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No. 121

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
July 18, 2017.

I hereby appoint the Honorable CLAUDIA TENNEY to act as Speaker pro tempore on this day.

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

MORNING-HOUR DEBATE

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

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

AMIA BOMBING ANNIVERSARY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN) for 5 minutes.

Ms. ROS-LEHTINEN. Madam Speaker, today I rise to commemorate the 23rd anniversary of the bombing in Buenos Aires, Argentina, of the Jewish Community Center, also known as AMIA.

This cowardly terrorist attack killed 85 people, with hundreds more injured. Yet, nearly 25 years later, the Jewish community and the people of Argen-

tina are still waiting for justice to be served.

This was an attack perpetrated by Iran and its terror proxy, Hezbollah. In fact, these individuals you see here on this poster, Madam Speaker, are responsible for the AMIA bombing. We know who they are and the damage they caused.

My friend, Alberto Nisman, was appointed as a special investigator in Argentina to look into this terrible bombing. He found clear evidence that linked the Iranian regime and Hezbollah to the AMIA attack and the attack at the Israel Embassy in Buenos Aires just 2 years earlier, in 1992. Tragically, on January 19, 2015, just a few hours before he was set to produce the evidence to the Argentinian Parliament, Alberto was found dead in his apartment under very mysterious circumstances.

So here we are, another sad anniversary later. Congress can play a crucial role in the pursuit of justice for the victims of the embassy bombing, the AMIA bombing, and for Alberto's family.

This past March, along with Chairman ROYCE, Ranking Member ENGEL, TED DEUTCH, JEFF DUNCAN, and ALBIO SIREs, I introduced H. Res. 201, which supports Argentina in its efforts to investigate and hold Iran and Hezbollah accountable for these cowardly acts of terror.

Madam Speaker, today, on the 23rd anniversary of the AMIA bombing, we continue to mourn the lives lost on this tragic day, as we strive for justice. I urge my colleagues to support my resolution, and I urge this body to send a strong message to the Jewish community, the people of Argentina, and the Iranian regime that we will not continue to let another anniversary pass without taking meaningful action.

ECUADOR HOMES

Ms. ROS-LEHTINEN. Madam Speaker, today I rise to commend a con-

stituent, Nina Vaca, for the humanitarian effort she has undertaken in her home country of Ecuador.

On April 16, 2016, a 7.8 magnitude earthquake devastated Ecuador. You can see the devastation still today. It wrecked entire communities, killed hundreds, and left over 25,000 people either injured or homeless.

A year later, Ecuador continues to struggle, with hundreds of families still living in tents. Nina has made it her mission to get these families back into homes.

Determined to make a difference, she founded TRI for Homes, with the goal of building 40 homes for some of these families. Soon, Nina will compete in an IRONMAN triathlon in Ecuador to raise awareness and support for her cause.

I commend Nina for her determination to raise awareness and for building homes for Ecuadorian families. I wish her good luck, and we will all be rooting for her.

CAPTIVE NATIONS WEEK

Ms. ROS-LEHTINEN. Madam Speaker, I rise to commemorate this week as Captive Nations Week.

As a Cuban refugee who had to flee my native homeland of Cuba due to a murderous communist regime, I know how important freedom, democracy, and respect for human rights are. Captive Nations Week serves as a reminder that there are millions of people who continue to live under a brutal, repressive regime.

Tomorrow night, on the east steps of the Capitol, I will speak at the Victims of Communism Memorial Foundation's Captive Nations Week event called No Che Noche to set the record straight on one of history's most sadistic murderers, Che Guevara.

Madam Speaker, our support for those who yearn for freedom and democracy should not be limited to just 1 week. I urge my colleagues to join those around the world who are suffering under oppressive regimes.

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

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



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We as Americans benefit greatly, and we can do more to make sure that others get the same rights and freedoms we enjoy in this great country.

