treaty Doc. 114–12), subject to the declarations of section 2 and the conditions of section 3.

SEC. 2. DECLARATIONS.

The advice and consent of the Senate under section 1 is subject to the following declarations:

(1) REAFFIRMATION THAT UNITED STATES MEMBERSHIP IN NATO REMAINS A VITAL NATIONAL SECURITY INTEREST OF THE UNITED STATES.—The Senate declares that—

(A) for more than 60 years the North Atlantic Treaty Organization (NATO) has served as the preeminent organization to defend the countries in the North Atlantic area against all external threats;

(B) through common action, the established democracies of North America and Europe that were joined in NATO persevered and prevailed in the task of ensuring the survival of democratic government in Europe and North America throughout the Cold War;

(C) NATO enhances the security of the United States by embedding European states in a process of cooperative security planning and by ensuring an ongoing and direct leadership role for the United States in European security affairs;

(D) the responsibility and financial burden of defending the democracies of Europe and North America can be more equitably shared through an alliance in which specific obligations and force goals are met by its members;

(E) the security and prosperity of the United States is enhanced by NATO's collective defense against aggression that may threaten the security of NATO members; and

(F) United States membership in NATO remains a vital national security interest of the United States.

(2) STRATEGIC RATIONALE FOR NATO ENLARGEMENT.—The Senate finds that—

(A) the United States and its NATO allies face continued threats to their stability and territorial integrity;

(B) an attack against Montenegro, or its destabilization arising from external subversion, would threaten the stability of Europe and jeopardize United States national security interests;

(C) Montenegro, having established a democratic government and having demonstrated a willingness to meet the requirements of membership, including those necessary to contribute to the defense of all NATO members, is in a position to further the principles of the North Atlantic Treaty and to contribute to the security of the North Atlantic area; and

(D) extending NATO membership to Montenegro will strengthen NATO, enhance stability in Southeast Europe, and advance the interests of the United States and its NATO allies.

(3) SUPPORT FOR NATO'S OPEN DOOR POLICY.—The policy of the United States is to support NATO's Open Door Policy that allows any European country to express its desire to join NATO and demonstrate its ability to meet the obligations of NATO membership.

(4) FUTURE CONSIDERATION OF CANDIDATES FOR MEMBERSHIP IN NATO.—

(A) SENATE FINDING.—The Senate finds that the United States will not support the accession to the North Atlantic Treaty of, or the invitation to begin accession talks with, any European state (other than Montenegro), unless—

(i) the President consults with the Senate consistent with Article II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties); and

(ii) the prospective NATO member can fulfill all of the obligations and responsibilities of membership, and the inclusion of such state in NATO would serve the overall political and strategic interests of NATO and the United States.

(B) REQUIREMENT FOR CONSENSUS AND RATIFICATION.—The Senate declares that no action or agreement other than a consensus decision by the full membership of NATO, approved by the national procedures of each NATO member, including, in the case of the United States, the requirements of Article II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties), will constitute a commitment to collective defense and consultations pursuant to Articles 4 and 5 of the North Atlantic Treaty.

(5) INFLUENCE OF NON-NATO MEMBERS ON NATO DECISIONS.—The Senate declares that any country that is not a member of NATO shall have no impact on decisions related to NATO enlargement.

(6) SUPPORT FOR 2014 WALES SUMMIT DEFENSE SPENDING BENCHMARK.—The Senate declares that all NATO members should continue to move towards the guideline outlined in the 2014 Wales Summit Declaration to spend a minimum of 2 percent of their Gross Domestic Product (GDP) on defense and 20 percent

of their defense budgets on major equipment, including research and development, by 2024.

(7) SUPPORT FOR MONTENEGRO'S DEMOCRATIC REFORM PROCESS.—Montenegro has made difficult reforms and taken steps to address corruption. The United States and other NATO member states should not consider this important process complete and should continue to urge additional reforms.

SEC. 3. CONDITIONS.

The advice and consent of the Senate under section 1 is subject to the following conditions:

(1) PRESIDENTIAL CERTIFICATION.—Prior to the deposit of the instrument of ratification, the President shall certify to the Senate as follows:

(A) The inclusion of Montenegro in NATO will not have the effect of increasing the overall percentage share of the United States in the common budgets of NATO.

(B) The inclusion of Montenegro in NATO does not detract from the ability of the United States to meet or to fund its military requirements outside the North Atlantic area.

(2) ANNUAL REPORT ON NATO MEMBER DEFENSE SPENDING.—Not later than December 1 of each year during the 8-year period following the date of entry into force of the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro, the President shall submit to the appropriate congressional committees a report, which shall be submitted in an unclassified form, but may be accompanied by a classified annex, and which shall contain the following information:

(A) The amount each NATO member spent on its national defense in each of the previous 5 years.

(B) The percentage of GDP for each of the previous 5 years that each NATO member spent on its national defense.

(C) The percentage of national defense spending for each of the previous 5 years that each NATO member spent on major equipment, including research and development.

(D) Details on the actions a NATO member has taken in the most recent year reported to move closer towards the NATO guideline outlined in the 2014 Wales Summit Declaration to spend a minimum of 2 percent of its GDP on national defense and 20 percent of its national defense budget on major equipment, including research and development, if a NATO member is below either guideline for the most recent year reported.

SEC. 4. DEFINITIONS.

In this resolution:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations and the Committee on Armed Services of the Senate and the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

(2) NATO MEMBERS.—The term ''NATO members'' means all countries that are parties to the North Atlantic Treaty.

(3) NON-NATO MEMBERS.—The term ''non-NATO members'' means all countries that are not parties to the North Atlantic Treaty.

(4) NORTH ATLANTIC AREA.—The term ''North Atlantic area'' means the area covered by Article 6 of the North Atlantic Treaty, as applied by the North Atlantic Council.

(5) NORTH ATLANTIC TREATY.—The term ''North Atlantic Treaty'' means the North Atlantic Treaty, signed at Washington April 4, 1949 (63 Stat. 2241; TIAS 1964), as amended.

(6) UNITED STATES INSTRUMENT OF RATIFICATION.—The term ''United States instrument of ratification'' means the instrument of ratification of the United States of the Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro.

The PRESIDING OFFICER. The Senator from North Carolina.

LEGISLATIVE SESSION

Mr. BURR. Mr. President, I ask unanimous consent that the Senate resume legislative session.

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

MORNING BUSINESS

Mr. BURR. 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.

Mr. BURR. 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.

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

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

NOMINATION OF NEIL GORSUCH

Ms. HIRONO. Mr. President, during last week's hearing on Donald Trump's nominee to the Supreme Court, Neil Gorsuch, I raised serious concerns about what is at stake for the future of our country. It is a mistake to think that the confirmation process for a lifetime appointment to our Nation's highest Court is only about the nominee. It isn't.

The real focus and the real heart of this decision lies in the struggles that working families, women, people of color, the differently abled, the LGBTQ community, immigrants, students, seniors, and our Native people face every single day. These are the everyday Americans who will be impacted by the decisions Justice Gorsuch would make. These are the people who would have been hurt by Donald Trump and the Congressional Republicans in their failed attempt to repeal the Affordable Care Act.

Donald Trump and the Republicans in Congress fought for a plan that would callously throw Americans by the tens of millions out in the cold without health insurance and would make the lives and health of millions more precarious. It was only through the voices of Americans who were loud and steadfast in confronting TrumpCare that TrumpCare failed. These are the people for whom the need for justice is often most urgent. An understanding of these people, their lives, and how they would be impacted by the Court is what I found to be missing from Judge Gorsuch's view of the law. It is these same voices I am listening to now.

Judge Gorsuch should have been more open with the Judiciary Committee about how he would approach the difficult and important cases that come before the Supreme Court. But time and again, Judge Gorsuch avoided answering questions, telling us his judicial philosophy and his view of the law were irrelevant to our consideration of his nomination.

The well-funded campaign to put Judge Gorsuch on the Supreme Court fueled by millions of dollars of money from unnamed donors has attempted to create a narrative about Judge Gorsuch and the stakes of this nomination. This is a narrative woven with Ivy League credentials and endorsements but not revealing at all about Judge Gorsuch's judicial philosophy—the heart he would bring to his view of the law.

During the hearing, many of my Republican colleagues echoed the view that credentials are enough and that our real questions about Judge Gorsuch's record and philosophy are somehow irrelevant or even inappropriate. Certainly, Judge Gorsuch did his part, telling us time and again in his words, his views, his writings, and his clearly expressed personal views that these writings had no relevance to what he would do as a judge. I disagree.

In my view, there is a great deal of difference between how Judge Gorsuch, as Justice Gorsuch, would approach the kinds of tough cases that reach the Supreme Court and how, say, a Justice Merrick Garland would approach these cases.

We know that Justice Scalia and Justice Ginsburg, both legendary jurists and close friends, would reach dramatically different results in cases that matter deeply in the lives of millions—cases like Shelby County, like Lilly Ledbetter, like Hobby Lobby, like Roe v. Wade. Justice Scalia and Justice Ginsburg differ in how they view important cases that came before them. That is why a Justice's judicial philosophy is important in our considerations.

Donald Trump knew this, too, when he set forth his clear litmus test for his Supreme Court pick. To paraphrase the President, he wanted a Justice who would adhere to a broad view of the Second Amendment, who believes corporations are entitled to ''religious freedom'' at the expense of the rights of their employees, and who would overturn Roe v. Wade, to quote the President, ''automatically.''

In Judge Gorsuch, Donald Trump selected a nominee who passed his litmus test. When we asked Judge Gorsuch about his opinions in specific cases like that involving the terrible choice facing Alfonse Maddin between freezing to death or being fired, the judge told us we should look instead at his whole record. When I examined his whole record, I saw too little regard for the real-world impact of his decisions and a refusal to look beyond the words to the meaning and intent of the law,

even when his decisions lacked commonsense.

When we asked about decisions where Judge Gorsuch seemed to adopt strained interpretations that narrow laws meant to protect worker safety, he said simply that he was a judge and he didn't take sides. Yet too many times, his narrow interpretations led to decisions that were on the side of big corporations and against the side of the little guy. When asked to respond, he said that if we didn't like the result, if we didn't like his decisions, it was because a statute was too limited or unclear, and that Members of Congress should do better.

We asked Judge Gorsuch about his decision in Hobby Lobby, which found an expansive new right to religious liberty for a corporation that employed thousands of people. He did not explain how he assessed the terrible impact this decision had for thousands of working women at the company who would now be denied access to contraceptive coverage.

When I met with Judge Gorsuch, he told me he had a heart. After 4 days of hearings, I still don't know what is in his heart. I would have liked Judge Gorsuch to have been more open so we could have had a real conversation about what the law is and who the courts protect. What we got instead were platitudes about the work of the courts that came straight from a Norman Rockwell painting.

I did agree with the judge that article III courts are there to protect minority rights. Article III of the Constitution protects the independence of the Supreme Court and the lower Federal courts and gives enormous authority to judges and Justices to determine how to apply the law to the cases before them to protect minority rights.

It is critical that before we decide to grant Judge Gorsuch a lifetime appointment to the Nation's highest Court, the Senate is able to gain an understanding of his approach to the law. At our judiciary committee hearing, I asked Jeff Perkins, the father of a young boy with autism, about the impact of Judge Gorsuch's decision on his son's education progress at and outside of his new school. The case involved the protections of the Individuals with Disabilities Education Act, or IDEA, which Judge Gorsuch's decision narrowed to point that these comments under the law were deemed virtually meaningless.

The new school that Luke Perkins attended made little effort to ensure that the skills he developed in school were translating at home. As a result, Luke severely regressed. Experts in autism, psychology, and occupational therapy testified on Luke's behalf that the school was seriously neglecting his needs. An impartial hearing officer, an administrative law judge, and Federal district court all agreed Luke's regression showed that the school was not providing him with a ''free appropriate public education'' as required by the IDEA.

Judge Gorsuch disagreed and decided the school had ''merely more than de minimis'' responsibility to do better for Luke. Jeff Perkins, Luke's father, said that he knew Judge Gorsuch's decision would negatively impact thousands of families with special needs children like Luke. It broke his heart.

Judge Gorsuch's extraordinarily narrow interpretation of the IDEA was rejected unanimously by the U.S. Supreme Court last week. In his opinion for the unanimous Court, Chief Justice Roberts concluded that the minimal standard determined by Judge Gorsuch was clearly at odds with the purpose of the law for children who are not progressing along with their peers. Justice Roberts wrote:

> The goals may differ, but every child should have the chance to meet challenging objectives. . . . When all is said and done, a student offered an educational program providing ''merely more than de minimis'' progress from year to year can hardly be said to have been offered an education at all.

When asked by my colleague, Senator DURBIN of Illinois, why the judge wanted to ''lower the bar so low'' in his decision, Judge Gorsuch, referring to Luke's case, responded:

> If anyone is suggesting that I like a result where an autistic child happens to lose, that's a heartbreaking accusation to me. Heartbreaking. But the fact of the matter is what is bound by certain precedent.

Heartbreaking or not, Judge Gorsuch still found against the autistic child. Thankfully, the Supreme Court disagreed with Judge Gorsuch's wrong decision. It was wrong because remedial legislation such as IDEA should be broadly interpreted in favor of the group being protected. And it was wrong because the courts are not innocent bystanders. Their decisions have real-world impacts for thousands or even millions of people beyond the parties in a particular case before the Court.

This is especially true of the Supreme Court, which issues decisions that don't just reach those cases in front of them—the frozen trucker, women who work at Hobby Lobby faced with lack of critical healthcare. They also reach millions of others impacted by interpretations of the law made by the Court in those decisions. The Supreme Court does not just interpret our laws. The Supreme Court is an affirmation of our country's values. The Supreme Court shapes our society.

When we began the hearings on Judge Gorsuch's nomination, I said the Supreme Court vacancy isn't just another position we must fill in our Federal judiciary. A Supreme Court vacancy is a solemn obligation we must fulfill for the future of our country and for our future generations. The central question for me, in looking at Judge Gorsuch and his record and listening carefully through 3 days of hearings, is whether he would be a Justice for all or Justice for some. Regrettably, I do not believe Judge Gorsuch would be a Justice for all of us.

I will oppose his nomination, and I urge my colleagues to do the same. This vacancy is simply too important for the future of America and our values to do otherwise.

I yield back.

The PRESIDING OFFICER. The Senator from New Mexico.

RUSSIA AND TRUMP CAMPAIGN INVESTIGATION

Mr. HEINRICH. Mr. President, I come to the floor today, not as a member of any one committee or political party but as a gravely concerned American.

On a seemingly daily—or even hourly—basis, there is a new revelation about the Trump campaign's possible ties to or even coordination with Russia's interference in our Presidential election last year. With these constant reports coming out, it can be difficult to see through all the smoke in the air.

However, what is clear is that we must get to the bottom of what exactly happened. I know that the White House and some in Congress are furiously working to sweep this under the rug, but only the truth will serve as a public means to move past this crisis for our democracy.

That is why I come to the Senate floor today, to address this issue before my colleagues and to help the American people sort through the details of what we know to be the undisputed facts. We know without a doubt, based on the assessment of credible intelligence, that the Russian Government hacked into Presidential campaign infrastructure and sought not only to damage Hillary Clinton but to try to help elect Donald Trump.

Russian intelligence operatives hacked into the email servers of both of our two major political parties. They chose to selectively leak information that damaged one Presidential candidate and favored the other. This is not a partisan political assessment. This is the plain truth as proven by credible intelligence gathered by the CIA, the FBI, the NSA, and the military's Cyber Command. In addition, 17 U.S. intelligence agencies issued a statement expressing their unanimous assessment that Moscow had penetrated State election voting centers.

During an open hearing in the Senate Intelligence Committee in January of this year, FBI Director James Comey said: ''There were intrusions and attempted intrusions at the state level voter registration databases.'' Director Comey said that there was no evidence of activity on election day related to this voter registration data. However, this clearly demonstrates that this data may be vulnerable to future cyber attacks and manipulations by foreign hackers.

What happened in this last year's election is already disturbing enough. In testimony during the same Senate Intelligence Committee hearing, then-Director of National Intelligence James Clapper said:

We have high confidence that President Putin ordered an influence campaign in 2016 aimed at the U.S. Presidential election. The goals of this campaign were to undermine public faith in the U.S. Democratic process, denigrate Secretary [Hillary] Clinton and harm her electability and potential presidency.

He continued: ''Putin and the Russian government also developed a clear preference for President-elect Trump.''

That shocking revelation at the very least begged for deeper investigation and accountability to protect our democratic institutions from foreign interference moving forward. After all, Russia did not do this to help the Republican Party. Russia did this to help Russia.

I don't want foreign powers putting their thumb on the scales for Democrats or Republicans in our elections. Our democracy hinges on our ability to protect the voices of Americans to choose our own leaders. Nothing could be more fundamental in democracy.

You can see similar ongoing Russian efforts to work seeking to influence and undermine democratic elections in France, Germany, and throughout the West, in addition to the former Soviet states, which is why we have to take this seriously and to see through the latest news cycle, political commentary, or tweet and remain focused on following the facts, wherever they may lead us.

Unfortunately, the facts suggest that we not only need to hold the Russians accountable but that we also have reason to look into possible ties between key members of the Trump campaign and their connections to the Russian actors who we know meddled in our election.

The obvious question Americans are demanding an answer to is this: Did the Trump campaign cooperate—or even coordinate—with the Russians in their effort to help Donald Trump? It is a logical question that has striking implications not only for the Trump administration but also for our democracy as a whole.

The President and his senior advisers—both on the campaign and now in the administration—have vehemently denied any Russian connections whatsoever. Back in November, Hope Hicks, a Trump campaign spokesman said: ''There was no communication between the campaign and any foreign entity during the campaign.''

A month ago, President Trump responded to a question in a press conference about whether anyone in his campaign had been in contact with Russia, saying:

Nobody that I know of . . . Russia is a ruse. I have nothing to do with Russia.

I truly wish that that was what the facts had shown, but at nearly every turn, there is evidence—and, when forced, admission—that there were, in fact, communications and contact with the Russians that are not only unprecedented but truly hard to believe and to understand.

Contrary to denials, we know that senior leaders and surrogates in then-Candidate Donald Trump's campaign had contact with the Russian Government and actors behind the Russian cyber attacks and leaks.

One campaign adviser, Carter Page, traveled to Moscow in July of 2016 on a trip approved by the Trump campaign. During the trip, Page delivered a lecture that slammed U.S. policy toward Russia. Three days later, at the Republican National Convention, Trump campaign aides stepped in to oppose the inclusion of language in the RNC platform that called on the U.S. Government to send weapons to our ally Ukraine in response to Russian military aggression and the illegal invasion by Russia of Ukrainian Crimea.

Despite Trump campaign denials of involvement at the time, former campaign aides have since come forward to say that, yes, they were involved in defeating that language in the platform.

While this was going on, again, despite denials to the contrary, we know that senior Trump advisers met with Russian Ambassador to the United States Sergey Kislyak on the sidelines of the Republican Convention.

We know that then-Senator Sessions, a senior campaign surrogate, also met with Kislyak in his personal Senate office later in September.

Again, this communication was uncovered despite Attorney General Sessions denying it had ever taken place.

During his Senate confirmation hearing in January, then-Senator Sessions said in response to a pointed question about how he would respond as Attorney General to any evidence that anyone affiliated with the Trump campaign communicated with the Russian Government in the course of the campaign:

I'm not aware of any of those activities. I have been called a surrogate at a time or two in that campaign, and I didn't have—did not have communications with the Russians.

Then the day after the Republican National Convention, WikiLeaks posted nearly 20,000 emails hacked and stolen by Russian intelligence from the DNC server.

After this, Donald Trump, during a press conference in late July, called on Russia to hack Hillary Clinton's private email, saying:

I will tell you this—Russia, if you're listening, I hope you're able to find the 30,000 emails that are missing. I think you will probably be rewarded mightily by our press.

Although Trump later claimed to be joking, we now have reason to believe that one of his friends and advisers, Roger Stone, was in contact with the Russian hackers behind the cyber attacks. Stone boasted in a speech in August 2016 that he had communicated with WikiLeaks' founder Julian Assange and that more damaging documents would be forthcoming in what he called an ''October surprise.''

Stone also admitted to communicating via Twitter with the Russian hacker behind the breaches who went by the moniker ''Guccifer 2.0.'' Stone tweeted out predictions that Hillary Clinton senior campaign aide John Podesta's personal emails would soon be published, saying: ''Trust me, it will soon be Podesta's time in the barrel.'' Stone also tweeted: ''I have total confidence that WikiLeaks and my hero Julian Assange will educate the American people soon.''

Soon after this, WikiLeaks released its first batch of John Podesta's stolen emails and continued releasing more on a daily basis up until election day.

In the face of these facts, the Trump administration's story has evolved from rejecting Russian influence on the election entirely to denying any connection or communication with Russian actors, to asserting that this contact was, in fact, innocent or routine and that Americans should simply trust that there was nothing more going on. But to ask the public to trust you when you have falsely denied that the communication occurred in the first place is absurd on its face and, in fact, it is a plausible reason to suspect possible coordination.

After the election, we now know that President-Elect Trump's appointed National Security Advisor, Michael Flynn, and Trump's senior aide and son-in-law, Jared Kushner, had a secret meeting with Russian Ambassador Kislyak and that Flynn later conducted phone calls with Kislyak that included discussion of rolling back sanctions for Russia.

Flynn has since resigned as National Security Advisor after having lied about the content of his conversations with Kislyak.

Attorney General Jeff Sessions has recused himself from the investigation into the Trump campaign's possible ties to Russia due to his undisclosed meetings with the same Russian Ambassador.

Last week, FBI Director James Comey confirmed to the public that the FBI is currently conducting a counterintelligence investigation into possible coordination between President Trump's campaign and the Kremlin.

I will repeat that because I fear that the public is becoming desensitized to the gravity of what we are learning about. The President's campaign officials are under investigation by the FBI for possible links with the Russian Government, including whether they coordinated with one another to impact our Presidential election.

We also saw reports last week that before his time on the Trump campaign, former Trump campaign manager Paul Manafort created and then sold the Russians what appears to effectively be a playbook on how to undermine Western democracy and to further the interests of the Russian Government, including here in the United States.

Manafort's reported recommendations to use political campaign tactics, establish front groups, and manipulate the press cycle are strikingly similar

to the actual tactics that we know the Russians employed to undermine the 2016 Presidential election.

The Trump administration's repeated attempts to now distance itself from its former campaign chairman, a man who played a central role in the Trump campaign, is indicative of its desperate attempts to cover up the facts.

The facts are there if we just look.

The Trump campaign denied having worked to scrub the RNC platform to be friendlier to Russia but then later had to admit to having done so.

Michael Flynn denied conversations with the Russian Ambassador and then had to resign when that turned out to be a lie.

Attorney General Sessions denied having conversations with the Russians but later recused himself from the investigation after having to admit that he secretly met on several occasions with the Russian Ambassador.

The Trump campaign and Trump's advisers denied any communications with the Russians, but it turns out they personally met with the Russian Ambassador at the RNC, communicated with Russian hackers, and appear to have had advanced notice about impending DNC and Clinton leaks.

All of this culminates with the news that the Trump campaign chairman sold the Russians a playbook on how to conduct a strikingly similar influence operation to undermine democracy and promote the Putin agenda throughout the West.

This is all a complicated web of connections that we need to piece together. As a member of the Senate Intelligence Committee, I am committed to finding the answers that the American people deserve and to working together with all of my colleagues on both sides of the aisle to put our Nation first and to make sure that we get to the bottom of this.

We need to do everything possible to get to the objective truth. That includes subpoenaing President Trump's tax returns and financial statements so that we can follow the money and determine who holds the debt behind the President's complex international business empire. That includes calling President Trump's associates, such as Paul Manafort, Carter Page, Roger Stone, Jared Kushner, Jeff Sessions, and Michael Flynn to testify before the Senate Intelligence Committee.

But with the incredible amount of information and intelligence that we need to look through, I believe we also should be open to an independent, nonpartisan commission designed solely to investigate what happened.

During the investigation of Watergate and the ensuing scandal, Congress conducted a thorough select oversight investigation at the same time that an independent special prosecutor was pursuing a case to uncover the truth. All of those avenues proved to be essential to discovering the crimes and coverup that were committed.

If we do not take this seriously, our fundamental democratic institutions are at risk. History will judge severely those of us in this body tasked with finding the whole truth and determining conclusively whether or not associates of the Trump campaign coordinated or cooperated with this effort to undermine our American democracy.

We cannot allow political pressure or unsubstantiated distractions to get in the way of simply following the facts.

I don't think it is hyperbolic to state that the fate of our democracy depends on our ability to thoroughly and carefully get to the truth here. Until we are able to find out the full extent of Russia's operations and ensure that we set up protections against similar actions going forward, our democratic institutions will remain vulnerable.

I want my constituents in New Mexico and all of the American people to know that I remain committed to seeing this important mission through and following the facts, wherever they may lead.

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

The PRESIDING OFFICER (Mr. RUBIO). Without objection, it is so ordered.

TRIBUTE TO DAVID WOLK

Mr. LEAHY. Mr. President, today I wish to honor the enduring legacy of a champion of education and equity in my home State of Vermont, David Wolk.

For the last 16 years, Mr. David Wolk has served admirably as the president of Castleton University. David's retirement at the close of 2017 will leave a legacy of nearly 17 years of academic excellence, visionary leadership, and unmatched commitment to community. As the longest serving president in its history, David has led Castleton through an extraordinary transformation. David leaves Castleton as a vibrant, economic engine of the Green Mountain State and a trailblazer in inclusivity, entrepreneurship, and service learning.

Castleton students have often found a unique kinship with David, noting his frequency in the student dining halls and at student club events. As an avid fan of Castleton Spartan Athletics, David is proud of the accomplishments of the school's student-athletes. The university more than doubled its varsity sport offerings during David's tenure, enabling Vermont students to play Division III sports. The largest community investment was the development of the Spartan Arena, which is used by both the school and the community as an all-purpose community center and athletic space.

As a Rutland native, David has always felt a special connection to his hometown. As president, his focus on integrating Castleton and the surrounding community has built a lasting alliance that promises regional prosperity for years to come. Most recently, Castleton has partnered with the Rutland Economic Development Corporation to open the Castleton Downtown Office, a publicly accessible space for students and community members alike. A nexus of the downtown, this space now hosts the Center for Entrepreneurial Programs, Center for Schools, Center for Community Engagement, and the Castleton Polling Institute. David's passion for the arts has also inspired a coupling of the Castleton Downtown Art Gallery and the historic Paramount Theatre.

As the needs of our students, families, and communities continue to evolve, David's legacy is his success in elevating education as a key solution to addressing our most pressing public challenges. As he transitions to his next venture, I wish David and his wife, Lyn, great success and hope they will find joy in visiting family and friends found throughout the world.

Mr. President, I ask unanimous consent that a statement issued by Castleton University be printed in the RECORD.

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

[From Castleton University]

PRESIDENT WOLK ANNOUNCES 16TH YEAR WILL BE HIS FINAL AT CASTLETON

LONGEST SERVING PRESIDENT IN UNIVERSITY HISTORY TO STEP DOWN IN DECEMBER

Castleton University President Dave Wolk announced at a campus assembly Wednesday that he will step down in December after serving for 16 years as president. Wolk came to the presidency in December of 2001 after intertwined careers in education and government, and 2017 marks his 43rd year in public service. Wolk is the longest serving president in Castleton history by more than four years.

''I have been blessed, more than I deserve, to have had so many leadership opportunities over the last 43 years, and I am especially grateful for the last 16 at Castleton. Moving on at the end of 2017 will indeed be emotionally challenging because I absolutely love our students and staff, I am lucky to be part of this exceptional community, and I bleed green, full of Spartan Pride. I will be a Spartan always and forever.''

Beginning in 2018, Wolk will begin a new startup venture, Wolk Leadership Solutions, with his wife, Lyn. The Wolks will work with CEOs and Boards of Directors in business, government, industry, schools, hospitals, universities and an array of nonprofits to find solutions to leadership challenges. The new entrepreneurial venture will specialize in coaching leaders to achieve greater success, while offering mediation and conflict resolution services.

''Our goal will be to help leaders to be more successful. We will help boards and leaders to find solutions to their challenges, and to do so in a way that will be effective and enduring over time through coaching and guiding change. I am also hoping to do some teaching and writing, including involvement in a Vermont leadership institute. Helping people to be better at what they do has always been a passion.''

At his inauguration in the fall of 2002, Wolk addressed a standing room only crowd

and promised that together the Castleton community would take action, and make history. He promised that together they would attract high quality students, invest in their education and in their experiences, improve their campus, and support each other for the benefit of Vermont.

During Wolk's tenure the university invested nearly $100 million in infrastructure improvements, expanded academic offerings at both the undergraduate and graduate levels, and expanded co-curricular activities, which has transformed what was once considered a ''suitcase campus'' into a model for vibrancy and engagement across the state and region.

''Castleton has never been in better shape, thanks to President Wolk's visionary and passionate leadership,'' said VSC Chancellor Jeb Spaulding. ''People who visit the campus for the first time in a while are amazed at the transformation that has taken place during his tenure. It will be impossible to replace Dave and we will miss him greatly, but he will leave Castleton with a very strong foundation for success into the future.''

Since 2001 Castleton has increased its enrollment by more than 75 percent, more than doubled its athletic offerings, built or renovated every building on campus, and expanded into nearby Rutland to offer students better connections with area businesses, schools, hospitals, and non-profits in an effort to enhance the Castleton student experience. Recently, the university has taken over operations of the Rutland Economic Development Corporation, a partnership unlike any other in the country, which has deepened the university's commitment to being an economic and intellectual driver in the community while creating strong outcomes for its students.

In 2009 Wolk ushered in the Castleton Student Initiative, a $25.7 million project which reinvigorated student life and learning and changed the face of campus. The largest investment in the history of Castleton, and the Vermont State Colleges, it included improvements and additions to nearly every aspect of student life including athletics, the campus center, and the arts. The crown jewel of the project, Spartan Stadium, is one of the finest multi-use facilities in New England and has been central to the growth of Castleton's athletic programs, as well as providing a venue to grow Castleton's reach throughout the state and beyond.

Currently nearing the midpoint of the university's second ten-year plan, the Castleton Plan, Wolk has most recently overseen additions in graduate education, enrollment increases, a greater presence in Rutland, and a focus on increasing international recruitment. All of these changes culminated in what proved to be one of the most historic days in the institution's storied 230 year history when on July 23, 2015 the VSC Board of Trustees unanimously voted to modernize the name to ''Castleton University.'' At the time, Wolk said the name was both aspirational and inspirational, as the community set forth to achieve the goals of the Castleton Plan.

''Dave's leadership, not just at Castleton but also among the VSC Council of Presidents and Board of Trustees, will be greatly missed,'' said VSC Board Chair Martha O'Connor. ''He leads with his heart, cares deeply about the state and its students, and has positioned Castleton well for far reaching success now and in the future which will benefit our state for years to come. The board, and I personally, cannot thank him enough for his private candor, public support, and meaningful friendship.''

Wolk was born and grew up in Rutland. He graduated from Rutland High School and then Middlebury College with a degree in political science. He earned a master's degree in educational administration and planning at UVM and a certificate of advanced graduate study at Harvard University. During his professional career he has served as a school principal, superintendent, Vermont's Commissioner of Education, Vermont State Senator, and on more than 40 boards and commissions, chairing several of them. He plans to continue his life of public service in a variety of ways going forward.

RECOGNIZING JASPER HILL FARM

Mr. LEAHY. Mr. President, as in so many rural States, small businesses make up the backbone of Vermont's economy and communities. Countless Vermont businesses develop and manufacture a wide array of products, ranging from our thriving craft beer industry to Vermont-made peanut butter, candles, chocolates, and cheeses. I would like to take this opportunity to recognize one of Vermont's outstanding small businesses, Jasper Hill Farm. A small, rural creamery in the Northeast Kingdom, Jasper Hill Farm exemplifies our State's essential balance of innovation and tradition. Andy and Mateo Kehler have worked for more than 15 years to make the best cheese possible, all while remaining true to their Vermont roots.

Now an award-winning artisan cheese business, Jasper Hill Farm began two decades ago when the brothers Kehler pooled their resources to buy a small farm in rural Greensboro, VT. They decided to try a new model of small-scale, value-added dairy farming that would transform raw milk into a more valuable product before leaving the farm. To do so, Mateo and Andy built a creamery with space to age cheese next door to the barn. After 5 years of hard work, the brothers finally had their first marketable cheese.

What started as a few racks of cheese with a couple of direct customers quickly expanded, as did the farm's notoriety. Within 3 years, Jasper Hill Farm took home ''Best of Show'' at the American Cheese Society Conference. Despite their hard-earned success, Andy and Mateo continued with their vision of increasing access to value-added production for all interested farmers. They took new measures to create opportunities for community success, opening their space to other cheesemakers. Now, the creamery is home not only to numerous cheese caves, but to a modern laboratory where scientists work to create cheese starter cultures. Years of research have enabled the creation of better cheese, and Jasper Hill Farm has become a magnet for other artisan cheesemakers along the way.

Andy and Mateo have created an outstanding business that is rooted in the Vermont values of hard work and perseverance, while emphasizing the importance of community. Their efforts to reinvigorate the State's dairy industry have contributed to our State's identity and culture, as well as our agricultural traditions. I am proud to feature the work of Jasper Hill Farm at our annual Taste of Vermont event, and I look forward to seeing what their future brings.

Mr. President, I ask unanimous consent that a New York Times article about Jasper Hill Farm be printed in the RECORD.

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

[From the New York Times, Feb. 6, 2017]

SMALL CHEESE MAKERS INVEST IN A STINKY SCIENCE

(By Larissa Zimberoff)

GREENSBORO, VT—There's no sign announcing that you've arrived at Jasper Hill Farm, a creamery in the Northeast Kingdom, as Vermonters call that end of their state, but you can't miss it. The main barn is painted midnight blue with a giant cheese moon and cows floating happily in space. Blasted into the hillside is a concrete bunker with seven cheese caves radiating from a central core.

There's one other surprising detail: a modern two-room laboratory filled with microbiology equipment and staffed with scientists.

Why does a small, rural creamery invest in technology for what has long been a low-tech product? Because it doesn't have 500 years to learn what its European counterparts already know: the biological intricacies of how to make the best cheese in a particular place. And because the same diversity of microbial cultures is not available in North America.

''Building a lab might seem extravagant or of questionable value, but what we get as a business over two, three, four generations—it's a no-brainer,'' said Mateo Kehler, who owns the farm with his brother, Andy.

The making of cheese depends on the contribution of myriad microbial actors. Both yeast and bacteria are components of the starter cultures that help turn milk into solids, and those solids into cheeses with distinctive aromas, flavors and textures that are hard to resist. The interplay of these species, while understood in a basic sense, is now receiving renewed scientific scrutiny and appreciation in the United States.

Unlike their peers in Europe, who benefit from centuries of tradition and from government support for research, American farmstead cheese makers have typically gone it alone. Starter cultures are a particularly vexing ingredient. The only three domestic suppliers, including DuPont and Cargill, are multinational corporations better known for chemicals, which has limited the number of available cultures and caused discomfort in a field that strives for individuality.

But now several small cheese producers are working with scientists to develop their own starters and use microbiology to create better cheeses.

Murray's Cheese is working with Rockefeller University to learn more about the microflora in its cheese caves in Long Island City, Queens. Uplands Cheese Company is working with the Center for Dairy Research at the University of Wisconsin to create a new soft cheese, its first in seven years.

But perhaps none have taken on cheese science as rigorously as Jasper Hill. Its laboratory, opened in 2013, has become a hub for other cheese makers seeking help and insight.

When the Kehler brothers began making cheese in 2003, their aim was to invigorate the local dairy industry, which was, and still is, struggling. They started on their path to applied science in 2010, when Rachel Dutton,

a Harvard scientist, decided to use cheese as a model to research how small microbial communities interact; she focused on the composition of cheese rinds.

Her first contact in the cheese business was Mateo Kehler, who taught her to make cheese and then helped her reach out to more than 100 other producers for samples. The response was overwhelming. ''I don't think she realized how excited the artisan cheese industry was going to be,'' Mr. Kehler said.

In 2014, Dr. Dutton published her findings in the journal Cell. Working with Benjamin Wolfe, a postdoctoral researcher, she reported that the environment (cows, cheese caves, pastures) and methods (washing, salting, managing acidity) were as important to the development of cheese rinds, if not more so, than the ingredients.

This was a revelation. With this new scientific proof in hand, the Kehlers stopped adding starter cultures to Winnimere, one of their most popular raw-milk cheeses. ''What we were adding wasn't growing, and when we stopped adding that, the cheese ripened more gracefully and deliciously,'' Mateo Kehler said.

Their pasteurized cheeses, though, still needed starters because pasteurization kills bacteria both good and bad for cheese. So they began making starter cultures from bacteria in their own milk supply.

Besides ending their reliance on big business, this has allowed the brothers to create a cheese that can come only from a singular place: Greensboro, Vt.

An on-site laboratory has its perks. In addition to having staff members who deeply understand microbiology, Jasper Hill Farm has become a magnet for researchers near and far. Now working there are an engineering intern from Brittany, France; a local microbiologist; and Panos C. Lekkas, a food microbiologist who has investigated the best ways to feed, tend and milk a cow for cheese production.

Dr. Lekkas, who was hired in November to work full time at Jasper Hill, collaborates with Dr. Dutton, now at the University of California, San Diego, and with Dr. Wolfe, who leads a microbiology laboratory at Tufts University.

In addition to helping improve food safety procedures at the 85-person Jasper Hill Farm, Dr. Lekkas is overseeing the development of a new cheese—a French Camembert style that for now the team is calling Wild Moses.

Dr. Lekkas was told that it takes eight months to bring a new cheese to market. ''Mateo wants me to do it in three,'' he said. With science comes speed.

In order to make a soft pasteurized cheese that does not rely on corporate additives, the scientists sampled 300 promising strains of yeast and bacteria, all pulled from milk from Jasper Hill's own 250 cows.

What makes a homegrown starter promising? Sometimes it's the color of the microbes in a petri dish, but smell, too, can be telling. The group sniffed the samples and noted any pleasing aromas: Play-Doh, Concord grapes, tomato juice, clams, Kraft American Singles. Dr. Wolfe's lab ran a full genomic sequencing on the 15 top contenders, which will provide a blueprint for understanding how these strains are related to, or differ from, other cultures in the cheese world.

Making funky cheese is tricky, even for scientists. ''There are subtle variations in flavor and aroma that you perceive in cheese,'' Dr. Wolfe said. ''We want to understand what drives that variation.'' With Dr. Wolfe's genomic data, the team can track the microbes through the entire cheese-making process.

In November, the first batch of cheese was produced using five strains from the original 15 parent cultures—two yeast-based and three bacterial. New batches are being made every two weeks using different combinations, and every 10 days, each will be tasted to see whether it is on target for the ''deliciousness factor,'' Jasper Hill's zero-to–10 grading system.

Seven or above is pretty good. Eight is out of this world. Tens are likely to be bestowed only outside the farm: Jasper Hill's Harbison cheese recently took Super Gold at the World Cheese Awards in Spain.

''I will be happy with a seven,'' Dr. Lekkas said.

MONTENEGRO'S ACCESSION INTO NATO

Mr. KING. Mr. President, today I wish to recognize the Senate's historic vote to ratify Treaty 114–12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro. This represents an important step forward in Montenegro's bid to join the North Atlantic Treaty Organization, NATO.

Maine has strong ties to Montenegro through the National Guard's State Partnership Program, which pairs State National Guards with partner nations around the world. Both parties forge an enduring relationship over the years through training exercises, military-to-military engagement, and security cooperation activities. These relationships are critical to our national security; they improve the capacity of friendly militaries, enhance our interoperability as allies, and allow us to promote our values in emerging nations. Furthermore, they provide members of the Guard with unique opportunities that make them more skilled military professionals and more experienced citizens.

The Maine National Guard partnered with Montenegro in December 2006, just 6 months after Montenegro declared its independence. In the decade since, the Maine National Guard has advised and assisted Montenegro as the young nation has transformed its military, transitioning to an all-volunteer force and contributing troops to the coalition fighting in Afghanistan. This relationship has expanded beyond the military dimension: the Maine Marine Patrol has trained with the Montenegrin marine police, and Mainers have worked with numerous Montenegrin governmental agencies to improve their disaster preparedness and response. Through numerous joint exercises each year in both Maine and Montenegro, Mainers have developed close, lasting relationships with their Montenegrin counterparts.

Montenegro joined the State Partnership Program expressly as a means of achieving their desired accession to NATO. The Senate's ratification of Montenegro's membership bid reflects the hard work and enormous growth that Montenegro has achieved in the last 10 years. Mainers should be proud of the support and training that they have offered during this time. Maine stands beside Montenegro as it takes a major step toward NATO membership, pleased to continue our partnership in the future.

WOMEN'S HISTORY MONTH

Mr. CARDIN. Mr. President, today I wish to join the American people in celebrating Women's History Month. I would like to begin that celebration by paying homage to several women whose ingenuity and inventions have shaped modern society, but who, like innumerable women throughout history, have not received the credit or recognition they are due.

Katherine Blodgett is a good place to start. In 1935, she invented the first transparent glass that eliminated distortion and glare. Before her, glass contained small bubbles and inclusions that was suitable for windows, but little else. Her method of producing and cutting glass revolutionized the material and is the reason we have camera lenses, microscopes, and eyeglasses today. Without her pioneering work, our ability to see and our ability to look into the universe would be degraded.

In 1942, the actress Hedy Lamarr and a partner were granted a U.S. patent for a secret communication system that involved manipulating radio frequencies to form an unbreakable code to prevent classified messages from being intercepted. The significance of her invention was not fully realized until the 1960s, when it was used by naval ships during the Cuban Missile Crisis. We were able to navigate that perilous nuclear threat successfully in part because of her self-taught inventiveness and skill. Lamarr's coded communications system has been used by numerous military agencies since.

Just 2 years later, in 1944, Grace Hopper made her own kind of history, becoming what many consider to be one of the world's first computer scientists. She invented the compiler that translated written language into computer code and coined the terms ''bug'' and ''debugging.'' Fifteen years later, she led the team that developed COBOL, one of the very first programming languages.

More recently, in 1965, Stephanie Kwolek invented Kevlar. We know Kevlar best as the material used to manufacture bulletproof vests, protecting our police officers and first responders in their greatest moments of crisis, but Kevlar is widely considered to be one of the strongest, most durable materials ever invented and has become a critical component in the manufacturing of airplanes, boats, cars, and bridge cables.

I pause to honor these great inventors and scientists because their names should be familiar, but they aren't. As long as toxic, gender-role stereotypes persist, these women serve as important examples that such stereotypes are hollow and wrong. Women have been serving on the frontlines of war, science, and invention since long before men ''allowed'' them.

These women and others are part of our untold history. You will rarely hear them discussed in American classrooms, and you will seldom find their stories printed in textbooks. Most people wouldn't even recognize their names; yet our lives and fortunes have been shaped by them. Every day, men go to work protected by Kevlar vests, live their daily lives with the benefit of eyeglasses, or boot up their laptop computer using the devices and tools women gave them. That is both the majesty and tragedy of women's history: it is inextricable and powerful and entirely undervalued.

This Women's History Month should not pass without each and every one of us at the very least taking the time to acknowledge and appreciate the women of history who helped to invent modern society, who fought alongside men in every war, who gave us more complete rights and equality, who endured the habitual and everyday scorn of sexism—and who did so generation after generation without accolade or recognition.

Perhaps the best way to honor the past is to secure the future. The denizens of women's history didn't endure systemic misogyny or work so hard to change our world so that we would peer backward and applaud. They did so with the hope we would look forward and make progress.

We still have a long way to go, but we have made progress. Thanks to the Affordable Care Act, being a woman is no longer considered a ''preexisting condition'' that warrants higher premiums and deductibles. Also thanks to the Affordable Care Act, preventative services for women—like mammograms, cervical cancer screenings, and prenatal care—are covered by insurance companies. Today more than 48 million American women take advantage of that.

Thanks to the Lilly Ledbetter Fair Pay Act, women have extended protection in cases of wage discrimination. The Lilly Ledbetter Act finally recognized that, when pay discrimination occurs, it is not a single event, but a chronic and repeated offense that inflicts ongoing damage with each and every substandard paycheck. This simple and commonsense recognition has allowed women to seek justice against the kind of economic disenfranchisement that has plagued generations.