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

□ 1200

AFTER RECESS

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

PRAYER

Reverend Terry Sanders, Victory House Ministry, Uniontown, Pennsylvania, offered the following prayer:

For this great assembly of leaders, Lord, we come today to ask for your guidance, wisdom, and support for our Nation.

Help us to engage in meaningful discussions, and allow us to grow closer as our Nation's leaders and to nurture this Nation.

Fill us with Your grace, God, as we make decisions that may affect our Nation and the world.

Continue to remind us that all we do here today, all that we accomplish in our Nation, is for the pursuit of freedom, for Your greater glory, and for the service of humanity.

We ask all these things in Your name.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Florida (Mr. MAST) come forward and lead the House in the Pledge of Allegiance.

Mr. MAST 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 REVEREND TERRY SANDERS

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

There was no objection.

Mr. SHUSTER. Mr. Speaker, I rise today with the great honor of welcoming Reverend Terry Sanders and his wife, Rhonda.

Reverend Sanders traveled here from Uniontown, Pennsylvania, where he is the founder, CEO, and director of Genesis House Ministry, a ministry created to help men leaving the prison system move through a recovery process within a supportive environment, enabling them to transition back to society. His ministry has been helpful in battling the fight against the opioid crisis we face in America today.

The Genesis House, at its core, is a resident house where clients receive far more than a warm bed. Rather than sending former inmates aimlessly into the streets, the ministry provides counseling, mentoring, job skill development, substance abuse programming, job placement services, and family integration assistance.

Reverend Sanders has been working as the chaplain of the Fayette County Prison for more than 10 years and knows firsthand prison release qualifications and what it takes to make a difference in the lives of men.

The ministry opened its doors in 2014 and is a result of Reverend Sanders' desire to make a difference in the community.

I am grateful that Reverend Sanders is able to join us here today, and I would like to take this opportunity to express my deep and sincere appreciation for the great work he and his team are doing in western Pennsylvania.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

YEARS OF TERROR IN EUROPE

(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, it is sad many Americans have forgotten the ongoing global war on terrorism declared against Western families by war fatwas in 1996 and 1998, as displayed at the entrance of the National September 11 Memorial & Museum in New York City.

In the last year, there has been a year of terror in Europe, as reported by The Washington Times on Friday. Beginning in defiance of the anniversary of Bastille Day on July 14, 2016, at Nice, France, with 86 people murdered, it continued with attacks in Berlin, Germany, on July 18; Ansbach, Germany, on July 24; Reutlingen, Germany, on July 24; Normandy, France, on July 26; Berlin, Germany, on December 19; Istanbul, Turkey, on January 1; London, England, on March 22; Stockholm, Sweden, on April 7; Paris, France, on April 20; Manchester, Eng-

land, on May 22; and London, England, on June 3.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism. We will never forget the 85 men and women murdered in the AMIA Jewish Center bombing in Buenos Aires, Argentina. I am grateful President Donald Trump is taking actions to protect American families.

CONGRATULATIONS TO MASJID AL-HAQQ ON THEIR 25TH ANNIVERSARY

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

Mr. PAYNE. Mr. Speaker, I congratulate Masjid Al-Haqq in Newark, New Jersey, on its 25th anniversary.

Founded on June 18, 1992, and headed by Imam Muhammad, Masjid Al-Haqq has dedicated 25 years of service to the community, and I want to thank them for an outstanding job.

Masjid Al-Haqq provides the most reputable Muslim journal newspapers on a weekly basis in the city of Newark, without fake news, and sends a large contingent of Newark Muslims to the Muslim Convention held in Chicago each year during Labor Day weekend.

Every December, the Masjid also holds a "Time to Reflect" weekend, where the community gathers for workshops and family activities. The services they provide impact the lives of many around our community.

I once again offer my sincere congratulations for a job well done. Happy 25th anniversary.

HONORING FULBRIGHT SCHOLARS

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

Mr. MAST. Mr. Speaker, I rise today to congratulate the four Fulbright scholarship recipients from Florida's 18th Congressional District.