Progress, however, does not have its own autopilot button. We must be its stewards and its champions. We must be its agents. We must protect it actively, each and every day, or else we will be complicit in its loss.

I am talking about women's reproductive rights. A woman's right to make her own decisions is under threat today. Her body is her body. It is not ours, and it certainly is not the government's. Roe v. Wade decided that in 1973, yet 44 years later, the Federal Government is run by a party that uses every tool at its disposal to chip away at reproductive rights. Whether it is State policies to limit the types of buildings abortions can be performed in or the threat to defund Planned Parenthood, women's rights are under attack.

Let's be clear that Federal funding for abortion services is already banned under the Hyde Amendment. Today's witch hunt against Planned Parenthood is not substantive in nature; it is a thinly-veiled attempt to prolong a culture war with the hope of assuaging far-right voters. Women's reproductive rights deserve more than to be treated as a political punchline. Reproductive rights were hard-won by centuries of activism and pain, and we—all Members of this Chamber—must vow this month and every month to honor that with our votes and with our voices. We must vow not to let women's reproductive rights be diminished on our watch.

It is 2017, and still, women are expected to be everything simultaneously, all while they are refused the tools and the freedom to balance such difficult demands. It is 2017, and still, families—mothers most of all—are too often forced to choose between parenthood and economic security, between recovering from childbirth and their career. No woman, no matter what her line of work or Zip Code may be, should be forced to make such an impossible decision. It is our job to pass legislation to ensure no woman has to.

Even with the Lilly Ledbetter legislation, women today are paid, on average, just 77 cents for every dollar men receive for performing the same work. That gap is even worse for women of color: African-American women only earn 64 cents to the dollar, while Latina women earn only 55 cents. That is a problem begging to be solved by Congress. That is a problem for all of us. Women are powerful economic engines in this country, and if we continue to stand idly by while their work is underpaid and undervalued, we will all suffer. We will all have to explain to our daughters and granddaughters why we didn't fight harder for them.

Critically, there is also the issue of violence against women. It is a moral outrage that women experience about 4.8 million intimate partner related physical and sexual assaults every single year. When women stand up and tell us the stories behind this number, we must sit down and listen. We must stop speaking over them with advice on how to protect themselves or avoid certain social situations. They shouldn't have to. It is insulting to presume they require lectures on personal safety, but that men don't require lectures on consent. This problem demands a cultural shift, and we must be its purveyors.

There is the issue of college affordability. A related issue is access to and participation in science, technology, engineering, and mathematics, STEM, programs and—of equal importance—encouragement to join them. Women need to be better represented in positions of power.

These and other issues are what is at stake. These and other issues are why we recognize Women's History Month: to remind ourselves and each other that women helped build this Nation and this world. We need to remind ourselves that women are therefore entitled to equal representation in it and equal access to its opportunities. We need to remind ourselves that women deserve equal respect and equal protection under the law and that women's rights are human rights. We all prosper when we fight to protect them.

Toward these ends, I have led the charge in Congress to ratify the Equal Rights Amendment. Many Americans would be shocked to learn that the Constitution still lacks a provision ensuring gender equality. That is wrong, but it is fixable. I have introduced S.J. Res. 5, legislation to remove the deadline for States to ratify the Equal Rights Amendment, which would pave the way for its formal adoption. Nevada recently passed the Equal Rights Amendment, leaving us just two States shy of success.

The Equal Rights Amendment is only slightly longer than two tweets, but its ratification would finally give women full and equal protection under the Constitution. It reads as follows:

Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex.

Section 2. The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.

Section 3. This amendment shall take effect two years after the date of ratification.

It is that simple, and it is both necessary and past time to adopt it.

When Congress passed the ERA in 1972, it provided that the measure had to be ratified by three-fourths of the States, 38 States, within 7 years. The original deadline was later extended to 10 years by a joint resolution enacted by Congress. Ultimately, 35 States ratified the ERA by the time the revised deadline expired, leaving advocates a little short.

Article V of the Constitution contains no time limits for ratification of constitutional amendments. In fact, in 1992, the 27th Amendment to the Constitution prohibiting immediate congressional pay raises was ratified after 203 years. The Senate could pass my legislation removing the 10-year deadline right now. I strongly encourage the majority leader to bring S.J. Res. 5 up for a vote as soon as possible. American women deserve to know that their most fundamental rights are explicitly protected by our nation's most venerated document.

I have often said that how a nation treats its women is a good barometer of that nation's potential for success as a whole. I hold the United States of America to that standard. Every day, I weigh the successes and failures we have had along the path toward fair treatment and gender equality, and I assess ways Congress can facilitate more successes. Every day, I reevaluate how best to fight for the Equal Rights Amendment, how best to protect reproductive rights, how best to fight for

paid family leave and affordable higher education and greater representation in this very Chamber.

I invite every Senator to do the same, both because those are the right battles and because fighting them protects gender equality progress that has been so hard-won by the women of this Nation. We must not allow those victories to be reversed. We must keep progressing.

This Women's History Month, I am reminded of what the poet G.D. Anderson once said: ''Feminism is not about making women strong. Women are already strong. It's about changing the way the world perceives that strength.'' Let us remember it is precisely that strength that has propelled our world forward. It is precisely that strength that serves as the foundation of so many of this country's successes, and it is precisely that strength we must remember and meet with our own, when women's rights are under siege.

50TH ANNIVERSARY OF THE 25TH AMENDMENT AND TRIBUTE TO BIRCH BAYH

Mr. DONNELLY. Mr. President, today I wish to honor the 50th anniversary of the ratification of the 25th Amendment and recognize one of my predecessors from Indiana in the U.S. Senate, Birch Bayh. Birch Bayh represented Indiana for three terms in the Senate, from 1963 to 1981. Senator Bayh was an accomplished lawyer, legislator, and the only non-Founding Father to draft two amendments to the U.S. Constitution that were enacted.

February 2017 marked the 50th anniversary of the ratification of the 25th Amendment to the Constitution. The 25th Amendment created an orderly transition of power in the case of death or disability of the President and a method of selecting a Vice President when a vacancy occurs in that office. Before its passage, our Nation experienced several occasions when the President was unable to perform his powers and duties, with no constitutional provision for temporary transfer of these powers to the Vice President. The amendment was first relied upon following the resignations of Vice President Spiro Agnew and President Richard Nixon. It also provided the basis for President Ronald Reagan to temporarily pass his duties to Vice President George H. Bush when President Reagan underwent surgery.

While we all hope not to have to use the 25th Amendment, having an established process that continues to guide administrations faced with unexpected events is essential for any functional democracy. Senator Bayh played a key leadership role in the Senate by drafting this constitutional amendment and ensuring all necessary steps were taken for its ratification in 1967.

Senator Bayh also drafted the 26th Amendment, which changed the voting age from 21 to 18. Its impetus was the passage of amendments to the Voting Rights Act in 1970 that set 18 as the minimum voting age for both Federal and State elections. When the Supreme Court ruled in Oregon v. Mitchell that the law applied only to Federal, not State elections, Congress adopted the 26th Amendment. Just over 3 months later, on July 1, 1971, three-fourths of the States had ratified the amendment, making it the quickest amendment ever to be adopted.

In addition to these two constitutional amendments, Senator Bayh wrote the landmark title IX to the Higher Education Act, which mandates equal opportunities for women students and faculty. Senator Bayh was also an architect of the Juvenile Justice Act of 1974, which requires the separation of juvenile offenders from adult prison populations, and he played a vital role in the drafting and passage of the landmark 1964 Civil Rights Act and the 1965 Voting Rights Act.

Since leaving the Senate in 1980, Senator Bayh has committed himself to leadership in civic policy. He has served as chairman of the University of Virginia's Miller Center Commission on Presidential Disability and the 25th Amendment and as a member of the center's Commission on Federal Judicial Selection. He is also founding chairman of the National Institute Against Prejudice and Violence, a nonprofit, first-of-its-kind organization dedicated to studying prejudice and hate crimes in America.

Senator Bayh, as you and your wife, Kitty, enjoy your retirement, the contributions you have made to our country endure. The indelible mark you have made on the orderly transition of power and preservation of justice is still celebrated with pride today as we commemorate the 50th anniversary of the 25th Amendment. Recently, the American Bar Association honored you with a Presidential citation for exhibiting the highest standards of public service as a lawyer and for extraordinary leadership on issues of law and justice, including the 25th Amendment. You are richly deserving of these accolades, as well as the gratitude of this Senate and the American people, for your lifetime of service.

TRIBUTE TO GENERAL HERBERT ''HAWK'' CARLISLE

Mr. McCAIN. Mr. President, I wish to offer my congratulations to Gen. Herbert ''Hawk'' Carlisle on the occasion of his retirement from the U.S. Air Force this month.

Over four decades of distinguished service, from the Air Force Academy to the Pentagon to leadership in two four-star commands, General Carlisle has been instrumental in advancing the capabilities of our Air Force and improving the lives of its most precious asset—its airmen.

As commander of Pacific Air Forces, General Carlisle was responsible for Air Force activities spanning more than half the globe, leading 45,000 airmen across the Pacific from Hawaii and Alaska to Japan and Korea. He provided critical strategic leadership as the United States worked to strengthen its commitment to peace and prosperity in the Asia-Pacific Region at time of increasing challenge.

Under General Carlisle's leadership, the airmen of Air Combat Command pressed the fight against America's adversaries, delivering devastating effects against violent extremism in Afghanistan, Iraq, and Syria. General Carlisle's determination and hard work were essential to bringing the Air Force's F–35A Joint Strike Fighter to initial operational capability—no small achievement for a long-delayed and troubled program, yet one that is so critical for sustaining America's military dominance into the future.

I had the pleasure of getting to know General Carlisle when he served as director of the Air Force's Legislative Liaison Office. It was then that I came to appreciate his honesty and candor. Those of us tasked with the oversight of the Department of Defense and our Armed Forces rely upon the candor of our senior military leaders. In my interactions with General Carlisle in various positions through the years, whether in private meetings or in public testimony, I could always count on General Carlisle to provide his best military advice on critical defense matters affecting the Air Force and our Nation. I hope his successors will follow in that same spirit of transparency and collaboration. I also hope that my colleagues and I will continue to benefit from General Carlisle's wise counsel.

Once again, I want to express my sincere thanks to General Carlisle for his distinguished service to our country and congratulate him on a well-earned retirement. I wish General Carlisle and his family all the best as he embarks on the next chapter of his life.

MESSAGE FROM THE HOUSE

At 11:15 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. 654. An act to direct the Administrator of the Federal Emergency Management Agency to carry out a plan for the purchase and installation of an earthquake early warning system for the Cascadia Subduction Zone, and for other purposes.

H.R. 1117. An act 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. 1214. An act to require the Administrator of the Federal Emergency Management Agency to conduct a program to use simplified procedures to issue public assistance for certain projects under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 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. 654. An act to direct the Administrator of the Federal Emergency Management Agency to carry out a plan for the purchase and installation of an earthquake early warning system for the Cascadia Subduction Zone, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1117. An act 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; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1214. An act to require the Administrator of the Federal Emergency Management Agency to conduct a program to use simplified procedures to issue public assistance for certain projects under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs:

Special Report entitled ''Activities of the Committee on Homeland Security and Governmental Affairs During the 114th Congress.'' (Rept. No. 115–12).

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. GRASSLEY (for himself and Mrs. FEINSTEIN):

S. 739. A bill to amend the Controlled Substances Act to provide enhanced penalties for marketing candy-flavored controlled substances to minors; to the Committee on the Judiciary.

By Mr. LEE:

S. 740. A bill to prohibit mandatory or compulsory checkoff programs; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LEE (for himself and Mr. BOOKER):

S. 741. A bill to prohibit certain practices relating to certain commodity promotion programs, to require greater transparency by those programs, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BOOKER (for himself, Mr. MARKEY, Mr. WYDEN, Mr. KING, Mr. BLUMENTHAL, and Mrs. MCCASKILL):

S. 742. A bill to promote competition, to preserve the ability of local governments to provide broadband capability and services, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. REED (for himself and Ms. COLLINS):

S. 743. A bill to strengthen the United States Interagency Council on Homelessness; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DONNELLY (for himself and Mr. ROUNDS):

S. 744. A bill to amend the Fair Credit Reporting Act to delay the inclusion in consumer credit reports and to establish requirements for debt collectors with respect to medical debt information of veterans due to inappropriate or delayed billing payments or reimbursements from the Department of Veterans Affairs, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FLAKE (for himself and Mr. MCCAIN):

S. 745. A bill to reauthorize the State Criminal Alien Assistance Program, and for other purposes; to the Committee on the Judiciary.

By Mr. CASEY:

S. 746. A bill to amend the Solid Waste Disposal Act to authorize States to restrict interstate waste imports and impose a higher fee on out-of-State waste; to the Committee on Environment and Public Works.

By Mr. UDALL:

S. 747. A bill to reauthorize the special diabetes programs for Indians; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ (for himself, Mr. BOOKER, Mrs. GILLIBRAND, Ms. HARRIS, and Mr. WYDEN):

S. 748. A bill to protect United States citizens and residents from unlawful profiling, arrest, and detention, and for other purposes; to the Committee on the Judiciary.

By Mr. ENZI:

S. 749. A bill to amend the Higher Education Act of 1965 to require the disclosure of the annual percentage rates applicable to Federal student loans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself, Mr. SANDERS, Ms. WARREN, Mr. SCHATZ, Mr. LEAHY, Mr. MENENDEZ, and Mrs. GILLIBRAND):

S. 750. A bill to prohibit drilling in the outer Continental Shelf, to prohibit coal leases on Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WARNER (for himself, Mr. PORTMAN, Mr. KING, and Mr. KAINE):

S. 751. A bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MARKEY (for himself, Mr. SANDERS, and Mr. WHITEHOUSE):

S. 752. A bill to amend the Internal Revenue Code of 1986 to clarify that products derived from tar sands are crude oil for purposes of the Federal excise tax on petroleum, and for other purposes; to the Committee on Finance.

By Mr. MARKEY:

S. 753. A bill to ensure that oil transported through the Keystone XL pipeline into the United States is used to reduce United States dependence on Middle Eastern oil; to the Committee on Energy and Natural Resources.

By Mr. KAINE (for himself, Mr. WICKER, and Mrs. MURRAY):

S. 754. A bill to support meeting our Nation's growing cybersecurity workforce needs by expanding the cybersecurity education pipeline; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SHELBY (for himself and Ms. KLOBUCHAR):

S. Res. 101. A resolution providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library; considered and agreed to.

ADDITIONAL COSPONSORS

S. 175

At the request of Mr. MANCHIN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 175, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 261

At the request of Mr. BLUNT, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 261, a bill to amend the Federal Food, Drug, and Cosmetic Act to improve and clarify certain disclosure requirements for restaurants and similar retail food establishments, and to amend the authority to bring proceedings under section 403A.

S. 355

At the request of Mrs. SHAHEEN, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 355, a bill 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. 365

At the request of Mr. ROUNDS, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 365, a bill to amend the Consumer Financial Protection Act of 2010 to remove the funding cap relating to the transfer of funds from the Board of Governors of the Federal Reserve System to the Bureau of Consumer Financial Protection, and for other purposes.

S. 366

At the request of Mr. ROUNDS, the names of the Senator from Iowa (Mrs. ERNST), the Senator from Georgia (Mr. PERDUE), the Senator from Colorado (Mr. GARDNER) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 366, a bill to require the Federal financial institutions regulatory agencies to take risk profiles and business models of institutions into account when taking regulatory actions, and for other purposes.

S. 382

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor 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. 405

At the request of Mr. COONS, the name of the Senator from Rhode Island

(Mr. WHITEHOUSE) was added as a cosponsor of S. 405, a bill to amend the Internal Revenue Code of 1986 and the Higher Education Act of 1965 to provide an exclusion from income for student loan forgiveness for students who have died or become disabled.

S. 407

At the request of Mr. CRAPO, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 407, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit.

S. 425

At the request of Mr. CARDIN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 425, a bill to amend the Internal Revenue Code of 1986 to improve the historic rehabilitation tax credit, and for other purposes.

S. 474

At the request of Mr. GRAHAM, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 474, a bill to condition assistance to the West Bank and Gaza on steps by the Palestinian Authority to end violence and terrorism against Israeli citizens.

S. 482

At the request of Mr. THUNE, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 482, a bill to amend the Internal Revenue Code of 1986 to treat certain amounts paid for physical activity, fitness, and exercise as amounts paid for medical care.

S. 493

At the request of Mr. RUBIO, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 493, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 497

At the request of Ms. CANTWELL, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Maryland (Mr. CARDIN) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 504

At the request of Ms. HIRONO, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 504, a bill to permanently authorize the Asia-Pacific Economic Cooperation Business Travel Card Program.

S. 519

At the request of Mrs. GILLIBRAND, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 519, a bill to amend the Safe Water Drinking Act to require the Administrator of the Environmental Protection Agency to establish maximum contaminant levels for certain contaminants, and for other purposes.

S. 540

At the request of Mr. THUNE, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 540, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 544

At the request of Mr. TESTER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 544, a bill to amend Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes.

S. 573

At the request of Mr. PETERS, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 573, a bill to establish the National Criminal Justice Commission.

S. 623

At the request of Mr. DURBIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 623, a bill to enhance the transparency and accelerate the impact of assistance provided under the Foreign Assistance Act of 1961 to promote quality basic education in developing countries, to better enable such countries to achieve universal access to quality basic education and improved learning outcomes, to eliminate duplication and waste, and for other purposes.

S. 636

At the request of Mrs. MURRAY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 636, a bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families.

S. 640

At the request of Mr. DURBIN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 640, a bill to prioritize funding for an expanded and sustained national investment in biomedical research.

S. 652

At the request of Mr. PORTMAN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 652, a bill to amend the Public Health Service Act to reauthorize a program for early detection, diagnosis, and treatment regarding deaf and hard-of-hearing newborns, infants, and young children.

S. 681

At the request of Mr. TESTER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to improve the benefits and services provided by the Department of Veterans Affairs to women veterans, and for other purposes.

S. 700

At the request of Mrs. MURRAY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 700, a bill to improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to severely wounded, ill, or injured members of the Armed Forces, veterans, and their spouses or partners, and for other purposes.

S. 720

At the request of Mr. PORTMAN, the names of the Senator from South Carolina (Mr. GRAHAM), the Senator from Indiana (Mr. YOUNG), the Senator from Arkansas (Mr. BOOZMAN), and the Senator from Georgia (Mr. ISAKSON) 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.

At the request of Mr. CARDIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 720, supra.

S. 722

At the request of Mr. CORKER, the names of the Senator from Florida (Mr. NELSON), the Senator from Oregon (Mr. WYDEN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Maine (Ms. COLLINS), the Senator from Kansas (Mr. MORAN), the Senator from Mississippi (Mr. WICKER), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Arkansas (Mr. BOOZMAN), the Senator from New Jersey (Mr. BOOKER), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from West Virginia (Mrs. CAPITO), and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 722, a bill to impose sanctions with respect to Iran in relation to Iran's ballistic missile program, support for acts of international terrorism, and violations of human rights, and for other purposes.

S. 733

At the request of Ms. MURKOWSKI, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 733, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes.

S. 734

At the request of Mrs. GILLIBRAND, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 734, a bill to extend a project of the Federal Energy Regulatory Commission involving the Cannonsville Dam.

S.J. RES. 19

At the request of Mr. PERDUE, the name of the Senator from Texas (Mr.

CRUZ) was added as a cosponsor of S.J. Res. 19, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Bureau of Consumer Financial Protection relating to prepaid accounts under the Electronic Fund Transfer Act and the Truth in Lending Act.

S. RES. 11

At the request of Mr. SCOTT, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. Res. 11, a resolution encouraging the development of best business practices to fully utilize the potential of the United States.

S. RES. 49

At the request of Ms. COLLINS, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. Res. 49, a resolution declaring that achieving the primary goal of the National Plan to Address Alzheimer's Disease of the Department of Health and Human Services to prevent and effectively treat Alzheimer's disease by 2025 is an urgent national priority.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KAINE (for himself, Mr. WICKER, and Mrs. MURRAY):

S. 754. A bill to support meeting our Nation's growing cybersecurity workforce needs by expanding the cybersecurity education pipeline; to the Committee on Commerce, Science, and Transportation.

Mr. KAINE. Mr. President, a skilled workforce is essential to addressing the growing cybersecurity challenges in the United States. In both the public and private sectors, a shortage of skilled cyber security professionals has hindered the Nation's cyber preparedness. According to a 2017 Global Information Security Workforce Study, 1.8 million more cyber security professionals will be needed worldwide by 2022.

Data breaches at the Office of Personnel Management in 2015 highlighted the need for robust cyber security protections at the Federal level, which include a strong and skilled workforce. Since 2001, the Federal Government has operated a cyber security education program known as CyberCorps: Scholarship for Service. Thanks to great leadership by Chairman JOHN THUNE and the U.S. Senate Committee on Commerce, Science, and Transportation, Congress codified the CyberCorps Program as part of the Cybersecurity Enhancement Act of 2014. Serving roughly 70 institutions, the National Science Foundation, NSF, grants award to institutions as part of the CyberCorps Program. Institutions utilize grants to build capacity for cyber security programs and provide scholarships to students. Scholarship recipients must fulfill a service requirement in a federal, state or local government cyber security job upon graduation.

In recent years, more community colleges have provided opportunities for students to gain much needed cyber security skills. An October 2015 study by the National Academy for Public Administration reviewed the CyberCorps Program and formulated major recommendations to improve it. One of the Academy's recommendations was to include qualified 2-year programs in the program regardless of their association with a 4-year institution. Currently, NSF only provides scholarship awards to students in 2-year programs who will transfer into a 4-year program.

Today, I am pleased to introduce with my colleague Senator ROGER WICKER, the Cybersecurity Scholarship Opportunities Act of 2017. This legislation will improve the federal cyber security workforce pipeline by directing the CyberCorps Program to provide 5 percent of scholarships to career changers and military veterans at qualified 2-year programs with no transfer requirement. The bill would also codify CyberCorps' K–12 education program and align the skills required for scholarship eligibility with the National Initiative for Cybersecurity Education Framework.

In addition, the bill would enhance cyber security protection for critical infrastructure by allowing CyberCorps graduates, on a case-by-case basis, to meet their service requirements in critical infrastructure missions at government-affiliated entities like the Tennessee Valley Authority. Just today, a report by the Massachusetts Institute of Technology found that digital threats to U.S. critical infrastructure demand attention and that the Nation does not produce enough graduates with the skills to protect critical infrastructure. It recommended that the President take steps to increase the supply of skilled professionals. By allowing CyberCorps graduates to fulfill service obligations in critical infrastructure missions, this legislation represents an important step in the right direction.

The Cybersecurity Scholarship Opportunities Act is a commonsense, bipartisan bill that would help students succeed and strengthen our national security. There are cyber security jobs in Virginia and across the country that are going unfilled, and it is clear we must make it easier for students to access the programs that prepare them for these roles.

By Mr. REED (for himself and Ms. COLLINS):

S. 743. A bill to strengthen the United States Interagency Council on Homelessness; to the Committee on Banking, Housing, and Urban Affairs.

Mr. REED. Mr. President, along with Senator COLLINS, I am introducing legislation that would eliminate the sunset date for U.S. Interagency Council on Homelessness—the Council—so that this independent agency can build upon its success in helping to prevent and end homelessness nationally.

The Council was established under the Reagan administration as part of the landmark McKinney-Vento Homeless Assistance Act of 1987. Since that time, it has worked across the Federal Government and private sector to coordinate homeless assistance nationally. In 2009, the Homeless Emergency Assistance and Rapid Transition to Housing, or HEARTH Act, which I authored and introduced along with Senator COLLINS and others, expanded the Council's role to work with public, nonprofit, and private stakeholders to develop a national strategic plan to end homelessness. On June 22, 2010, the Council unveiled this plan, called Opening Doors, which has guided its work to develop and expand on effective strategies across the country to prevent and end homelessness.

Since Opening Doors was unveiled, the U.S. Department of Housing and Urban Development, HUD, reports that overall homelessness has decreased by 14 percent, chronic homelessness by 27 percent, and family homelessness by 23 percent. In addition, we have seen veterans' homelessness drop by 47 percent. This progress is not only a result of the more than $500 million Federal investment in housing and supportive services through programs like HUD–VASH but is also because of the direction the Council provides to the Departments of Veterans Affairs and HUD, as well as public housing agencies administering assistance at the local level. Specifically, the Council helped various partners align their resources, efforts, goals, and measures of success for serving homeless veterans. Under this approach, the Commonwealth of Virginia, Connecticut, Delaware, the city of New Orleans, and DeKalb County in Georgia, to name a few, have all declared an end to veterans' homelessness.

Yet more work remains. And here, too, the Council is an important part of developing solutions. For instance, nearly 36,000 unaccompanied youth under the age of 25 experienced homelessness in 2016. While some communities have started to develop responses to youth homelessness, it is a complex problem that requires a tailored approach taking into account the local variables of foster care, primary to postsecondary education, housing, and healthcare systems. Finding new ways to deliver and fund assistance to this diverse population is essential, and that is why Senator COLLINS and I held a hearing in our subcommittee on this matter and worked together to include over $40 million in targeted resources to address youth homelessness in both the fiscal year 2016 and 2017 Transportation, Housing and Urban Development, THUD, appropriations bills. As part of this new funding, the Council will be executing a broader collaborative effort with foster care networks, the juvenile justice community, and education partners to create and find

success in coordinated, cost-effective solutions that meet community needs. The Council's expertise in implementing complex Federal programs at the local level will continue to be critical to the success of this initiative.

For all of this good work the Council has done and continues to do, it is vital that we keep its doors open. The Council, as the only agency at the federal level charged specifically with addressing homelessness, has helped communities not only reduce homelessness, but it has also helped to save money. We know that people experiencing homelessness are more likely to access expensive health care services and spend more time in incarceration—which are extremely costly to taxpayers, states, and local governments. According to the National Alliance to End Homelessness, ''Based on 22 different studies from across the country, providing permanent supportive housing to chronically homeless people creates net savings of $4,800 per person per year, through reduced spending on jails, hospitals, shelters, and other emergency services.''

The Council has helped to build upon these estimated savings by identifying and tailoring cost-effective solutions that reduce the level of health care services, as well as recidivism, for individuals experiencing chronic homelessness. In fiscal year 2016 alone, the Council's modest $3.5 million budget catalyzed more than $5 billion in combined Federal resources that aim to address homelessness. It develops national strategies that inform the work and improve the cost-effectiveness of programs administered by 19 Federal agencies, and as a result, communities and Sates are able to leverage housing, health, education, and labor funding more strategically and effectively.

In our current budgetary environment we need a wise and creative arm to help our communities identify and maximize resources and opportunities where possible, to ensure we are actually addressing homelessness, and not contributing to it. The Council is proof that the government can work and save money in the process, and our bipartisan legislation ensures that the Council's doors remain open until there truly is an end to homelessness nationwide.

I thank the National Alliance to End Homelessness, the Rhode Island Coalition for the Homeless, HousingWorksRI, the Council of Large Public Housing Authorities, A Way Home America, Community Solutions, the National Low Income Housing Coalition, the National Coalition for Homeless Veterans, the National Law Center on Homelessness and Poverty, Funders Together to End Homelessness, the True Colors Fund, the National Housing Trust, the National Health Care for the Homeless Council, LISC, the National Alliance on Mental Illness, National Association of Housing and Redevelopment Officials, the Public Housing Authorities Directors Association, National Network for Youth, LeadingAge, Heartland Alliance, National Housing Conference, the National AIDS Housing Coalition, Covenant House International, the Coalition for Juvenile Justice, the Forum for Youth Investment, the Housing Assistance Council, Volunteers of America, the Coalition on Human Needs, the Corporation for Supportive Housing, the Technical Assistance Collaborative, and the National Coalition for the Homeless for their support. I urge our colleagues to join Senator COLLINS and me in supporting this legislation.

By Mr. FLAKE (for himself and Mr. MCCAIN):

S. 745. A bill to reauthorize the State Criminal Alien Assistance Program, and for other purposes; to the Committee on the Judiciary.

Mr. FLAKE. Mr. President, border security is one of the Federal Government's most important responsibilities, and the Federal Government has no better partners than local law enforcement agencies from border communities like those in my home State of Arizona. These officers and deputies serve on the front lines. They provide critical assistance to the missions of Federal agencies.

Unfortunately, these efforts are expensive and the locals end up picking up most of the tab. For example, local law enforcement agencies hold those facing immigration violations at county-operated jails, and they provide medical care for the undocumented inmates while they are in custody. In providing these services, Arizona's counties have incurred more than $310 million in costs associated with criminal undocumented immigrants since 2009. That is $310 million since 2009.

Despite these enormous costs, the Federal Government has left many local jurisdictions to shoulder the burdens of illegal immigration on their own. This is particularly frustrating when so many of our local law enforcement agencies are already struggling to carry out basic duties on overstretched budgets.

I hope we can all look forward to a time when we have the appropriate resources for securing the border, the means for those seeking to fill the needs of our economy to enter the country legally, a remedy for those who are here already illegally, and also a way for employers to ensure that those whom they hire are legally present.

These critical steps toward solving our immigration problems will require Congress to act. However, in the meantime, we can't continue to allow the Federal Government to pass off immigration responsibilities onto cash-strapped local agencies.

That is why I wish today to introduce a bill to reauthorize and reform the State Criminal Alien Assistance Program, better known as SCAAP. This bill is cosponsored by my friend and colleague, JOHN MCCAIN, and is supported by the Arizona Sheriffs Association.

SCAAP is a Federal program that reimburses State, local, and Tribal law enforcement for the costs associated with incarcerating and caring for criminal undocumented immigrants while in custody.

To ensure that local law enforcement receives sufficient reimbursement under SCAAP, my bill would make some commonsense reforms under the program. The bill would amend the Immigration and Nationality Act to reauthorize SCAAP through fiscal year 2021. Reauthorizing this program will provide local law enforcement agencies in Arizona and across the country with the certainty that any costs incurred from incarcerating criminal immigrants will be covered by Federal reimbursements.

Our State, local, and Tribal law enforcement agencies are committed to partnering with the Federal Government on immigration enforcement. But that partnership can't succeed unless the Federal Government provides the necessary reimbursements for those services.

As Cochise County Sheriff Mark Dannels said:

Arizona's counties continue to struggle under the fiscal strain of anemic growth in rural areas and cost-shifts from the State of Arizona. Housing criminal aliens without federal assistance diverts needed resources away from our communities' public safety priorities.

Mr. President, I ask unanimous consent that this letter from the Arizona Sheriffs Association in support of my bill to reauthorize SCAAP be printed in the RECORD.

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

ARIZONA SHERIFFS ASSOCIATION,
March 15, 2017.

Re State Criminal Alien Assistance Program (SCAAP) Reauthorization.

Hon. JEFF FLAKE,
U.S. Senator, Russell Senate Office Building, Washington, DC.

DEAR SENATOR FLAKE: On behalf of a majority of the Arizona Sheriffs Association, I would like to express support for Congress's proposed reauthorization of the State Criminal Alien Assistance Program (SCAAP).

County sheriffs maintain the shared responsibility of enforcing Arizona's criminal laws. We also serve as the keeper of Arizona's county jails, including paying for the cost of medical care for inmates. While the federal government continues to address the problem of illegal immigration, Arizona's jails incarcerate undocumented immigrants who have committed state and local violations, incurring significant costs in custody and care of these inmates, including medical costs. SCAAP provides critical dollars to Arizona's counties that help pay for the cost of housing and caring for these inmates while they are in our custody.

Arizona's counties continue to struggle under the fiscal strain of anemic growth in rural areas and cost-shifts from the State of Arizona. Housing criminal aliens without federal assistance diverts needed resources away from our communities' public safety priorities. We understand that federal dollars cannot fully supplant state costs for these

inmates. However, any financial assistance the federal government can appropriate to help pay for the costs of caring for these inmates will allow Arizona's sheriffs to concentrate on other important priorities, such as drug interdiction and search and rescue.

Since 2009, Arizona's counties have absorbed more than $310 million in costs. A SCAAP reauthorization that includes reimbursement for medical costs would provide vital financial resources to Arizona's sheriffs, allowing us to better serve the public safety needs of our counties.

That's why on behalf of Arizona's county sheriffs, I write to express support for the reauthorization of the State Criminal Alien Assistance Program (SCAAP). We encourage Congress to pass the measure and for President Trump to sign it if it reaches his desk.

Sincerely,

MARK DANNELS,
Cochise County Sheriff,
President, Arizona Sheriffs Association.

Mr. FLAKE. Mr. President, the SCAAP program is the foundation of the immigration partnership between local law enforcement and the Federal Government for keeping our communities safe. I urge all of my colleagues to support this legislation to reauthorize and reform the SCAAP program.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 101—PROVIDING FOR MEMBERS ON THE PART OF THE SENATE OF THE JOINT COMMITTEE ON PRINTING AND THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. SHELBY (for himself and Ms. KLOBUCHAR) submitted the following resolution; which was considered and agreed to:

S. RES. 101

Resolved, That the following named Members be, and they are hereby, elected members of the following joint committees of Congress:

JOINT COMMITTEE ON PRINTING: Mr. Shelby, Mr. Roberts, Mr. Wicker, Ms. Klobuchar, and Mr. Udall.

JOINT COMMITTEE OF CONGRESS ON THE LIBRARY: Mr. Shelby, Mr. Roberts, Mr. Blunt, Ms. Klobuchar, and Mr. Leahy.

AUTHORITY FOR COMMITTEES TO MEET

Mr. GARDENER. Mr. President, I have 9 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, March 28, 2017, at 2:30 p.m.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, March 28, 2017, at 9:30 a.m. to conduct a hearing entitled ''Fostering Economic Growth: The Role of Financial Companies.''

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Senate Committee on Energy and Natural Resources is authorized to meet during the session of the Senate in order to hold a hearing on Tuesday, March 28, 2017, beginning at 10 a.m. in Room 366 of the Dirksen Senate Office Building in Washington, DC.

COMMITTEE ON FOREIGN AFFAIRS

The Committee on Foreign Affairs is authorized to meet during the session of the Senate on Tuesday, March 28, 2017, at 10:30 a.m., to hold a hearing entitled ''The View From Congress: U.S. Policy on Iran.''

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on March 28, 2017, at 10 a.m., in Room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Protecting Youth Athletes from Sexual Abuse.''

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Senate Committee on Energy and Natural Resources' Subcommittee on Energy is authorized to meet during the session of the Senate in order to hold a hearing on Tuesday, March 28, 2017, at 2:15 p.m., in Room 366 of the Dirksen Senate Office Building in Washington, DC.

SUBCOMMITTEE ON FISHERIES, WATER AND WILDLIFE

The Subcommittee on Fisheries, Water and Wildlife of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Tuesday, March 28, 2017, at 2:15 p.m., in Room 406 of the Dirksen Senate Office Building.

SELECT 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 Tuesday, March 28, 2017, from 2:15 p.m., in Room SH–219 of the Senate Hart Office Building.

SELECT 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 Tuesday, March 28, 2017, from 2:15 p.m., in Room SH–219 of the Senate Hart Office Building to approve the Biennial Report.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the Secretary of the Senate, pursuant to Public Law 101–509, the reappointment of the following individual to serve as a member of the Advisory Committee on the Records of Congress: Sheryl B. Vogt of Georgia.

The majority leader.

NATIONAL REHABILITATION COUNSELORS APPRECIATION DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 95 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 95) designating March 22, 2017, as ''National Rehabilitation Counselors Appreciation Day.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 95) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 23, 2017, under ''Submitted Resolutions.'')

PROVIDING FOR MEMBERS ON THE PART OF THE SENATE OF THE JOINT COMMITTEE ON PRINTING AND THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 101, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 101) providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 101) was agreed to.

(The resolution is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR WEDNESDAY, MARCH 29, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Wednesday, March 29; 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.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator WHITEHOUSE and Senator WARREN.

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

The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 20 minutes in morning business.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here to give my weekly ''Time to Wake up'' speech. It is occurring on a day when the President has signed an Executive order that purports to be an effort to undo a good deal of work the American Government has done to address climate change. I have to say that it is a little bit hard to take this Executive order very seriously when the President is in trouble, which seems to be an everyday experience for him right now. The White House staff seems to entertain him and distract him by putting on these amateur theatricals in which they can give him a nice big folder that he can make a big signature on with a flourish and feel like he is doing something significant, when, in fact, these entertainments create little effect and mostly just confusion.

The administrative agencies that he is purporting to direct to stop taking action on climate change have a couple of differences from this particular Oval Office. One is that they are obliged to follow the law and will be held to the law. The second is that under the Administrative Procedures Act, they have to follow real facts. They don't get to make up ''alternative facts'' in the fever swamp of the Breitbart imagination—at least not for long, because their record can be reviewed by courts. Finally, they can't make decisions that are, to use the standard of administrative law, ''arbitrary and capricious.'' This is an Oval Office that lives by ''arbitrary and capricious,'' but administrative agencies don't get to follow it there without having their rulings thrown out by courts.

So ultimately this is going to come down to lawyers and to courts, and lawyers and courts are actually pretty good places for addressing climate change seriously because it is very hard for the lies that are at the heart of climate denial to withstand cross-examination and to stand up to the obligation of witnesses to actually testify truthfully and under oath in court proceedings or even in administrative proceedings.

The inconsistencies of people's statements and behavior can be brought out through cross-examination, which has been described as ''the greatest engine for the discovery of truth ever invented.''

Discovery means that litigants get access to documents on the other side, and it also means that the court has a chance to look into conflicts of interest.

Administrator Pruitt, thanks to the backing of the fossil fuel industry, which is well on its way in trying to turn America into a banana republic through its interests, actually got through the Senate without ever having to disclose who funded his dark money operation. That alone is a kind of preposterous statement, but it is true, because the Senate majority wouldn't insist that those questions be answered because they were so all-fired eager to shove this fossil fuel tool into the Administrator's seat at EPA. Those questions never got answered.

Once there is a case brought against him in which he has to decide whether to recuse himself and that decision gets reviewed by a court, guess what. A court gets to have those questions answered. So there is going to be a lot more that gets discovered as this all goes forward.

The President, with the Executive order today, has made himself ridiculous, which is no great achievement given his recent record. He has made his administration ridiculous, which is unfortunate but not unexpected given the climate-denying crowd who has been given positions of responsibility in this administration. Unfortunately, he has also made the United States of America ridiculous, at least until the checks and balances of government set aright the forces unleashed by this ridiculous Executive order. So let's go on to something that is a little bit more fact-based and serious.

I take climate trips to various places. I went to Ohio back in 2015, and there I met two remarkable and very cool people: Ellen Mosley Thompson and her husband, Lonnie Thompson. They have been married for 45 years, and that is also how long, more or less, they have been research partners. They do particularly amazing research. They are glaciologists. They study glaciers. They run the Byrd—as in Commander Byrd—Polar and Climate Research Center at Ohio State. They have spent years and years, decade after decade, studying the world's glaciers and leading expeditions to the far corners of the world to incredible places—to the North Pole, the South Pole, the Greenland ice cap, the high mountains of Peru, and glaciers in faraway China.

They gave me this on my visit. This is a little piece of a plant. You can look closely at it, and you can see the little sticks and leaves that are in it. This plant has an interesting history. It grew about 6,600 years ago, and when it grew and lived, woolly mammoths roamed the Earth. Woolly mammoths might have been eating neighboring plants. The human race was just entering the Bronze Age, and it began to snow. It snowed on this little plant. Snow piled on snow year after year, and this plant was buried under a glacier, preserved by the pressure and the cold. And there it stayed, so that now I can hold it up on the floor of the Senate 6,600-and-some years later.

Climate change is what brought me this plant because as temperatures steadily rise, glaciers the world over are melting. The glacier that buried this little plant 6,000 years ago receded so fast that here it is now—6,000 years in a glacier and now here in my hand in the Senate.

It is not just plants that are emerging from this great melting. We are actually seeing remains of our own long-dead ancestors emerge from melting glaciers. This is all becoming so common that a new field of study has been created—glacial archeology.

For my 162nd ''Time to Wake up'' speech, I will share the story of the warming Arctic and our world's disappearing glaciers.

The Thompsons, when they leave Ohio State and travel, drill down into the ice, and they take deep core samples out of the glacier, long tubes of ice from the glacier. For Ellen and Lonnie, that means long trips and some challenging logistics, making sure that packed-down ice and snow containing hundreds of thousands of years of accumulated snow and ice doesn't melt along the way back to their lab at Ohio State because in those hundreds of thousands of years of accumulated snow and ice are hundreds of thousands of years of data.

I remember going to visit them. They store the core samples from these glaciers around the world in a huge walk-in freezer. It is like a library with metal shelving, except instead of having books on the shelves, it has these tubes, and they are marked as to where they were drilled out. You can pull the tubes off the shelf and take them to a viewer, and they have a light underneath it, and you can look at the light coming through it. You can see bubbles in the glass that captured the atmosphere from thousands of years ago, and you can draw the air out of those ancient bubbles and learn what the atmosphere was like back then.

There was a line through the core that they showed me, and I asked them: What is this line in the core? They said: Well, that was a really bad sandstorm. It is actually written about in ancient Egyptian hieroglyphs, and we can connect the timing of those ancient Egyptian hieroglyphs talking about this terrific sandstorm and going back through time, the date. And we know that this dark line in the core reflects that big storm that ancient

Egyptians wrote about thousands of years ago.

There are other researchers doing similar things. France and Italy have researchers creating a separate ice core repository, and they have dubbed their project ''Protecting Ice Memory.'' Their bunker for these cores is going to be 33 feet under Antarctica's surface, where they hope to be able to keep the cores cold for posterity because given the rate of climate change, these carefully preserved, packed-away, and frozen ice core samples are probably going to be the last record we have of all the information that was left in and lost in melting glaciers.

This photo depicts Grinnell Glacier in Montana in what is now called Glacier National Park. This was a picture that was taken in 1940. You can see the glacier here pushing up into the mountain. In this photo, you can now see the glacier as it is here. If it is not clear, all of this is not glacier; it is lake, it is water.

The U.S. Geological Survey described what was going on as Grinnell Glacier lost 90 percent of its ice in this last century. Here is what the U.S. Geological Survey said:

> Glacier recession is underway, and many glaciers have already disappeared. The retreat of these small alpine glaciers reflects changes in recent climate as glaciers respond to altered temperature and precipitation. It has been estimated that there were approximately 150 glaciers present in 1850, and most glaciers were still present in 1910 when the park was established. In 2010, we consider there to be only 25 glaciers larger than 25 acres remaining in Glacier National Park.

There were 150 glaciers 100 years ago and 25 now. I wonder what they will call Glacier Park when all the glaciers are gone.

This was—is or was, depending on what you look at—Lillian Glacier up in the State of Washington in Olympic National Park. On the top, we see the healthy glacier in 1905. In 2010, it is virtually all gone. There are just little bits of snow in exposed mountain.

Glacier loss is not just happening in our parks in the United States; it is happening all over the world. A man named Christian Aslund has been documenting this recently, and National Geographic has printed his work. What he did was go to the archives of the Norwegian Polar Institute, and he found pictures of glaciers in Svalbard, Norway, back from the 1920s—old black and white pictures. Then he went back to the exact same spot from which the old picture was taken, and he took a picture. Most of these are from 2003, so some time has gone by since he took the picture, and the situation has actually gotten worse.

You will see here that these two mountaintops that are sticking above this glacier are these two mountaintops right there, but, of course, the glacier is no longer there. You just see a bit of snow back there behind the shore.

Here you see this vast wall of ice and the glacier pushing back up into these mountains behind it.

Here the wall of ice is essentially gone. You see this whole mountain front that has opened up, and the glacier is now simply back up in the valley behind it.

You can see the glacier here from the 1920s filling up this valley and the streams coming off the base of it down there.

Here you see the glaciers completely gone. The rock is exposed, and there is a lake at the bottom, and you have to actually look over the top of the mountain to this faraway peak to even see any snow in the photograph.

It is the same story elsewhere in the Arctic. The Greenland ice sheet is the world's second largest glacier landmass.

A study last year from the journal Science Advances found that we might have underestimated the current rate of mass loss of the Greenland ice sheet by about 20 billion tons per year.