The Fulbright scholarship is a competitive, merit-based grant program for international educational exchange. Each year, the program grants students the opportunity to study, research, or teach abroad.

Dr. Nancy Ackles of Juno Beach, Amanda Fleming of West Palm Beach, Dr. Jan Fritz of Palm City, and Laura O'Connor of Jupiter are all recipients of this prestigious honor.

Dr. Ackles will be traveling to Uzbekistan to teach English; Ms. Fleming will be living in Asia, working to enhance communication with the Vietnamese people; Dr. Fritz will be spending her time in Hungary as a sociology scholar; and Ms. O'Connor will be working in Spain as she teaches English to the local community.

On behalf of the 18th Congressional District of Florida, I want to again congratulate these outstanding students and scholars for receiving the

2018 Fulbright scholarship. I am proud to represent them in Congress.

FIX IT, DON'T NIX IT

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

Mr. O'HALLERAN. Mr. Speaker, Arizonans I have spoken with are stressed and anxious as they watch politicians in Washington threaten to take away their health coverage.

While the Senate's misguided repeal and replace proposal has been defeated, we cannot rest. The newest repeal plan is irresponsible and will endanger the health and well-being of my constituents. It will send premiums and coverage costs skyrocketing and slash funding for rural and Tribal health clinics, forcing them to close.

There are 1.9 million Arizonans who rely on Medicaid and could be at risk of losing their coverage. Of those, more than 45,000 are Arizona veterans. More than 1 million Arizonans with pre-existing conditions would lose vital protections that ensure they have access to affordable coverage.

Mr. Speaker, these are our children, our loved ones, our families, and our friends. We cannot stand here and play politics with their health. We must work together to stabilize the insurance markets and develop a long-term solution that improves our healthcare system. We need to include the public in this discussion. We owe them a better plan.

I urge my colleagues on both sides of the aisle to fix it, not nix it.

MEDICARE FRAUD

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

Mr. BILIRAKIS. Mr. Speaker, I rise today to shed light on the issue of fraud and abuse in the Medicare program.

Medicare is absolutely critical for seniors in my district and across the country. Not only is Medicare fraud an affront to hardworking taxpayers, it hurts the millions of seniors who rely on the program.

Last week, the HHS inspector general announced the largest healthcare fraud takedown in history: 412 defendants were charged nationwide, including more than 80 cases in Florida, for Medicare fraud totaling about \$1.3 billion in losses. That is why I introduced much-needed legislation to strengthen penalties against those who commit fraud in the Medicare program.

The Medicare Civil and Criminal Penalties Update Act, H.R. 3245, cracks down on Medicare fraud and abuse by increasing civil and criminal fines. We must ensure the Medicare program is strong and sustainable for today's and tomorrow's beneficiaries.

LET'S FIX HEALTHCARE TOGETHER

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

Mr. KILDEE. Mr. Speaker, the Republican healthcare plan, TrumpCare, has fallen apart in the Senate, naturally.

After 7 months in office attempting to govern exclusively on their own, Republicans have shown once again that they can't govern. They control the House, the Senate, and the White House.

Repealing the Affordable Care Act is their primary goal and signature achievement. They can't do it. Why? Because the American people get in the way. They said "no," and enough Members of the Senate have responded to that.

But now the Republican plan looks like it is to simply repeal the Affordable Care Act with no replacement. It will take us back to a time where you could have an annual or lifetime cap and could not get insurance if you had a preexisting condition. Thirty-two million people would lose their healthcare coverage overnight.

That is the Republican plan?

We need to work together. We need to come together and fix the problems that we see and not make this such a partisan issue.

WELL-DESERVED HALL OF FAME INDUCTEE

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

Mr. EMMER. Mr. Speaker, I rise today to congratulate my friend Chris Coborn on his recent induction into the Minnesota Business Hall of Fame.