As ''Science'' magazine recently highlighted, the accelerating surface melt of ice and snow off the Greenland ice sheet, since 2011, has doubled—Greenland's contribution to global sea level rise. It is a phenomenon that the Presiding Officer sees and hears about in his home State of Florida all the time. All told, the melting Greenland ice sheet holds the equivalent of more than 23 feet of sea level rise in its ice. That would be a lot in Miami. That would be a lot in Providence. That would change the map of the United States of America.

Why are these glaciers changing and shrinking? Obviously because the Earth is warming and ice melts. Over the last 150 years, industrial activities of modern civilization have caused the burning of fossil fuels like coal and oil. Their emissions have increased the concentration of greenhouse gases in the atmosphere, and we have known since Abraham Lincoln was President that that traps heat in the atmosphere, warming the planet.

What we are learning more and more is how much the warming of the planet accelerates at the Poles. The distribution of the warming is not even across the Earth. Things are warming much faster at the Poles. The Norwegian Polar Institute found that the rate of warming in the Arctic is about twice as high as the global average. For one thing, when snow and ice melt, they can expose darker surfaces underneath, whether it is water or Earth or rock, and a darker surface will absorb more solar energy than reflective snow and ice, and that warms the region even faster. So climate change has this compounding effect in the high latitudes.

Temperatures in the Arctic were the highest in recorded history for the period between December 2016 and February 2017. The World Meteorological Organization noted that ''at least three times so far this winter, the Arctic has witnessed the polar equivalent of a heat wave.'' What this means in layman's terms is that when the ice in the Arctic should have been freezing in the deep midwinter, it was actually melting. More warming and more melting mean more sea level rise.

Last year, researchers published in ''Nature'' an updated estimate of global sea level rise as this phenomenon accelerates. The prediction is not pretty. This new study doubles the previous estimate, putting global sea level rise over 6 feet by the end of this century.

This led to the January NOAA report that I discussed last week which updated global sea level rise region-specific assessments for our U.S. coastline. The report raised the previous upper range or extreme scenario for average global sea level rise in the year 2100 by 20 inches, to a total of 8.2 feet.

NOAA and its partners' findings were particularly harsh for the western Gulf of Mexico—the back side of Florida, if you will—and the northeast Atlantic coast; that is, Virginia through Maine, including my home State of Rhode Island. Coastal managers, like Rhode Island's Coastal Resources Management Council, or CRMC, are taking these new estimates very seriously and incorporating the ''high'' scenario into their planning, with the local high scenario now projected for Rhode Island by our CRMC at between 9 and 12 vertical feet of sea level rise. And, of course, when you go up 9 feet or 12 feet, you go back many hundreds of feet in many places. And all of this, whether it is happening in Florida or whether it is happening in Rhode Island or whether it is happening in other coastal States, it all starts with warming seas and melting glaciers.

When National Geographic caught up with Aslund a few weeks ago, he said something striking: ''What's happening in the Arctic is spreading around the whole globe.'' These pictures he had taken 14 years ago now—back in 2003—were just the beginning.

Kiribati, an island nation, has to face the real consequences of climate change and sea level rise. It is preparing to become a modern-day Atlantis—lost forever to the waves. Aslund describes a meeting with Kiribati's President: ''He knows climate change is just a fact . . . they're buying upland in Fiji so they can evacuate in the future.''

I will end with one final quote from Mr. Aslund. When asked about the devastating effects of climate change that he had seen firsthand, he responded: ''It is the biggest challenge we face and we must act now before it is too late.''

Do one man's photographs stand any chance against the massive deception apparatus orchestrated by the fossil fuel industry, when they can call in a President of the United States for as ridiculous and preposterous an Executive order as he signed today? It is hard to know.

I hope this body will rise to its best traditions and meet the needs of its constituents, whether they are coastal constituents threatened by sea level rise or farm constituents threatened by

changes in weather or forest constituents who are seeing the pine beetle destroy western forests by the millions of acres. I hope we wake up before it becomes too late.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:12 p.m., adjourned until Wednesday, March 29, 2017, at 10 a.m.

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. VISCLOSKY. Mr. Speaker, on March 27, 2017, I was absent from the House and missed roll call votes 195 through 196.

Had I been present for roll call 195, a vote on H.R. 1117, a measure 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, I would have voted "Aye."

Had I been present for roll call 196, a vote on H.R. 654, The Pacific Northwest Earthquake Preparedness Act of 2017, I would have voted "Aye."

PERSONAL EXPLANATION

HON. GEORGE HOLDING

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. HOLDING. Mr. Speaker, due to a personal matter, I missed the following votes on Monday, March 27, 2017:

Roll Call Vote No. 195: 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. Had I been present, I would have voted "YEA".

Roll Call Vote No. 196: Pacific Northwest Earthquake Preparedness Act. Had I been present, I would have voted "YEA".

IN HONOR OF WALTER HARRISON

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. LARSON of Connecticut. Mr. Speaker, I rise today with the entire Connecticut delegation to recognize a dedicated leader, respected academic, and a dear friend, Walter Harrison, on his retirement as the President of the University of Hartford. His retirement marks the end of 19 years of an incredibly successful term as President and the end of an era at the University.

A graduate of Trinity College in Hartford, Walt began his career of service and experience in higher education, receiving his Masters from the University of Michigan and went on to serve for three years as an officer in the U.S. Air Force. He then completed a doctorate at the University of California-Davis and worked in the administrations of Colorado College and the University of Michigan before joining the University of Hartford.

Walter Harrison played a critical role in revitalizing the University of Hartford after he became President in 1998. Under his guidance, the University increased and diversified its enrollment, financial stability and academic performance. During the time that Mr. Harrison served as President, the University of Hartford renovated dorms, dining halls and athletic facilities to completely change and modernize the campus. New undergraduate and graduate academic programs were added in science, technology and the fine arts. Undergraduate enrollment increased by 20 percent. His genuine affinity for students and his authentic concern were evident every time I walked the campus with him.

Walter has also been an engaged leader for the city of Hartford. He serves on multiple boards in the area including on the boards of Saint Francis Hospital and the MetroHartford Alliance. He is one of the founders of the Connecticut Science Center and a past president of Hartford Stage. Walter made engagement with the city a priority of his tenure, and was involved in the effort to incorporate Hartford public schools into the campus of the University, resulting in the University of Hartford Magnet School and the University High School of Science and Engineering. Walter also played a key role in reforming the NCAA and was recognized by his peers for his outstanding leadership.

What I admire most about Walt is the easy manner and grace in which he engages students, faculty, and the greater community the University serves. His humanity and well-rounded nature makes him a man for all seasons: cultured, passionate, affable, and witty, truly a Renaissance man. He is just as comfortable at Augie and Rays as he is at Hartford Stage; talking sports, politics, or theater. I have valued our friendship, admired his leadership and academic acumen, and consider myself a better person having benefitted from our relationship and his wisdom.

Walt will be truly missed at the University of Hartford. His vision and leadership have shaped the University into the institution it is today, and I am proud to call him a friend. The word retirement doesn't become him; he is too committed and essential to the heartbeat of life to retire. He will simply engage. The entire CT delegation joins in thanking him for his service to the University and the city of Hartford.

To paraphrase George Barnard Shaw, Walt has been a splendid torch that has burned brightly for the University and now he is handing it off to the next generation.

HONORING THE VICTIMS OF WAUSAU-AREA TRAGEDY

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. DUFFY. Mr. Speaker, it's with a heavy heart that I rise today to recognize the loss of four members of our greater Wausau community. It was last week that four lives were taken from us all too early.

Karen Barclay was warm and caring to everyone around her. At Marathon Savings Bank, she made sure that no child left the bank without a lollipop.

Dianne Look, known as 'Dee-Dee,' celebrated her 25th wedding anniversary last month. Dianne loved to make jewelry; raising money for the American Cancer Society.

Sara Quirt-Sann had an infectious laugh and ran her own law practice. She proudly served as a Guardian ad Litem for kids in our community.

We also lost Detective Jason Weiland of the Everest Metro Police Department, who was killed in the line of duty. Serving 18 years in what was described as his 'dream job,' Detective Weiland wore the Everest Metro PD uniform because he wanted to protect people and keep his community safe.

On behalf of this institution, I rise to extend my deepest regrets to their families—the mothers and fathers, husbands, wives, and children who no longer have a special member in their homes.

HONORING EARLINE WRIGHT-HART

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, Ms. Earline Wright-Hart was born in Rural Holmes County, one of six (6) children, born to the union of Willie and Claudia Mae Wright. Married to James Zachary Hart, 4 children, 3 sons: James, Ryan, Lamont & 1 daughter: Jamie Wright-Hart and a new "Grand Nana" to Hailey Kimbrough Jordan.

Ms. Earline Wright-Hart is a member of the Lebanon Missionary Baptist Church, Choir Member and a Trustee. She was also a graduate of Saint Academy, Holmes Junior College and MS State University and graduated on July 22, 2010 from Michigan State University—School of Criminal Justice/Judicial Administration Program.

Ms. Earline Wright-Hart was elected Circuit Clerk of Holmes County in November, 1991 and she still serves Holmes County in this capacity as well as presently serving on the Statewide Election Management System Focus Group with Mississippi Secretary of State, Delbert Hoseman.

Some of Ms. Wright-Hart's accomplishments are:

1. Served as Vice-Legislative Chair for the MS Circuit Clerk's Assoc., 1996 through 1997
2. Appointed Secretary of the MS Circuit Clerk's Association in July, 1999
3. Nominated Professional of the Year by Holmes County Chamber of Commerce in April, 2001
4. Served as President of the Mississippi Circuit Clerk's Association in 2002–2003

5. Named in Empire Who's Who Registry of Executives & Professionals in 2003–2004

6. Appointed by Secretary of State, Eric Clark, Pilot Circuit Clerk for State/Saber Project in January, 2005 for the Statewide Election Management System

7. Parent of the Year in 2004–2005 at Holmes County School District

8. Appointed Program Evaluator for the 21st Judicial District Adult Drug/DUI Court in January, 2006

9. Certified Level 1 firefighter—MS State Fire Academy in May, 2006

10. Named Who's Who Among Professional Female Executives in 2008–2009

11. Received the Dr. Arenia C. Mallory Women History Award at St. Paul African Methodist Episcopal Church in Madison MS in March, 2009

12. Received Accountable Public Officials Award by Southern Echo, Inc. in December, 2010.

Mr. Speaker, I ask my colleagues to join me in recognizing Ms. Earline Wright-Hart for her dedication to serving others and giving back to the African American community.

IN MEMORY OF DALE HARLEY

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. WILSON of South Carolina. Mr. Speaker, South Carolina lost a dedicated public servant with the passing of West Columbia City Councilman Dale Harley. Pastor Michael Hood lovingly conducted a Service of Death and Resurrection on Sunday, March 26, 2017, at Platt Springs United Methodist Church in Springdale with organist Sherri Cafaro and soloist Jason Barrs. Pallbearers were Ben Breland, Michael Faulling, Peter Fisher, Dana Harley, Kevin Harley, Chuck Haseldon, Paul Rish, Kent Safriet, Van Safriet, Chris Threatt, and Jeff Threatt. Honorary Pallbearers were the West Columbia City Council members and the Joint Municipal Water and Sewer Commission. Thompson Funeral Home of Lexington thoughtfully coordinated services.

The following thoughtful obituary was included in the service program:

Leonard Dale Harley, Sr., 76, of West Columbia, SC, passed away Thursday, March 23, 2017. He was born in West Columbia, SC, to the late James ''Alburn'' and Leola Spires Harley.

Dale was a longtime member of Platt Springs UMC, where he once was very involved with the youth group and Boy Scouts. He was a member of the West Columbia City Council and a member of the Joint Municipal Water & Sewer Commission. He was a family man that loved spending time with his family, friends and pets. He will be missed by many.

Dale is survived by his loving wife of 55 years Sandy; his daughters, Lynn (Jim) Asbill of Anderson, SC and Kim (Kim) Harley of West Columbia; and son, Lee (Erika) Harley of Lexington. He also leaves behind his two grandchildren, Nathan and Auburn; his sisters, Sarah (Bill) Geddings, and Jean Threatt; brother, James Mello (Sherrell) Harley; and many nieces and nephews. He was preceded in death by his sisters, Frances Maxine Hamilton and Dorothy Joyce Faulling.

PERSONAL EXPLANATION

HON. KEVIN YODER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. YODER. Mr. Speaker, I was not present on March 27, 2017 due to the death of my 105 year old Grandmother, Edna Yoder. Had I been present, I would have voted Yea on Roll Call vote Number 195. On Roll Call Number 196, I would have voted Yea.

IN RECOGNITION OF RICHARD BOALS

HON. KYRSTEN SINEMA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Ms. SINEMA. Mr. Speaker, I rise today to recognize an Arizona business leader, health care advocate, and dedicated community servant, Richard Boals. Mr. Boals has served as the Chairman and Chief Executive Officer of Blue Cross Blue Shield of Arizona since 2003, providing strategic leadership and vision for the company through critical times of change and transition in the industry.

As a long-time advocate, Mr. Boals is active in the community and has been involved with countless professional and local organizations. His focus and dedication are aimed at youth and education, health, wellness and human services, economic and civic development, and arts and culture.

Mr. Boals is on the board of directors for Arizona Commerce Authority, Greater Phoenix Leadership, Arizona State University W.P. Carey School of Business Center for Services Leadership, Arizona State University President's Club, Arizona State University Dean's Council of 100, and the Maricopa Community Colleges Foundation. He is a member of the Translational Genomics Research Institute's board of directors, Arizona Educational Foundation's advisory board, and the Phoenix Police Reserve Foundation board of directors. He is chairman of the board of directors for TriWest Healthcare and O'Connor House.

As a community and business leader, Mr. Boals has been honored with several awards: the ASU Alumni Leadership Award, the Maricopa Community Colleges Foundation's Heroes of Education Award, the Victoria Foundation's Advocates for Education Award, the American Jewish Committee's National Human Relations and Centennial Leadership Awards, the Anti-Defamation League's Jerry J. Wisotsky Torch of Liberty Award, the Greater Phoenix Urban League's Whitney M. Young, Jr. Individual Award, the Marine Corps Scholarship Foundation's Globe and Anchor Award, and the Phoenix Business Journal's Silver Anniversary Honor Roll Award.

Mr. Boals received his associate's degree from Phoenix College and bachelor's degree in accounting from Arizona State University. He has completed executive development courses at Fuqua School of Business at Duke University, Haas School of Business at the University of California, Harvard University and University of Michigan. Mr. Boals served four years in the United States Air Force before beginning his career at BCBSAZ.

I congratulate Richard on an incredible career in the service of a healthier Arizona. I wish him and his wife Maryglenn a healthy and happy retirement filled with friends, family, and adventure.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House Chamber for roll call votes 195 and 196 Monday, March 27, 2017. Had I been present, I would have voted ''Yea'' on roll call votes 195 and 196.

HONORING DWIGHT A. BARFIELD

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor an extraordinary Black History honoree, Mr. Dwight A. Barfield.

Dwight A. Barfield was born to a prominent Civil Rights Activist and Vice Mayor of Marks, MS, the Late James Figgs Barfield and Eloise Barfield of Marks, MS. As a child, he was determined to be a distinguished follower of his father.

Webster's dictionary delineates success as ''the attainment of wealth, favor and eminence.'' It is an apt definition, but only a partial one. What is missing is the kind of success that can only be measured in terms of self-fulfillment. At the young age of twenty-one and with the collaboration of young and old supporters and influential African Americans, Dwight Anthony Barfield was successful in his bid of becoming the youngest Mayor of Marks, Mississippi and the youngest elected official in Quitman County on June 3, 1993.

During his tenure as mayor (Three Consecutive Terms from June 1993 through June 2005), Dwight earned a reputation of being a coalition-builder, managing to keep the City of Marks Board of Alderman and the Quitman County Supervisors together. Under his signature leadership, the citizens and the business community thrived and flourished. He partnered with the Casino industry, (namely, Grand Casino) to provide city and county citizen's jobs. He brought business such as McDonald's, Family Dollar, BFI Waste Management to name a few.

He has continued to exude unprecedented willingness to do whatever it takes to keep the community abreast of the positives and negatives. He is recognized amongst his family, his community, and his colleagues as a man of integrity, service, compassion, and outstanding spirit. He attended the historic church where Dr. Martin Luther King spoke on behalf of the ''Poor People Campaign that started in the 1968.''

He is a dedicated and devoted member of Silent Grove Missionary Baptist Church, Marks MS where he serves as the Chairman of the Board of Trustees and as Deacon.

He continues to be an activist in his community while ensuring that elected officials are

held accountable for their actions to the citizens of Quitman County.

He has served on various committees and is a member of numerous organizations to include, but not limited to the following:

1. Currently served as Vice President of Mid-State Opportunity, Inc.

2. Served as Male Mentor, After-School Peer Tutoring Program for Disadvantaged Youth

3. Past President of the Mississippi Conference of Black Mayors

4. Past Board Member of the National Conference of Black Mayors

5. Past Board Member and Director of the U.S. World Conference of Mayors

6. Member of Alpha Phi Alpha Fraternity, Inc.

7. Delegate and Traveled abroad to Africa (Nigeria, Ghana and Senegal) to promote Democracy and World Peace.

8. Members of Masonic Lodge Number 315 of Crowder, MS

9. Founder and Former Scoutmaster of Boy Scout Troop Number 306

Dwight A. Barfield's leadership, dedication, remarkable acts of courage, perseverance, tireless service to all mankind and passion to make a difference in his community, makes him an outstanding community activist.

Mr. Speaker, I ask my colleagues to join me in recognizing Community Activist and Former Mayor, Dwight Anthony Barfield for his dedication to serving this City, County and State.

HOLY SEE ARTICLES

HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today to share with my colleagues several more articles that I have written over the years regarding the Holy See. As a Member of the Europe, Eurasia, and Emerging Threats Subcommittee on Foreign Affairs, these pieces serve to outline and inform discussions that our Committee will cover in the 115th Congress.

U.S. MUST EMBRACE HOLY SEE

The past few years have seen cordial but cooling relations between the United States and the Vatican. Since President Obama took office, he has visited the Vatican just once, and the administration has demonstrated little more than a perfunctory interest in the Holy See's diplomatic role in the world. This is a lost opportunity at a critical time for America. U.S. foreign policy has much to gain from its relationship with the Holy See, the governing body of the Catholic Church. No institution on earth has both the international stature and the global reach of the Holy See—the ''soft power'' of moral influence and authority to promote religious freedom, human liberties, and related values that Americans and our allies uphold worldwide.

President Reagan established full diplomatic relations with the Holy See in 1984 because, among other reasons, he realized that he could have no better partner than Pope John Paul II in the fight against communism—and he was right. The administration of George W. Bush continued to expand these relations, even in difficult times while engaged in a conflict in Iraq of which the Holy See had strongly and vocally disapproved. Before President Obama's recent appointment of Ken Hackett as the next U.S. ambassador to the Holy See, there was growing speculation that the administration was considering completely eliminating the diplomatic mission, or reducing it to an appendage of the Embassy in Rome. While the Obama administration has been in conflict with the Catholic Church on a range of issues from abortion to contraception, it is clearly in America's national interests to strengthen diplomatic ties with the Holy See to advance our interests around the world.

The United States and the Holy See remain two of the most significant institutions in world history, one a beacon of democracy and progress, the other a sanctum of faith and allegiance to timeless principles. Despite these differences between the first modern democracy and the longest surviving Western monarchy, both were founded on the idea that ''human persons'' possess inalienable natural rights granted by God. This had been a revolutionary concept when the Catholic Church embraced it 2,000 years ago, and was equally revolutionary when the Declaration of Independence stated it 1,800 years later.

The Church is one of the leading advocates and providers for the poor in the world, fights against the scourge of human trafficking, and advances the cause of human dignity and rights more than any other organization in the world. The Holy See also plays a significant role in pursuing diplomatic solutions to international predicaments. In 2007, for example, the Holy See helped secure the release of several British sailors who had been picked up by the Iranian navy. Its long-standing bilateral relations with Iran and the lack of such relations by the British and other western governments created an opportunity for successful intervention.

And more recently, the Holy See issued its diplomatic note concerning the civil war in Syria, calling for a ''concept of citizenship'' in which everyone is a citizen with equal dignity. It is urging the commissions which are working on a possible future constitution and laws to ensure that Christians and representatives of all other minorities be involved. This immediately helped place a spotlight on the plight of Christians and the ongoing exodus of all non-Muslims from most Middle East countries for the last 30 years. The power and influence of the Holy See is often underestimated. A benevolent monarchy tucked into a corner of a modern democracy, the Holy See is at once a universally recognized sovereign representing more than a billion people (one-seventh of the world's population)—and the civil government of the smallest nation-state on earth. It has no military and only a negligible economy, but it has greater reach and influence than most nations. It's not simply the number or variety of people that the Holy See represents that gives it relevance; it's also the moral influence of the Church, which is still considerable despite secularization and scandals.

The Holy See advocates powerfully for morality in the lives of both Catholics and non-Catholics, and in both individuals and nations. One may disagree with some of the Church's positions and yet still recognize the value—the real and practical value—of its insistence that ''right'' should precede ''might'' in world affairs. At its core, the Catholic Church is a powerful and unique source of non-coercive ''soft power'' on the world stage—it moves people to do the right thing by appealing to ideals and shared values, rather than to fear and brute force. America's foreign policy is much more likely to succeed with the support of the Holy See.

Iranian President Hassan Rouhani recently gave a nod to this soft power in his Washington Post op-ed when he decried the ''framework that has emphasized hard power and the use of brute force.'' One can speculate on the motivations and intentions of such an unlikely source, but at least there is an admission of the importance of diplomatic alternatives which are based on persuasive fundamental principles.

No two sovereigns are more naturally aligned than the United States and the Holy See in the pursuit of diplomacy founded on the core moral principles of the inalienable rights of man, his essential God-granted human dignity, and the right of all to religious freedom. This is rightly called the ''first freedom'' because our other freedoms seldom flourish in its absence.

REFLECTING ON THE LIFE OF ARCHBISHOP PIETRO SAMBI, DIPLOMAT OF THE HOLY SEE

The death of Archbishop Pietro Sambi, Papal Nuncio to the United States for the last five years, is a great loss for the diplomatic community in Washington, D.C. and for the world. A veteran diplomat with many years experience in Israel and Palestine, Archbishop Sambi brought a depth of knowledge and personal credibility to the diplomacy of the Holy See which will be greatly missed.

Prior to his posting in Washington, Archbishop Sambi was stationed in Cuba, Nicaragua, Belgium and India. As papal representative to Israel and Palestine from 1998 until 2005, he was instrumental in the planning and execution of the Holy Land visit of Pope John Paul II in 2000 and was deeply involved in the Holy See's diplomacy during the 2006 Lebanon war, where the traditional power sharing coalition was challenged by the presence of Hezbollah. His personal credibility was important during this war in mobilizing the Christian coalition there.

His Cuba and Nicaragua experience was important in his understanding of the challenges the United States faces in these countries and in expressing the Holy See's goals for religious freedom and pursuance of the democratic process there. He was Nuncio in Nicaragua as the Sandinista revolution took control of the country and challenged church authority and democratic institutions there. He was involved in planning Pope John Paul II's 1983 visit wherein the Pope challenged Daniel Ortega and his government.

While Archbishop Sambi was in Cuba in an earlier time, from 1974–1979, his efforts in working with the local church were valuable in keeping the goals of freedom and tolerance alive. The recent release of the last of the March 2003 political prisoners in Cuba by the Castro government exemplifies the valuable contributions of Holy See diplomacy, the result of many leaders like Archbishop Sambi.

He was, in short, a most qualified diplomat and a man whose warmth reminded many officials of the first apostolic pro-nuncio to the United states, Cardinal Pio Laghi.

In meetings with him I realized his keen understanding of the unique role of religion and faith in the United States as protected by the First Amendment. He realized, like his predecessor Archbishop Pio Laghi, that the American experiment of the First Amendment has much to offer the world.

Though it is only natural for a prominent priest to proclaim the importance of religious freedom and its importance in sustaining civil society, Sambi was also an earnest proponent of the freedoms of speech and press. He warmly received journalists in an effort to connect with an American audience that went beyond the capital beltway region and daily withstood anti-Catholic protestors picketing just outside his office. In times of crisis within the Church and without, he resolutely defended the goodness that religion

offers the world—peace, justice, love, and true individual freedom.

Many times he made a point of explaining that the foundation of the diplomatic mission of the Holy See is rooted squarely in the pursuits of freedom, tolerance and the protection of human dignity. The ''soft power'' of moral rectitude and persuasion is what drove the Archbishop in his work.

His death last Friday following a serious lung operation at Johns Hopkins Hospital is a time for reflection on the twenty-seven years of official recognition between the U.S. government and the Holy See in Vatican City. In that short period, the bilateral relationship has flourished into a deep commitment. Together, the world's most influential state and the world's smallest sovereign state combine to address serious problems like human trafficking, extremist violence and religious intolerance.

As I mourn the loss of my friend, laid to rest in his hometown of Sogliano al Rubicone, Italy, I am thankful for his witness and example, and also have to pause and reflect on the moral leadership of the United States around the world, which Archbishop Sambi so deeply appreciated and valued.

POPE FRANCIS' FIRST VISIT TO U.S. PROVIDES HISTORIC OPPORTUNITY

Pope Francis' highly anticipated visit to the United States offers an opportunity to advance our understanding of the significant role that the pope and the Holy See play in world affairs. And just as important, the Papal Visit will afford Pope Francis a glimpse at the fundamental values at work in the United States—providing a unique occasion to inform his views on crucial economic, human rights, and environmental issues. Pope Francis has never visited the United States, so there is a historic opportunity to demonstrate how American values can help resolve many vexing global problems.

The pope will break new ground in addressing the Joint Session of Congress. By responding to Speaker Boehner's historic invitation, Pope Francis will engage with the Congress as no pope has previously, reinforcing his role as a global leader and drawing unprecedented public attention to his major diplomatic themes and objectives.

Thus far in his papacy Pope Francis has laid out several important priorities which might surface in his address and broader visit to the United States.

From the beginning, the pope has made a priority to highlight the global challenge of migration and the ensuing deprivation of basic human needs of people displaced from their homes. The lesson of his first papal trip, to Lampedusa, resonates today with the increase in refugees from Syria and Africa. He urged the world to ''oppose the globalization of indifference'' to the plight of these people.

Recently, in his encyclical Laudate Si, Pope Francis used forceful language to call attention to environmental degradation and, somewhat controversially, linked consumption and waste in industrialized countries with poverty and lack of opportunity in the emerging world.

One success of this visit could be that the pope sees in the United States a people who also care for their environment yet offer practical solutions to reduce pollution like nurturing the use of cleaner fuels, deploying advanced technologies and supporting alternative energy sources throughout the world.

Another aspect of Pope Francis' diplomatic outreach has been criticism of capitalism as abusive and insensitive to the poor and the disadvantaged. In many respects what the pope has expressed is consistent with historic Catholic social teaching, descending from Rerum Novarum and Pope Leo XIII, but he has brought a different tone and diction to the discussion of political economy.

This may be the greatest result of the papal visit—if Pope Francis experiences something different in the United States, distinct from his experience in Latin America. In Argentina, broad-based corruption and crony capitalism dominate; oligarchic businesses feed off of the state and provide little to their workers. Many parts of Latin America, the pope's basis of perspective, have significant inequality of wealth, abusive governments and abridged freedoms. The opportunity to rise up and achieve one's God-given talents is circumscribed.

Our challenge during his short time in the United States is to draw his attention to the fundamental American values of economic and personal liberty. This unique combination of religious and personal freedom, as Alexis de Tocqueville foresaw in the early 19th century, created an engine for prosperity of its citizens unlike any previous governmental experiment.

The itinerary of Pope Francis' visit to the United States represents the quintessential new world experience; Washington DC, the epicenter of political power in the United States and derivatively in the world. Next he will travel to New York, the locus of financial power and influence in the world, and the home of the United Nations, the ultimate gathering place of all nations. Finally, Pope Francis will stop in Philadelphia, where American democracy began. Hopefully Pope Francis will depart the United States with a heartfelt understanding of the good that can result when political and economic institutions foster individual liberty and freedom.

Likewise, if the attention the pope draws from the citizens of the United States serves to increase their understanding of where he comes from and what he seeks to accomplish, another important goal will have been achieved—enhanced appreciation for the important and constructive role the papacy and the Holy See play in the world today, in the diplomatic engagement among states as well as in Catholic theology.

CELEBRATING THE RETIREMENT OF GARY L. JANACEK

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. CARTER of Texas. Mr. Speaker, I rise today to celebrate the retirement of Gary L. Janacek, CEO of Scott & White Employees Credit Union. This esteemed and valued citizen of the Temple, Texas area has made real and lasting impacts on his community and set a high standard of excellence in his profession.

Gary truly embodied the Credit Union's slogan, ''people helping people,'' throughout his career and in all aspects of life. Throughout his nearly fifty years of service, Gary's work has been vital in helping the Credit Union succeed in serving their communities and achieving their goals.

When formally announcing his retirement to the board of directors and staff last summer, Gary said, ''It's been a distinct privilege and honor to serve our members for the past 39 years. I have been richly blessed with a visionary board of directors and dedicated staff in serving the needs of our membership.'' That Gary chose to salute those around him rather than himself comes as no surprise to those who've been able to work alongside this exceptional leader.

Gary's work hasn't gone unnoticed. He served in numerous leadership positions within the state and national credit union movement. In September of 2003, Texas Governor Rick Perry appointed Gary to serve on the Texas Credit Union Commission. He was soon chosen to Chair this commission's important work. In 2015, Gary was inducted into the Credit Union House Hall of Leaders. His work positively impacted countless people across Texas and nationwide.

Retirement is to be celebrated and enjoyed. It is not the end of a career, but rather the beginning of a new adventure. I heartily salute Gary Janacek's work and contributions to his community. I'm sure I echo the thoughts of all when I wish him the best in both his retirement and all his future endeavors.

HONORING THE LATE MR. PERCY STROTHERS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a community servant and entrepreneur, the late Mr. Percy Strothers, who has shown what can be done through tenacity, dedication and a desire to serve his community.

Mr. Percy Strothers was born on June 7, 1925 in Natchez, MS to the late Emanuel Strothers and Charity Piggs.

In 1943, after finishing high school Percy joined the Army at the age of 17, where he served for 3 years. As a World War II Veteran, his tenure included the United States of America, England, Normandy, Northern France, Rhineland, and Central Europe. He received the ATO-Medal, EAMETO-Medal, GOOD CONDUCT Medal, and the World War II Victory Medal.

He married the former Carolyn Sue Webster on October 30, 1966 and to this union two wonderful children were born. Percy remained a faithful husband to Carolyn for 50 years.

After returning from the Army, Mr. Strothers opened the first black owned Taxi Cab business in Vicksburg MS, which he operated for 27 years. He also worked for Shell Oil Co. for 11 years. Percy later worked for the United States Postal Service as a Letter Carrier for 27 years and Mail Supervisor for 1 year before retiring in 1990.

Mr. Strothers served his community well. He enjoyed serving his community as a Local Historian and Legendary community activist. Percy was affiliated with the National Association of Letter Carriers, NAACP (National Association of Advancement of Colored People), American Legion Tyner-Ford Post 213 and the Esquire Club of Vicksburg. He served as past President of Vicksburg Letter Carriers Union Branch 94, past Chairman for the State of MS Letter Carriers Sons and Daughters Scholarship Committee. Percy received a Proclamation from Mayor Robert Walker designating November 30th as Percy Strothers Day. Percy was instrumental in the development of the 1st Black Subdivision (Melinda Robinson Subdivision) where he served as chairperson of the

development. In honor of his hard work and dedication the street in the neighborhood bares his name.

Percy joined Jackson Street Missionary Baptist Church in 1956 where he remained a faithful and dedicated member of the church.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Percy Strothers for his dedication and loyalty to Vicksburg, Mississippi and his desire to always strive for more.

RECOGNIZING TED OGLESBY

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. COLLINS of Georgia. Mr. Speaker, I rise today to recognize the life of longtime Gainesville journalist Ted Oglesby, who served his country and our hometown throughout most of his 84 years.

Mr. Oglesby arrived in Gainesville, GA in 1958 out of the Air Force Reserves and began working for WDUN radio, a well-known station in northeast Georgia. He soon left to become sole owner and chief editor at the Gainesville Tribune.

In 1968, he returned to military service and spent a year in Vietnam. During this time, Ted contributed to many missions that led him across the globe. He retired in 1981 as a Colonel in the Air Force, having received a Bronze Star for his meritorious service to our nation.

After returning to civilian life in Gainesville, Mr. Oglesby again took up the pen and pad as a reporter. His work in politics earned him many Georgia Press Awards, and he retired as the Editorial Editor of the Gainesville Times.

As the founder and longest serving chairman of the Small Business Development Center, Mr. Oglesby was well respected throughout his community. He hosted a Travel Club for the Georgia Retired Teachers association and served as a Life Deacon at Lakewood Baptist Church. He was honored by the Gainesville Kiwanis and was presented the Hixson Award for his outstanding community service, which spanned five decades.

Mr. Speaker, I am honored to recognize Ted Oglesby, a man whose ambition was to be a ''servant to others.'' This remarkable man loved his country and his community and served them both diligently.

HONORING COLONEL HUGH HANLON

HON. BILL FLORES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. FLORES. Mr. Speaker, I rise today to honor Colonel Hugh Hanlon, who is retiring after 30 years of service to our county in the United States Air Force.

Colonel Hanlon graduated from the United States Air Force Academy in 1987, and earned a Masters of Business Administration from Wayland Baptist University in 1998. He served for 30 years as a commissioned officer in the United States Air Force, where he served as the Chief of CENTCOM strategy for the Air Force Checkmate Division and, among other assignments, as the Chief of Long Range Strategy during the Afghanistan War. During his 30 year career, Colonel Hanlon also served as an instructor pilot, flight examiner, operations officer, squadron commander, and Vice Wing Commander. During those years, he served in Hawaii, Japan, and Korea, prior to his current position as the Commander of Corps of Cadets Detachment 805 at Texas A&M University.

Over his three decade military career, Colonel Hanlon was awarded 12 awards and badges, including the National Defense Service Medal, Air Force Organizational Excellence Award, and Joint Meritorious Unit Award. He further distinguished his service by earning the Air Force Commendation Medal with three oak leaf clusters, a Medal given to those who display acts of heroism or meritorious service. In addition, Colonel Hanlon earned the Legion of Merit Award, given to those who display exceptionally meritorious conduct, and the Defense Superior Service Medal, awarded to those in the Department of Defense who display superior meritorious service in positions of significant responsibility.

Colonel Hanlon has demonstrated his gifted skills as a pilot through over 3,500 flight hours, with 325 of those hours being in combat. He reached the rank of Command Pilot, and flew four different military aircraft during his service, including the T–37, T–38, A–10 and F–16.

I also would like to honor Colonel Hanlon for his service to the Texas A&M University. For nearly four years, he has served as the Commander of Detachment 805 of the Corps of Cadets, as well as teaching at the University as a Professor of Aerospace Studies. He has embodied the core values at Texas A&M, especially the core values of excellence and selfless-service.

Mr. Speaker, our Nation's history is grounded in the efforts of our men and women who have served in uniform. Those who protected and defended the United States of America deserve our highest praise and thanks. We also wish them Godspeed as they transition to the next chapter in their lives.

Today, I have requested that a United States flag be flown over the United States Capitol to honor the many contributions of Colonel Hugh Hanlon. As I close, I urge all Americans to continue praying for our country during these difficult times, for our military men and women who protect us from external threats, and for our first responders who protect us here at home.

HONORING RILEY RICE

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mr. Riley Rice.

Mr. Rice has extensive experience in the field of education and municipal government.

Mr. Rice was born on August 8, 1943, the fifth child of the late Robert Rice, a World War I Veteran and sharecropper, and Katie Rice, a housewife.

Mr. Rice is a resident of Indianola, Mississippi, and was educated in the former Indianola Public School District. He is a 1963 graduate of Gentry High School; 1967 graduate of Mississippi Valley State University with a Bachelor of Science in Social Science Education; 1992 graduate of Delta State University with a Master's in High School Counseling; and further studies in Political Science at Mississippi State University.

Along with Mr. Rice's background in education, he worked 35 years in the Sunflower County School District. He served 16 years on the Indianola Board of Aldermen and 8 years as Vice-Mayor.

Mr. Rice participated in the Civil Rights Movement in 1965. He was jailed for attending the former Seymour Library and for a sit-in at the Traveler's Inn Restaurant. He participated in many marches throughout Sunflower County and he marched with Fannie Lou Hamer and Charles Scattergood.

Presently, Mr. Rice serves as Supervisor of Sunflower County, District 2; is a member of the P16 Council; a member of the Cares Mentoring Program, and Vice President of the Sunflower County Branch 5333 of the NAACP.

Lastly, Mr. Rice is a devoted Christian and an ordained Deacon at Traveler's Rest M.B. Church, where he serves as Chairman of the Deacon Board and Superintendent of the Sunday School. The Pastor of Traveler's Rest M.B. Church is Rev. T.L. Martin, Jr. of Cleveland, Mississippi.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Riley Rice for his dedication to serving others and giving back to the African American community.

HONORING CLAY PHILLIPS'S LIFETIME OF PUBLIC SERVICE

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. MARCHANT. Mr. Speaker, I rise today to honor the public service of City Manager Clay Phillips of Coppell, Texas. On March 31, 2017, Mr. Phillips will retire from public service after serving eight years as City Manager of Coppell and over 35 years of service in municipal government.

Clay Phillips began his public service career with the Town of Addison in 1981 working as a firefighter and paramedic. He left the Town of Addison after obtaining the rank of Deputy Fire Chief to assume the position of Fire Chief for the City of Coppell. Since 1991, Clay has served as the Fire Chief, Assistant City Manager, and Deputy City Manager and in 2008, Clay was promoted to the role of City Manager.

Clay attended the University of North Texas where he received his Bachelor of Science with Honors in Emergency Administration and Planning along with a Master of Public Administration (MPA) degree. In 2011, Clay was named the 2011 MPA Alumnus of the Year. Clay has served as president of the North Central Texas City Managers' Association and he serves on the Board of Directors of the North Texas Commission.

During his career as City Manager in Coppell, Clay has promoted regionalism amongst area cities and helped bring about a number of cooperative efforts, including the North Texas Emergency Communications

Center. Working with city staff, community, and the city council, he led many projects over the years that resulted in major improvements to the city's parks, facilities, and infrastructure. One of Clay's favorite projects was the redevelopment of Old Town Coppell, which has blossomed into a unique, mixed-use area, which embraces the city's history along with bringing together businesses and residents.

Clay is a lifetime resident of Coppell. In 1978, he graduated from Coppell High School where he received Valedictorian honors. Most recently, Clay was recognized as the Class of 2004 Distinguished Alumni. Clay has served on numerous professional and philanthropic organizations throughout North Texas and Coppell including the first Board of Directors of the Coppell ISD Education Foundation and Coppell ISD Strategic Planning Initiative. Clay is an active member of his church where he serves as elder and in the music ministry. Clay and his wife, Terry, are proud parents to two children and one grandson.

Mr. Speaker, I ask my distinguished colleagues to join me in wishing Clay Phillips many years of continued success and congratulations as we celebrate his service to the City of Coppell.

IN RECOGNITION OF NATALIE GELB, EXECUTIVE DIRECTOR OF THE LACKAWANNA HERITAGE VALLEY AUTHORITY

HON. MATT CARTWRIGHT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. CARTWRIGHT. Mr. Speaker, I rise today to honor Natalie Gelb, Executive Director of the Lackawanna Heritage Valley Authority. The Lackawanna Heritage Valley Authority works to preserve, conserve, and educate the public about the historical, cultural, economic, and natural resources of Lackawanna County. On March 30, Natalie will officially retire from her ED position after twelve years of outstanding service.

A native of Scranton, Pennsylvania, Natalie attended Scranton Central High School and then the University of Maryland, where she graduated magna cum laude with degrees in English and history. Natalie joined the Lackawanna Heritage Valley Authority in 2004.

As Executive Director of the Authority, Natalie rehabilitated the Lackawanna River Heritage Trail and worked to foster closer relationships with other area organizations and institutions. The Lackawanna River Heritage Trail is part of a unique, seventy-mile, multi-purpose trail system. The trail begins at the confluence of the Lackawanna and Susquehanna Rivers in Pittston and continues north where it connects with the Delaware & Hudson Rail Trail. When Natalie began her work in 2004, the trail system was underdeveloped. But under her leadership, it was transformed into a highly utilized attraction in Lackawanna County, now drawing over 300,000 visits a year.

In addition to serving as Heritage Valley Authority's Executive Director, Natalie has compiled an impressive personal record of service to others and her community. She currently serves on the boards of the Jewish Family Service, the Alliance of National Heritage Areas, and the NEPA Health Care Foundation. She is a member of the President's Advisory Council of Keystone College, Living Independently for Elders (LIFE), the Greater Scranton Chamber of Commerce, and the Steering Committee for Women in Philanthropy.

It is an honor to recognize Natalie for all that she has done while leading the Lackawanna Heritage Valley Authority. I wish her the best in retirement.

TAR SANDS TAX LOOPHOLE ELIMINATION ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. BLUMENAUER. Mr. Speaker, today, I am reintroducing the Tar Sands Tax Loophole Elimination Act. This bill will ensure that oil companies can no longer sidestep paying their fair share into the dedicated trust fund created so that, in the event of an oil spill, there are resources immediately available for cleanup.

The Oil Spill Liability Trust Fund, authorized in 1990, ensures we have funding available to pay for the immediate costs of cleaning up oil spills. It is funded by an eight cents per barrel excise tax on crude oil and petroleum products. In 2011, however, the Internal Revenue Service (IRS) issued a misguided decision stating that oil derived from tar sands is not considered crude oil and is therefore currently exempt from the tax that pays into the Fund.

Oil that comes from tar sands is a thick, sticky form of crude oil that can be more difficult and costly to clean up than other types of crude. In 2010, for example, a pipeline owned and operated by a Canadian company, Enbridge, spilled more than 850,000 gallons of tar sands oil into a waterway that flows into the Kalamazoo River in Michigan. That has been one of the largest and costliest pipeline spills in American history, with the price tag now at $1.2 billion dollars.

While I do not support the development of tar sands—doing so is environmentally destructive and carbon-intensive, we should not keep in place a loophole that lets big oil companies off the hook for cleaning up their tar sands spills. The Tar Sands Tax Loophole Elimination Act would add oil derived from tar sands and oil shale to the definition of crude oil, closing the current loophole and ensuring that oil companies pay into the fund. Oil companies already get billions of dollars in taxpayer-based subsidies, and this bill will ensure they will not be given an additional free ride on tar sands and any future oil shale development.

THE INTRODUCTION OF THE DISTRICT OF COLUMBIA HOME RULE CLEMENCY ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Ms. NORTON. Mr. Speaker, today, I introduce the District of Columbia Home Rule Clemency Act, a bill that would give the District of Columbia exclusive authority, like the states and territories, to grant clemency to offenders prosecuted under its local laws.

While District law appears to give the mayor authority to grant clemency (D.C. Code 1–301.76), it is currently the opinion of the Department of Justice (DOJ) that the president, and not the mayor, has the authority to issue clemency for most local offenses prosecuted under D.C. law, particularly felonies prosecuted by the U.S. Attorney in the D.C. Superior Court. Under current practice, clemency petitions for D.C. convictions, like federal convictions, are submitted to the DOJ for the president's consideration.

Whether or not the DOJ's view is correct, my bill would remove all doubt that the District, and not the president, has the authority to issue executive clemency for local offenses. The District, like states and territories, should have full control of its local criminal justice system, the most basic responsibility of local government. Since the D.C. Council has the authority to enact local laws, District officials are in the best position to grant clemency for local law convictions. My bill would provide all clemency authority not currently reserved to the Mayor under D.C. Code 1–301.76 to the District government and would give D.C. the discretion to establish its own clemency system.

This bill is an important step in establishing further autonomy for the District in its own local affairs. I urge my colleagues to support this measure.

HONORING EDDIE J. FAIR, JR.

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Mr. Eddie J. Fair, Jr. who is a product of Ruleville, MS.