Every year, Twin Cities Business honors successful businessmen and -women in Minnesota who have displayed strong leadership and a unique vision.

During his time as president and CEO of Coborn's, Chris Coborn has helped build this family business, which was established in 1921, to 54 full-service supermarkets across Minnesota and North Dakota, in addition to their 70 convenience and liquor stores.

Proving himself a true visionary, Chris expanded Coborn's even more when he obtained an online grocery delivery business. While, at the time, it was seen as a controversial move, Chris had the foresight to go where the market was going for his customers. Decisions like this are exactly why Chris has been selected to join the Minnesota Business Hall of Fame.

Chris Coborn is a business leader in Minnesota and beyond. He truly deserves this recognition and honor.

RETIREMENT OF CHIEF MASTER SERGEANT JOSEPHINE YENKE

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

Ms. GABBARD. Mr. Speaker, today I rise to recognize Chief Master Sergeant Josephine Yenke's retirement, after 28 years of honorable service to our Nation in the United States Air Force, Air Force Reserves, and Air National Guard, to her home in Hawaii.

Chief Yenke began her service in Hawaii with Headquarters Pacific Air Forces in 1998 and has contributed significantly, making a long-lasting impact on our troops, servicemembers, and country, including mobilizing support for deploying troops through our country's long period in conflict.

Chief Yenke recently retired as the headquarters individual reservist readiness and integration organization detachment two superintendent at Joint Base Pearl Harbor-Hickam, Hawaii, where she served as the key senior enlisted adviser, assisting the commander with managing and directing personnel resource activities for over 400 reservists.

Chief Yenke has given many years of her life in the service of our country and embodies the skills and expertise that our Reserve component servicemembers bring to our total force.

Our grateful Nation thanks Josephine for her and her family's service and sacrifice, and we wish her the very best as she begins this new chapter in her life.

□ 1215

HONORING THE MEMORY OF WEST VIRGINIA CIRCUIT COURT JUDGE JOHN YODER

(Mr. MOONEY of West Virginia asked and was given permission to address the House for 1 minute.)

Mr. MOONEY of West Virginia. Mr. Speaker, I rise today to honor the life and memory of West Virginia's Circuit Court Judge John Yoder, who passed away on June 7, 2017.

Judge Yoder served on the 23rd Judicial Circuit, which included Berkeley, Jefferson, and Morgan Counties in the eastern panhandle of the Second Congressional District, which I represent. He practiced law in Harpers Ferry, West Virginia, for 23 years.

Judge Yoder earned a bachelor of arts degree at Chapman University, and then studied law at the University of Kansas. He also obtained an MBA at the University of Chicago.

John Yoder was appointed by President Ronald Reagan in 1983 to serve as the director of the asset forfeiture office for the U.S. Department of Justice. He continued his distinguished career as a public servant, including two stints as a West Virginia State senator before being elected as circuit court judge.

Judge Yoder is one of the early pioneers of State drug courts and was well known for his big heart and compassion. I join all West Virginians in keeping Judge Yoder's family and friends in our prayers. He will truly be missed.

NELSON MANDELA
INTERNATIONAL DAY

(Ms. MAXINE WATERS of California asked and was given permission to address the House for 1 minute.)

Ms. MAXINE WATERS of California. Mr. Speaker, I rise today with great pride to join millions of people around the world to honor the life and legacy of South African President Nelson Mandela on Nelson Mandela International Day. I submitted comments for the RECORD this morning, but I would like to highlight a few key points.

In his 95 years of life, President Mandela was a transformative leader who forever changed the world through his steadfast dedication to freedom, equality, and human rights.

After spending 27 years in prison, Nelson Mandela became the first Black South African to be elected President and used his administration to dismantle apartheid, combat institutional racism, and begin the process of racial reconciliation in his country.

To me, however, Nelson Mandela was more than a world-renowned leader. I had the distinct honor and privilege of calling him a friend. His courageous leadership in the antiapartheid movement encouraged me to join in the fight, which, to this day, is one of the most defining moments of my life.