At an early age Mr. Eddie J. Fair, Jr. learned the importance of education, while attending and graduating from Ruleville Central High School. He also learned the meaning of hard work, as he was the son of a sharecropper, who worked for $3.00 a day. With those principles embedded in his soul, Mr. Fair went on to become a proud graduate of Jackson State University. He obtained a Bachelor of Science degree in Criminal Justice and a Master's degree in Public Policy and Administration. He quickly learned that public service was his niche during the five years he spent working in the office of Student Affairs of his alma mater. Mr. Fair then went on to work some 20 plus years in the automobile business, which he mastered in and out. From selling cars to becoming a finance manager then the promotion to finance director, he knew he wanted to be a helping hand to his community. In 2003, Mr. Eddie Fair was the first elected African American Tax Collector in Hinds County (the largest county in the state of Mississippi). He is currently serving in his third term and looks forward to many more years of serving the citizens of Hinds County. This small-town country boy believes that ''No dreamer is ever too small and no dream is ever too big!'' This is the very reason that he continues his efforts to remain involved with community issues and educates the public with frequent informational sessions.

As an active member in the community Mr. Eddie J. Fair stays involved with many organizations that included but are not limited to:

1. Member of Omega Psi Phi Fraternity, Inc.
2. Member of the Sollie B. Norwood Lodge Number 699.
3. Life Member NAACP.
4. Member of Leadership of Jackson 2005–current.
5. Member of the Jackson Rotary Club.
6. Member of the National & Mississippi Tax Collector/Assessor Association.
7. Former President of the Jackson Pan Hellenic Council.
8. Former Basileus, Omega Psi Phi, Inc., Beta Alpha Chapter.

Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Eddie J. Fair, Jr. for his dedication to serving others.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed Roll Call vote Nos. 195 and 196. Had I been present, I would have voted aye on both.

CONGRESSIONAL TEACHERS AWARD

HON. VERN BUCHANAN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. BUCHANAN. Mr. Speaker, I rise today in recognition of outstanding public school teachers in Florida's 16th Congressional District.

I was once told that children are 25 percent of the population, but they are 100 percent of the future.

And it's true. The education of a child is an investment, not only in that student, but in the future of our country.

Therefore, I established the Congressional Teacher Awards to honor educators for their ability to teach and inspire students.

An independent panel has chosen the following teachers from Manatee, Sarasota, and Hillsborough Counties to receive Florida's 16th District 2017 Congressional Teacher Award for their accomplishments as educators:

Danielle Murphy for her accomplishments as a teacher at Boyette Springs Elementary in Riverview.

Carol Pelletier for her accomplishments as a teacher at Sarasota Military Academy Prep in Sarasota.

Emilee Vermilion for her accomplishments as a teacher at Southeast High School in Bradenton.

On behalf of the people of Florida's 16th District I congratulate each of these outstanding teachers and offer my sincere appreciation for their service and dedication.

TRIBUTE TO WILL SMITH

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. ROGERS of Kentucky. Mr. Speaker, it is with the deepest gratitude that I rise on this bittersweet occasion to recognize Will Smith, who is leaving Capitol Hill after more than two decades of distinguished service.

Will has been my right hand in the halls of Congress for nearly two decades, and I cannot imagine a more thoughtful advisor, a more capable strategist, or a more loyal friend. A native of Beattyville, Kentucky, Will began his career on Capitol Hill in 1994, working for now-Majority Leader MITCH MCCONNELL. In 1998, he brought his talents to my personal office, where he eventually became Chief of Staff in 2002.

Over his 12 years in my personal office, the people of Kentucky could not have asked for a better advocate or a more capable public servant. Will's upbringing in his small eastern Kentucky hometown and his Appalachian roots have always been reflected in his work, and his legacy will be felt throughout the region for decades to come. He has championed numerous projects that benefitted the people of Kentucky's Fifth Congressional District from flood protection, to water and sewer expansion, to transportation improvements, and the like. He was instrumental in standing up Eastern Kentucky PRIDE, an organization focused on environmental clean-up, as well as our nation's pre-eminent regional anti-drug organization, Operation UNITE, that has become a model for nationwide replication. And holding true to Kentucky tradition, Will has always loyally cheered on the UK Wildcats from the Nation's capital. He has never forgotten where he came from or the people he came to serve.

This remained true when I assumed the Chairmanship of the House Committee on Appropriations in 2011. Will stayed by my side—first as Deputy Staff Director for the Committee and then in 2013, was promoted to Clerk and Staff Director. During his tenure, he helped shepherd 70 bills to passage—bills that saved the American taxpayers more than $126 billion.

His steady demeanor and strong leadership have been an asset to the Committee—particularly during some of the most trying times of the past six years. Even in the face of shutdowns, Will led with tact, professionalism, and thoughtfulness, working tirelessly to find a solution and get the job done. He is truly beloved by his colleagues and those congressional staff who have been fortunate enough to call him their boss and mentor.

As we all know, these congressional staff work long hours, and often sacrifice weekends and holidays in order to keep this esteemed institution running smoothly. This inevitably takes a toll on personal commitments, and we also owe a debt of gratitude to Will's lovely wife, Kim, and his cherished children, Morgan and Matthew.

Will is not going far away. But his absence will nonetheless be felt deeply throughout this institution. Will, on behalf of the Appropriations Committee and this Congress, I thank you for your service to our country. I wish you all the best in the future. Godspeed.

ROSENBERG FIRE CHIEF RETIRES

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. OLSON. Mr. Speaker, I rise today to recognize Wade Goates of Houston, TX, and thank him for his leadership at the Rosenberg Volunteer Fire Department.

Wade joined the Rosenberg Volunteer Fire Department in 1992 and began working as a full-time firefighter in 1995. His commitment to public service led Wade to several promotions throughout his time with the fire department, from fire fighter to fire marshal and then fire chief in 2012. Wade received the Firefighter of the Year award in 2001 and the American Legion's Firefighter of the Year award in 2002. In 2008, the City of Rosenberg awarded Wade the Willie D. McQueen Award for his service to residents and coworkers. Wade retired from the Rosenberg Volunteer Fire Department on February 24th and plans to join the Fulshear-Simonton Fire Department. Both communities are lucky to have his dedication and commitment to service.

On behalf of the Twenty-Second Congressional District of Texas, I would like to thank Wade Goates for his 25 years of service with Rosenberg. We wish him good luck with the Fulshear-Simonton Fire Department and thank him for his continued dedication to keeping TX–22 safe.

HONORING LITTLE ZION M.B. CHURCH

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable historical church, Little Zion Missionary Baptist of Money, Mississippi and the great leadership it is under.

The Little Zion M.B. Church in Money, Mississippi was built in 1871 by field-hand laborers. Mrs. Bloodsol gave the people of Wade, Whittington and the Bloodsol Plantations the property. It sits in the center of these plantations.

The bible states that "Upon this rock, I will build my church and the gates of hell shall not prevail against it". Taking this verse into consideration the church's name became Little Zion. The name is significant because the Hebrew meaning of Zion is Jerusalem and Little Zion is the little Jerusalem.

After the construction of the church, Mrs. Bloodsol gave her yard-boy a letter to deliver to the preacher of the church explaining to the church members what the letter deed meant. She told the yard-boy to tell the members that if they did not understand the letter deed, she would send a rider to explain it.

When the church was built, it was facing the Tallahatchie River which during that time was the main route of travel. In 1929, a fire partially burned the church. When it was repaired, it was built facing the road.

The early leaders of the church were: R.L. Reynolds, A.D. Williams, A.D. Burke, H.L. Collins and S.T. Taylor. They were the cornerstones of the church and they were mainly responsible for the church's continued existence.

Along with the church leaders, many early deacons and wives were responsible for the welfare of the church. Among them were deacons: L.A. Hines, Robert Lathan, C.L. Lofts, Tom Eskridge, Ed McCall, Percy Paul and Bill Hannal and their wives.

Little Zion's present leader is Reverend McAuther McKinnley. Under his leadership the church has blossomed. For 21 years Rev. McKinnley has been responsible for carrying on what Rev. Reynolds started 144 years ago.

Today, Little Zion honors those who took the leadership roles and passed the torch on to the present leaders. Ten years ago, an historical marker was placed on the site of the church. This marker was important because it was a symbol of the long history and struggle of the delta.

Little Zion thanks the fore-parents for making those days possible through the good and bad days it still stands.

Mr. Speaker, I ask my colleagues to join me in recognizing Lithe Zion Missionary Baptist Church for its dedication to serving our great country.

HONORING THE SERVICE AND RETIREMENT OF MR. TIMOTHY BROWN

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize a valued staff member of the Office of Legislative Counsel—Mr. Timothy Brown—who is retiring this month after 37 years of distinguished service to the House of Representatives.

The Office of Legislative Counsel is an essential but oftentimes unheralded part of our Congressional support staff. Every bill and amendment we consider in the House of Representatives is drafted with the aid of the professionals in this office. In the course of my two decades of service on the Science Committee, Tim has aided me and my staff innumerable times in the drafting of legislation and amendments. While Tim's background is that of a lawyer, he has worked with the Science Committee staff to draft so many NASA, NSF, and NIST authorizations over the years, that Tim has become, in many respects, a science and space policy expert. In his quiet way, Tim taught the art of applying critical thinking to legislative drafting, and our bills were the better for it. Tim's expertise and dedication to his craft will be sorely missed on the Science Committee.

While we will miss Tim, I hope after nearly four decades of service, that Tim will not miss us too much. I'm sure he is looking forward to spending more time with his wife, Sally, and his four children, Andrew, Alex, Emily, and Olivia. Hopefully Tim will have more time to pursue his passions like his love of basketball. Perhaps it's fitting that Tim is retiring in the midst of the NCAA March Madness.

We often speak of the dedicated staff who make this institution such a wonderful place in which to work. It is the sense of this Congresswoman that Tim Brown is just such a person. The Science Committee's Members and staff wish him well as he moves on to new endeavors and a relaxing retirement. I thank Tim, for his many years of dedicated and loyal service.

HONORING THE DEDICATED SERVICE AND SELFLESS SACRIFICE OF SERGEANT FIRST CLASS ROBERT R. BONIFACE

HON. MATT GAETZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. GAETZ. Mr. Speaker, it is with both profound sadness and deep gratitude that I rise to pay tribute to a fallen decorated American hero. On March 19, 2017, Sergeant First Class Robert R. Boniface of the 7th Special Forces Group (Airborne), located in Florida's First Congressional District, tragically lost his life in support of Operation Freedom's Sentinel. SFC Boniface was 34 years old, but lived a lifetime marked by and full of service.

SFC Boniface entered the Army in March 2006 as an 18 X-ray. After Infantry Basic Training and Advanced Individual Training at Fort Benning, Georgia, he attended Airborne School before being assigned to the Special Warfare Center and School. SFC Boniface completed the Special Forces Qualification Course, earning his Green Beret in 2010 and was assigned to the 7th Special Forces Group (Airborne) at Fort Bragg, North Carolina, as a Special Forces Medical Sergeant.

Boniface's military education includes the Special Operations Jumpmaster Course, Senior Leader Course, Combat Diver Qualification Course, Special Forces Diving Medical Technician Course, Special Forces Qualification Course, Special Operations Combat Medic Course, Advanced Leaders Course, Survival, Evasion, Resistance, and Escape Course, Basic Leaders Course, and the U.S. Army Static Line Airborne Course.

SFC Boniface's awards and decorations include two Bronze Star Medals, the Army Commendation Medal, two Army Good Conduct Medals, National Defense Service Medal, Afghanistan Campaign Medal with two Campaign Stars, Global War on Terrorism Service Medal, three Noncommissioned Officer Professional Development Ribbons, Army Service Ribbon, NATO Medal, Special Forces Tab, Combat Infantryman Badge, Special Forces Combat Diver Badge, and Parachutist Badge.

Mr. Speaker, there are no words I, this body of Congress, or the Nation can say that might assuage the bereavement of the Boniface family. All I can say is on behalf of a humble and grateful Nation, we thank them for the love, counsel, and support given to Robert, which helped make him the hero he became both in uniform and as a father. His life stands as a testament that freedom is not free, and his legacy will echo in time as an example of the ultimate sacrifice for all free people. I pray that God will be with Robert's wife, Rebekah; his daughter, Mia Elia, and all their family and friends during this time of great mourning, and may God continue to bless the United States of America.

RECOGNIZING ALICE ELIZABETH GRANT HOGANS

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to recognize and commend Alice Elizabeth Grant Hogans on the occasion of her retirement, having served for 16 years on the House Appropriations Committee. In total, she has provided more than 25 years of distinguished, quiet service to our country. Her dedication to public service and integrity stands as a model for us all.

Alice, a native of Charlotte, North Carolina, graduated from Duke University with a Bachelor's degree in Economics. She also earned a Master of Philosophy Degree in International Finance from the Centre for Development Studies at the University of Glasgow in Scotland.

Alice began her career in Washington, D.C. in 1989 as a staff assistant at the Congressional Budget Office. From there, she rose to the position of budget analyst in the Scorekeeping Unit in 1990 before leaving for graduate school in Scotland in 1993. In 1995, she accepted a position with the Senate Committee on the Budget under the leadership of Chairman Pete V. Domenici (R–NM) and staff director Bill Hoagland. She was the Analyst for International Affairs until beginning her dedicated service to the House Appropriations Committee in 2001. Alice began on the Foreign Operations Subcommittee as professional staff in 2001, and spent time as professional staff on the Treasury-Transportation, HUD Subcommittee, and the Financial Services Subcommittee before ending up back on State, Foreign Operations Subcommittee in 2011, where she was responsible for overseeing spending for global health programs, including HIV/AIDS, the Millennium Challenge Corporation, the international financial institutions such as the World Bank and the International Monetary Fund, and trade promotion agencies such as the U.S. Export-Import Bank, and several related agencies.

Alice's contributions extend beyond her role on the Appropriations Committee. For years, she was the Treasurer of the Board for the non-profit Combined Federal Agencies Child Development Center, and a volunteer at her church and children's elementary school.

As we all know, congressional staff work countless hours and through countless holiday seasons in order to keep this esteemed institution running. This inevitably takes a toll on personal commitments, and nothing means more to Alice than her supportive and loving family, her husband Dan, her children, James and Catherine, and of course, her mother and sister.

Mr. Speaker, while Alice is leaving this institution, she will not be forgotten. Her good humor, faithful service, and commitment to excellence has left a lasting imprint on all of us and on the departments and agencies for which she was responsible. I wish Alice and her family well as she enters this new chapter of her life and ask my colleagues to join me in expressing my appreciation for her contributions to our country.

HONORING MS. GERLINE ''PANKY GARVIN'' MUHAMMAD

HON. BENNIE G. THOMPSON
OF MISSISSIPPI
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise to recognize Black historical figures in the Second Congressional District of Mississippi. So today, I give honor to Ms. Gerline ''Panky Garvin'' Muhammad of the Blue Cane Community outside of Charleston, Mississippi located in Tallahatchie County, Mississippi.

Ms. Muhammad was born November 9, 1953. She is the mother of six children, 13 grandchildren and one great-grandchild. She attended Allen Carver High School in Charleston and is a graduate of Amhurst Career Center, where she was honored with many awards and recognitions.

Ms. Muhammad is a well-known champion of equal and civil rights. She was a member of the Tallahatchie County Redistricting Committee allowing for the first African American to be elected to the Tallahatchie County Board of Supervisors. Ms. Muhammad is the executive director of the Tallahatchie County Citizens of Change. The organization is established to stimulate and motivate change in thinking and behavior within African Americans in communities of Tallahatchie County. Their work is carried out through an intergenerational model approach that works on improving political awareness, community organizing, assisting veterans, legal redress, civic participation and more. Ms. Muhammad is also a member of the Tallahatchie County Branch of the NAACP where she served as the first vice-president, chairman of the education committee, and now as the chairman of the membership committee.

Ms. Muhammad has been involved in many long-term community commitments in the county. She teaches at the summer tutoring program, hosts back to school rallies, organizes door to door community events, and helps veterans pursue their veteran benefits. She started the P16 Council for the East Tallahatchie School District and is a member of the Dropout Prevention Committee for the school district. To encourage reading among African Americans, she started a book club in the Brooksville community. She works with young entrepreneurs in the community to help improve the future presence of African American business in Black communities.

Ms. Muhammad is a former member of the Jerusalem M.B. Church in Paynes, MS where she was the church secretary, Jr. Sunday School teacher, chairman of vocational bible school and church programs committee, and treasurer for the choir. In 1992, Ms. Muhammad joined the Nation of Islam under the local leadership of Minister James Muhammad and national leader, the most honorable Minister Louis Farrakhan. She served as the LT Captain of the Meetings, and received LT Captain of the year at mosque Number 78 Tupelo, MS. Now she is the Chairman of 10,000 Fearless, which is a justice movement in Tallahatchie County. As you can see Ms. Muhammad has been active in and around Tallahatchie County working fearlessly and consistently for 46 years to foster change and equality.

Mr. Speaker, I ask my colleagues to join me in honoring Ms. Gerline ''Panky Garvin'' Muhammad of the Mississippi Second Congressional District.

Daily Digest

HIGHLIGHTS

Senate agreed to the resolution of Advice and Consent to Ratification to Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro.

Senate

Chamber Action

Routine Proceedings, pages S2017–S2054

Measures Introduced: Sixteen bills and one resolution were introduced, as follows: S. 739–754, and S. Res. 101. **Page S2047**

Measures Reported:

Special Report entitled ''Activities of the Committee on Homeland Security and Governmental Affairs During the 114th Congress.''. (S. Rept. No. 115–12) **Page S2047**

Measures Passed:

National Rehabilitation Counselors Appreciation Day: Committee on the Judiciary was discharged from further consideration of S. Res. 95, designating March 22, 2017, as ''National Rehabilitation Counselors Appreciation Day'', and the resolution was then agreed to. **Page S2051**

Joint Committee on Printing and the Joint Committee of Congress on the Library: Senate agreed to S. Res. 101, providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library. **Page S2051**

Appointments:

Advisory Committee on the Records of Congress: The Chair announced, on behalf of the Secretary of the Senate, pursuant to Public Law 101–509, the reappointment of the following individual to serve as a member of the Advisory Committee on the Records of Congress: Sheryl B. Vogt, of Georgia. **Page S2051**

Treaty Approved:

Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro: By 97 yeas to 2 nays (Vote No. 98), two-thirds of the Senators present having voted in the affirmative, Senate agreed to the resolution of Advice and Consent to Ratification to Treaty Doc. 114–12, Protocol to the North Atlantic Treaty of 1949 on the Accession of Montenegro, after having passed through its various parliamentary stages, up to and including the presentation of the resolution of ratification, and taking action on the following amendments proposed thereto: **Pages S2019–32, S2032–39**

Withdrawn:

McConnell Amendment No. 193, to change the enactment date. **Pages S2019, S2038**

McConnell Amendment No. 194 (to Amendment No. 193), of a perfecting nature. **Pages S2019, S2038**

Messages from the House: **Page S2046**

Measures Referred: **Page S2047**

Additional Cosponsors: **Pages S2047–49**

Statements on Introduced Bills/Resolutions: **Pages S2049–51**

Authorities for Committees to Meet: **Page S2051**

Record Votes: One record vote was taken today. (Total—98) **Page S2038**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:12 p.m., until 10 a.m. on Wednesday, March 29, 2017. (For Senate's program, see the remarks of the Majority Leader in today's Record on pages S2051–52.)

Committee Meetings

(Committees not listed did not meet)

DEPARTMENT OF DEFENSE

Committee on Armed Services: Committee received a closed briefing on Department of Defense worldwide policy and strategy and the Fiscal Year 2017 Defense Supplemental Budget Request from James N. Mattis, Secretary, and General Joseph F. Dunford,

Jr., USMC, Chairman, Joint Chiefs of Staff, both of the Department of Defense.

FOSTERING ECONOMIC GROWTH

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine fostering economic growth, focusing on the role of financial companies, after receiving testimony from Robert Heller, former Governor, Board of Governors of the Federal Reserve System, Belvedere, California; Donald Powell, former Chairman, Federal Deposit Insurance Corporation, Amarillo, Texas; William E. Spriggs, AFL–CIO, Great Falls, Virginia; Deyanira Del Rio, New Economy Project, New York, New York; and Thomas C. Deas, Jr., National Association of Corporate Treasurers, Haverford, Pennsylvania.

MINERALS

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the United States' increasing dependence on foreign sources of minerals and opportunities to rebuild and improve the supply chain in the United States, after receiving testimony from Murray Hitzman, Associate Director, Energy and Minerals, Geological Survey, Department of the Interior; Alf Barrios, Rio Tinto Aluminum, Montreal, Canada; Chris Hinde, S&P Global Market Intelligence, London, United Kingdom; Randy MacGillivray, Ucore Rare Metals, Inc., Vernon, Canada; Kevin J. Cosgriff, National Electrical Manufacturers Association, Arlington, Virginia; and Roderick G. Eggert, Colorado School of Mines, Golden.

CYBERSECURITY THREATS

Committee on Energy and Natural Resources: Subcommittee on Energy concluded a hearing to examine the cybersecurity threats to the United States electric grid and technology advancements to minimize such threats, including S. 79, to provide for the establishment of a pilot program to identify security vulnerabilities of certain entities in the energy sector, after receiving testimony from Michael A. Bardee, Director, Office of Electric Reliability, Federal Energy Regulatory Commission; Thomas Zacharia, Deputy Director for Science and Technology, Oak Ridge National Laboratory, Department of Energy; John Di Stasio, Large Public Power Council, Washington, D.C.; and Benjamin G. S. Fowke III, Xcel Energy Inc., Minneapolis, Minnesota.

WATER INFRASTRUCTURE LEGISLATION

Committee on Environment and Public Works: Subcommittee on Fisheries, Water, and Wildlife concluded a hearing to examine S. 518, to amend the Federal Water Pollution Control Act to provide for technical assistance for small treatment works, S. 692, to provide for integrated plan permits, to establish an Office of the Municipal Ombudsman, to promote green infrastructure, and to require the revision of financial capability guidance, and S. 675, to amend and reauthorize certain provisions relating to Long Island Sound restoration and stewardship, after receiving testimony from Mayor J. Richard Gray, Lancaster, Pennsylvania, on behalf of the United States Conference of Mayors; Erin M. Crotty, Audubon New York, Troy, on behalf of National Audubon Society; and Dennis Sternberg, Arkansas Rural Water Association, Lonoke, on behalf of the National Rural Water Association.

U.S. POLICY ON IRAN

Committee on Foreign Relations: Committee concluded a hearing to examine the view from Congress, focusing on United States policy on Iran, after receiving testimony from Michael Singh, The Washington Institute for Near East Policy, and Martin Indyk, The Brookings Institution, both of Washington, D.C.

PROTECTING YOUNG ATHLETES

Committee on the Judiciary: Committee concluded a hearing to examine protecting young athletes from sexual abuse, including S. 534, to prevent the sexual abuse of minors and amateur athletes by requiring the prompt reporting of sexual abuse to law enforcement authorities, after receiving testimony from Rick Adams, United States Olympic Committee, Colorado Springs, Colorado; Eric L. Olsen, Stafford County Commonwealth's Attorney, Stafford, Virginia; Jamie Dantzscher, San Dimas, California; Jessica Howard, Jacksonville, Florida; and Dominique Moceanu, Cleveland, Ohio.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

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.

BUSINESS MEETING

Select Committee on Intelligence: Committee ordered favorably reported its Biennial Report for the 114th Congress.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 24 public bills, H.R. 1746–1769; and 1 resolution, H.J. Res. 92, were introduced. **Pages H2515–16**

Additional Cosponsors: **Pages H2517–18**

Report Filed: A report was filed today as follows:

H. Res. 233, providing for consideration of the bill (H.R. 1431) to amend the Environmental Research, Development, and Demonstration Authorization Act of 1978 to provide for Scientific Advisory Board member qualifications, public participation, and for other purposes (H. Rept. 115–64).

Page H2504

Speaker: Read a letter from the Speaker wherein he appointed Representative Woodall to act as Speaker pro tempore for today. **Page H2467**

Recess: The House recessed at 10:12 a.m. and reconvened at 12 noon. **Page H2468**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Rabbi Sanford Akselrad, Congregation Ner Tamid, Henderson, NV. **Page H2468**

Recess: The House recessed at 2:01 p.m. and reconvened at 3 p.m. **Page H2486**

Honest and Open New EPA Science Treatment Act of 2017—Rule for Consideration: The House agreed to H. Res. 229, providing for consideration of the bill (H.R. 1430) to prohibit the Environmental Protection Agency from proposing, finalizing, or disseminating regulations or assessments based upon science that is not transparent or reproducible, by a recorded vote of 231 ayes to 185 noes, Roll No. 198, after the previous question was ordered by a yea-and-nay vote of 231 yeas to 189 nays, Roll No. 197. **Pages H2471–78, H2486–87**

Question of Privilege: Representative Lofgren 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 Lofgren appealed the ruling of the chair and Representative Flores 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 228 yeas to 190 nays with 2 answering "present", Roll No. 201. **Pages H2501–03**

Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Protecting the Privacy of Customers of Broadband and Other Telecommunications Services": The House passed S.J. Res. 34, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Protecting the Privacy of Customers of Broadband and Other Telecommunications Services", by a yea-and-nay vote of 215 yeas to 205 nays, Roll No. 202.

Pages H2489–H2501, H2503–04

H. Res. 230, the rule providing for consideration of the joint resolution (S.J. Res. 34) was agreed to by a recorded vote of 231 ayes to 189 noes, Roll No. 200, after the previous question was ordered by a yea-and-nay vote of 232 yeas to 184 nays, Roll No. 199. **Pages H2478–86, H2487–88**

Investigative Subcommittee of the Committee on Ethics—Appointment: Read a letter from Representative Pelosi, Minority Leader, in which she appointed the following Members to be available to serve on investigative subcommittees of the Committee on Ethics for the 115th Congress: Representatives Bonamici, Higgins, Jeffries, Keating, Krishnamoorthi, Perlmutter, Raskin, Sewell (AL), Soto, and Titus. **Page H2504**

Senate Referrals: S.J. Res. 30 was referred to the Committee on House Administration. S.J. Res. 35 was referred to the Committee on House Administration. S.J. Res. 36 was referred to the Committee on House Administration. **Page H2514**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H2471.

Quorum Calls—Votes: Four yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H2486–87, H2487, H2488, H2488–89, H2502–03, and H2503–04. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:47 p.m.

Committee Meetings

THE NEXT FARM BILL: COMMODITY POLICY PART I

Committee on Agriculture: Subcommittee on General Farm Commodities and Risk Management held a hearing entitled "The Next Farm Bill: Commodity Policy Part I". Testimony was heard from public witnesses.

THE NEXT FARM BILL: THE FUTURE OF SNAP

Committee on Agriculture: Subcommittee on Nutrition held a hearing entitled ''The Next Farm Bill: The Future of SNAP''. Testimony was heard from public witnesses.

APPROPRIATIONS—CORPORATION FOR PUBLIC BROADCASTING

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies held a budget hearing on the Corporation for Public Broadcasting. Testimony was heard from a public witness.

U.S. CENTRAL COMMAND

Committee on Appropriations: Subcommittee on Defense held a closed hearing on U.S. Central Command. Testimony was heard from General Joseph L. Votel, U.S. Army.

MILITARY ASSESSMENT OF RUSSIAN ACTIVITIES AND SECURITY CHALLENGES IN EUROPE

Committee on Armed Services: Full Committee held a hearing entitled ''Military Assessment of Russian Activities and Security Challenges in Europe''. Testimony was heard from General Curtis M. Scaparrotti, Commander, United States European Command.

NAVAL STRIKE FIGHTERS—ISSUES AND CONCERNS

Committee on Armed Services: Subcommittee on Tactical Air and Land Forces held a hearing entitled ''Naval Strike Fighters—Issues and Concerns''. Testimony was heard from Lieutenant General Jon M. Davis, Deputy Commandant for Aviation, U.S. Marine Corps; Rear Admiral Upper Half Dewolfe ''Chip'' Miller III, Director of the Air Warfare Division, U.S. Navy; and Rear Admiral Upper Half Michael T. Moran, Program Executive Officer Tactical Aircraft, U.S. Navy.

EXAMINING THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE AND ITS FAILED OVERSIGHT OF TAXPAYER DOLLARS

Committee on Education and the Workforce: Subcommittee on Higher Education and Workforce Development held a hearing entitled ''Examining the Corporation for National and Community Service and Its Failed Oversight of Taxpayer Dollars''. Testimony was heard from Allison Bawden, Acting Director of Education, Workforce, and Income Security, Government Accountability Office; Lori Giblin, Chief Risk Officer, Corporation for National and Community Service; Deborah Jeffrey, Inspector General, Corporation for National and Community Service; and a public witness.

SELF-DRIVING CARS: LEVELS OF AUTOMATION

Committee on Energy and Commerce: Subcommittee on Digital Commerce and Consumer Protection held a hearing entitled ''Self-Driving Cars: Levels of Automation''. Testimony was heard from public witnesses.

EXAMINING FDA'S MEDICAL DEVICE USER FEE PROGRAM

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled ''Examining FDA's Medical Device User Fee Program''. Testimony was heard from Jeffrey Shuren, Director, Center for Devices and Radiological Health, Food and Drug Administration; and public witnesses.

THE ARBITRARY AND INCONSISTENT NON-BANK SIFI DESIGNATION PROCESS

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled ''The Arbitrary and Inconsistent Non-Bank SIFI Designation Process''. Testimony was heard from public witnesses.

THE STATE OF BANK LENDING IN AMERICA

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled ''The State of Bank Lending in America''. Testimony was heard from public witnesses.

THE BUDGET, DIPLOMACY, AND DEVELOPMENT

Committee on Foreign Affairs: Full Committee held a hearing entitled ''The Budget, Diplomacy, and Development''. Testimony was heard from public witnesses.

VENEZUELA'S TRAGIC MELTDOWN

Committee on Foreign Affairs: Subcommittee on the Western Hemisphere held a hearing entitled ''Venezuela's Tragic Meltdown''. Testimony was heard from public witnesses.

EAST AFRICA'S QUIET FAMINE

Committee on Foreign Affairs: Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled ''East Africa's Quiet Famine''. Testimony was heard from Matthew Nims, Acting Director, Office of Food for Peace, Bureau for Democracy, Conflict and Humanitarian Assistance, U.S. Agency for International Development; and public witnesses.

THE CURRENT STATE OF DHS' EFFORTS TO SECURE FEDERAL NETWORKS

Committee on Homeland Security: Subcommittee on Cybersecurity and Infrastructure Protection held a hearing entitled "The Current State of DHS' Efforts to Secure Federal Networks". Testimony was heard from Jeanette Manfra, Acting Deputy Undersecretary for Cybersecurity, National Protection and Programs Directorate, Department of Homeland Security; Gregory C. Wilshusen, Director, Information Security Issues, Government Accountability Office; and Chris A. Jaikaran, Analyst, Cybersecurity Policy, Congressional Research Service, Library of Congress.

MISCELLANEOUS MEASURE; THE SMITHSONIAN INSTITUTION'S PRIORITIES

Committee on House Administration: Full committee held a markup on Committee Resolution 115–5, to approve franked mail allowances for committees in the 115th Congress; and held a hearing entitled "The Smithsonian Institution's Priorities". Committee Resolution 115–5 was agreed to. Testimony was heard from a public witness.

RESTORING ENFORCEMENT OF OUR NATION'S IMMIGRATION LAWS

Committee on the Judiciary: Subcommittee on Immigration and Border Security held a hearing entitled "Restoring Enforcement of our Nation's Immigration Laws". Testimony was heard from Thomas Hodgson, Sheriff, Bristol County, Massachusetts; and public witnesses.

TO EXAMINE THE STATE OF FORENSIC SCIENCE IN THE UNITED STATES

Committee on the Judiciary: Subcommittee on Crime, Terrorism, Homeland Security, and Investigations held a hearing to examine the state of forensic science in the United States. Testimony was heard from Matthew Gamette, Laboratory System Director, Idaho State Police Forensic Services; and public witnesses.

ESA CONSULTATION IMPEDIMENTS TO ECONOMIC AND INFRASTRUCTURE DEVELOPMENT

Committee on Natural Resources: Subcommittee on Oversight and Investigations held a hearing entitled "ESA Consultation Impediments to Economic and Infrastructure Development". Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Oversight and Government Reform: Full Committee held a markup on H.R. 24, the "Federal Reserve Transparency Act of 2017"; H.R. 1552, the "Fair and Open Competition Act"; H.R. 1242, the "400 Years of African-American History Commission Act"; and H.R. 1694, the "Fannie and Freddie Open Records Act of 2017". H.R. 24, H.R. 1552, and H.R. 1242 were ordered reported, without amendment. H.R. 1694 was ordered reported, as amended.

REVIEWING CHALLENGES IN FEDERAL IT ACQUISITION

Committee on Oversight and Government Reform: Subcommittee on Information Technology; and Subcommittee on Government Operations held a joint hearing entitled "Reviewing Challenges in Federal IT Acquisition". Testimony was heard from David A. Powner, Director, IT Management Issues, Government Accountability Office; Deidre Lee, Director, IT Management Issues, Chair, Section 809 Panel; and public witnesses.

BUILDING A 21ST CENTURY INFRASTRUCTURE FOR AMERICA: REVITALIZING AMERICAN COMMUNITIES THROUGH THE BROWNFIELDS PROGRAM

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held a hearing entitled "Building a 21st Century Infrastructure for America: Revitalizing American Communities through the Brownfields Program". Testimony was heard from J. Christian Bollwage, Mayor, Elizabeth, New Jersey; Deborah Robertson, Mayor, City of Rialto, California; Matt Zone, Councilmember, Cleveland, Ohio; John Dailey, Commissioner, Leon County, Florida; Amanda W. LeFevre, Outreach and Education Coordinator, Kentucky Brownfield Redevelopment Program; and a public witness.

EPA SCIENCE ADVISORY BOARD REFORM ACT OF 2017

Committee on Rules: Full Committee held a hearing on H.R. 1431, the "EPA Science Advisory Board Reform Act of 2017". The committee granted, by record vote of 8–2, a closed rule for H.R. 1431. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Science, Space, and Technology. The rule waives all points of order against consideration of the bill. The rule provides that the bill shall be considered as read. The rule waives all points of order against provisions in the bill. The rule provides one motion to recommit. Testimony was heard from Representatives Lucas and Tonko.

MISCELLANEOUS MEASURE

Committee on Ways and Means: Full Committee held a markup on H. Res. 186, of inquiry directing the Secretary of the Treasury to provide to the House of

Representatives the tax returns and other specified financial information of President Donald J. Trump. H. Res. 186 was ordered reported, without amendment.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D328)*

H.J. Res. 37, disapproving the rule submitted by the Department of Defense, the General Services Administration, and the National Aeronautics and Space Administration relating to the Federal Acquisition Regulation. Signed on March 27, 2017. (Public Law 115–11)

H.J. Res. 44, disapproving the rule submitted by the Department of the Interior relating to Bureau of Land Management regulations that establish the procedures used to prepare, revise, or amend land use plans pursuant to the Federal Land Policy and Management Act of 1976. Signed on March 27, 2017. (Public Law 115–12)

H.J. Res. 57, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to accountability and State plans under the Elementary and Secondary Education Act of 1965. Signed on March 27, 2017. (Public Law 115–13)

H.J. Res. 58, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to teacher preparation issues. Signed on March 27, 2017. (Public Law 115–14)

COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 29, 2017

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: business meeting to consider the nomination of Sonny Perdue, of Georgia, to be Secretary of Agriculture, Time to be announced, Room to be announced.

Committee on Appropriations: Subcommittee on Department of Defense, to hold hearings to examine a review of the defense health program and military medicine funding, 10:30 a.m., SD–192.

Subcommittee on State, Foreign Operations, and Related Programs, to hold hearings to examine civil society perspectives on Russia, 2:30 p.m., SD–192.

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities, to hold hearings to examine Russian influence and unconventional warfare operations in the "Grey Zone", focusing on lessons from Ukraine, 10 a.m., SR–222.

Subcommittee on Readiness and Management Support, to hold hearings to examine on the health of the Department of Defense industrial base, and its role in providing readiness to the warfighter, 2:15 p.m., SR–232A.

Subcommittee on Airland, to hold hearings to examine Air Force modernization, 3:30 p.m., SR–222.

Committee on Commerce, Science, and Transportation: to hold hearings to examine closing the skills gap and boosting United States competitiveness, 10 a.m., SD–G50.

Full Committee, to hold hearings to examine the nomination of Jeffrey A. Rosen, of Virginia, to be Deputy Secretary of Transportation, 2:30 p.m., SD–G50.

Committee on Environment and Public Works: to hold hearings to examine cleaning up our nation's Cold War legacy sites, 10 a.m., SD–406.

Committee on Foreign Relations: Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues, to hold hearings to examine United State-Mexico relationship, focusing on advancing security and prosperity on both sides of the border, 10:15 a.m., SD–419.

Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy, to hold hearings to examine American leadership in the Asia-Pacific, focusing on security issues, 2:15 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Spending Oversight and Emergency Management, to hold hearings to examine the effect of borrowing on Federal spending, 2:30 p.m., SD–342.

Committee on Indian Affairs: business meeting to consider S. 304, to amend the Indian Health Care Improvement Act to allow the Indian Health Service to cover the cost of a copayment of an Indian or Alaska Native veteran receiving medical care or services from the Department of Veterans Affairs, S. 343, to repeal certain obsolete laws relating to Indians, S. 381, to repeal the Act entitled "An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation", S. 607, to establish a business incubators program within the Department of the Interior to promote economic development in Indian reservation communities, and S. 669, to authorize the Secretary of the Interior to assess sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide affected Columbia River Treaty tribes access to traditional fishing grounds and expend funds on construction of facilities and structures to improve those conditions; to be immediately followed by an oversight hearing to examine native youth, focusing on promoting diabetes prevention through healthy living, 2:30 p.m., SD–628.

Committee on Small Business and Entrepreneurship: to hold hearings to examine how small businesses confront and shape regulations, 3 p.m., SR–428A.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 12 noon, SH–219.

Special Committee on Aging: to hold hearings to examine the arc of Alzheimer's, focusing on preventing cognitive decline in Americans to assuring quality care for those living with the disease, 2:30 p.m., SD–106.

House

Committee on Agriculture, Full Committee, hearing entitled ''Review of the Farm Credit System'', 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Defense, hearing on U.S. European Command, 10 a.m., H–140 Capitol. This hearing will be closed.

Subcommittee on Labor, Health and Human Services, Education and Related Agencies, budget hearing on the Department of Health and Human Services, 10 a.m., 2358–C Rayburn.

Subcommittee on Military Construction, Veterans Affairs, and Related Agencies, hearing for public witnesses, 10 a.m., 2362–A Rayburn.

Committee on Armed Services, Full Committee, hearing entitled ''Military Assessment of the Security Challenges in the Greater Middle East'', 10 a.m., 2118 Rayburn.

Subcommittee on Strategic Forces; and Subcommittee on Emergency Preparedness, Response, and Communications of the Committee on Homeland Security, joint hearing entitled ''Threats to Space Assets and Implications for Homeland Security'', 2 p.m., HVC–210.

Subcommittee on Military Personnel, hearing entitled ''Military Pilot Shortage'', 2 p.m., 2118 Rayburn.

Committee on Education and the Workforce, Subcommittee on Health, Employment, Labor, and Pensions, hearing on H.R. 986, the ''Tribal Labor Sovereignty Act of 2017'', 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Communications and Technology, hearing entitled ''Realizing Nationwide Next-Generation 911'', 10 a.m., 2123 Rayburn.

Subcommittee on Energy, hearing entitled ''Federal Energy Related Tax Policy and its Effects on Markets, Prices, and Consumers'', 10:15 a.m., 2322 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets, Securities, and Investment, hearing entitled ''Examining the Impact of the Volcker Rule on the Markets, Businesses, Investors, and Job Creators'', 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Full Committee, markup on H. Res. 54, reaffirming the United States-Argentina partnership and recognizing Argentina's economic reforms; H. Res. 92, condemning North Korea's development of multiple intercontinental ballistic missiles, and for other purposes; H. Res. 137, ''Honoring the life of Shimon Peres''; H. Res. 145, expressing the sense of the House of Representatives regarding the fight against corruption in Central America; H. Res. 187, relating to efforts to respond to the famine in South Sudan; H.R. 390, the ''Iraq and Syria Genocide Emergency Relief and Accountability Act of 2017''; H.R. 479, the ''North Korea State Sponsor of Terrorism Designation Act of 2017''; H.R. 672, the ''Combating European Anti-Semitism Act of 2017''; and H.R. 1644, the ''Korean Interdiction and Modernization of Sanctions Act'', 10:45 a.m., 2172 Rayburn.

Subcommittee on the Middle East and North Africa, hearing entitled ''Testing the Limits: Iran's Ballistic Missile Program, Sanctions, and the Islamic Revolutionary Guard Corps'', 2 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Counterterrorism and Intelligence, hearing entitled ''Terrorism in North Africa: An Examination of the Threat'', 10 a.m., HVC–210.

Committee on the Judiciary, Full Committee, markup on H.R. 1667, the ''Financial Institution Bankruptcy Act of 2017''; H.R. 1695, the ''Register of Copyrights Selection and Accountability Act of 2017''; H. Res. 184, a resolution of inquiry requesting the President and directing the Attorney General to transmit, respectively, certain documents to the House of Representatives relating to communications with the government of Russia; and H. Res. 203, a resolution of inquiry requesting the President, and directing the Attorney General, to transmit, respectively, certain documents to the House of Representatives relating to certain communications by the President of the United States, 10 a.m., 2141 Rayburn.

Committee on Oversight and Government Reform, Full Committee, hearing entitled ''Federally Funded Cancer Research: Coordination and Innovation'', 9:30 a.m., 2154 Rayburn.

Subcommittee on Government Operations, hearing entitled ''WMATA After SafeTrack'', 2 p.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Full Committee, hearing entitled ''Climate Science: Assumptions, Policy Implications, and the Scientific Method'', 10 a.m., 2318 Rayburn.

Committee on Small Business, Full Committee, hearing entitled ''Evaluating the Paperwork Reduction Act: Are Burdens Being Reduced?'', 11 a.m., 2360 Rayburn.

Committee On Transportation And Infrastructure, Full Committee, markup on H.R. 1346, to repeal the rule issued by the Federal Highway Administration and the Federal Transit Administration entitled ''Metropolitan Planning Organization Coordination and Planning Area Reform''; H.R. 1726, the ''Coast Guard Improvement and Reform Act of 2017''; H.R. 1093, to require the Federal Railroad Administration and the Federal Transit Authority to provide appropriate Congressional notice of safety audits conducted with respect to railroads and rail transit agencies; H.R. 1665, to ensure that Administrator of the Federal Emergency Management Agency considers severe local impact in making a recommendation to the President for a major disaster declaration; H.R. 1678, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act concerning the statute of limitations for actions to recover disaster or emergency assistance payments, and for other purposes; H.R. 1679, the ''FEMA Accountability, Modernization and Transparency Act of 2017''; H. Con. Res. 35, authorizing the use of the Capitol Grounds for the National Peace Officers Memorial Service and the National Honor Guard and Pipe Band Exhibition; H. Con. Res. 36, authorizing the use of the Capitol Grounds for the Greater Washington Soap

Box Derby; H.R. 455, to designate the United States courthouse located at 501 East Court Street in Jackson, Mississippi, as the ''R. Jess Brown United States Courthouse''; and possible other matters cleared for consideration, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Health, hearing on draft of the ''Veterans Affairs Medical Scribe Pilot Act of 2017''; H.R. 91, the ''Building Supportive Networks for Women Veterans Act''; H.R. 95, the ''Veterans' Access to Child Care Act''; H.R. 467, the ''VA Scheduling Accountability Act''; H.R. 907, the ''Newborn Care Improvement Act''; H.R. 918, the ''Veterans Urgent Access to Mental Health Care Act''; H.R. 1005, to improve the provision of adult day health care services for veterans; H.R. 1162, the ''No Hero Left Untreated Act''; H.R. 1545, to clarify VA's authority to disclose certain patient information to State controlled substance monitoring programs; and H.R. 1662, to prohibit smoking in any facility of the Veterans Health Administration, 8 a.m., 334 Cannon.

Next Meeting of the **SENATE**

10 a.m., Wednesday, March 29

Senate Chamber

Program for Wednesday: Senate may consider any cleared legislative and executive business.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Wednesday, March 29

House Chamber

Program for Wednesday: Consideration of H.R. 1430—Honest and Open New EPA Science Treatment Act of 2017. Consideration of H.R. 1431—EPA Science Advisory Board Reform Act of 2017 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

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