We will forever be indebted to Nelson Mandela, who taught the world the power of one man having the fortitude to sacrifice his own ideals for a cause greater than himself.

RECOGNIZING WORLD YOUTH
SKILLS DAY

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, Saturday marked World Youth Skills Day. The United Nations General Assembly started this initiative to raise awareness about the importance of investing in youth skills development.

Young people are almost three times more likely to be unemployed than adults. Young people around the world are exposed to lower quality jobs, greater labor market inequities, and a longer school-to-work transition period.

That is why I am pleased this House voted in favor of the Strengthening Career and Technical Education for the 21st Century Act last month. Too often we have seen students pushed down the college-for-all pathway that just doesn't work for some students.

CTE has established itself as a path that many students choose in pursuit of industry certifications and hands-on skills they can use right out of high school in skills-based education programs or in college.

By modernizing the Federal investment in CTE programs, we will be able

to connect more educators with industry stakeholders and close the skills gap.

On World Youth Skills Day, I encourage everyone to consider a career in technical education.

FEDERAL FUNDING FOR THE
MIECHV PROGRAM

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

Ms. PLASKETT. Mr. Speaker, Federal funding for the Maternal, Infant, and Early Childhood Home Visiting Program is set to expire September 30. This program in the Virgin Islands Department of Health gives at-risk pregnant women and families necessary information, resources, and skills to raise children who are physically, socially, and emotionally healthy and ready to learn.

In June, Republicans in the House of Representatives' Ways and Means Committee introduced a bill reauthorizing this program. The legislation, which has yet to receive a hearing, included a 5-year reauthorization, but did not expand funding to meet the growing needs for services. It also included serious modifications to the way the program is run, which advocates fear could have harmful unintended consequences.

Home visiting programs are a critical opportunity to reach at-risk pregnant women and new mothers. The first few years of life are the most rapid period of brain development, and home visiting programs provide support to vulnerable families in the earliest stages of their child's life. Home visiting programs establish a solid foundation by partnering with families to support maternal and newborn health and parent engagement.

I would like to express my support for the reauthorization and expansion of this program, and I encourage my colleagues to do the same.

SOLAR ECLIPSE IN HOPKINSVILLE,
KENTUCKY

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

Mr. COMER. Mr. Speaker, I rise today to speak about a spectacular event that will take place in Hopkinsville, Kentucky this coming August. A solar eclipse will occur on August 21, 2017, the first to traverse coast to coast in the United States in nearly a century. The last time a solar eclipse was in the United States was in 1918. It will not be until 2045 that we witness a similar event.

Hopkinsville is one location in the U.S. fortunate enough to have a position in the direct path of the shadow cast by the eclipse of the Sun. The historic city of Hopkinsville is expecting a huge turnout for this event, as many consider Hopkinsville the "point of

greatest eclipse" for this August lunar display.

August 18 to 20 will be a weekend full of celebrations surrounding this rare and memorable experience, including live music, food vendors, and activities for all ages. I thank the many people who have contributed to the promotion of this event in Hopkinsville, and I look forward to a festive weekend in the First District of Kentucky to celebrate the much anticipated solar eclipse.

STANDING UP FOR THE DACA
PROGRAM

(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, Colorado is home to 17,000 Deferred Action for Childhood Arrivals, or DACA, recipients. This program is an essential help in our dysfunctional immigration system. It allows young people who only know the U.S. as home to legally reside and work here.

Through my congressional service, I have been moved by the stories of DACA recipients who have bravely spoken up for their communities and only want to positively contribute to our country, young people like Brayan.

Brayan is a business marketing and finance major at Colorado State University, in my district. He moved here with his family at a young age. He was only 3. He doesn't even remember making the trek from Chihuahua, Mexico, to Colorado. He grew up here, attended elementary and high school here. He didn't even know he was undocumented until he was in eighth grade.

DACA has allowed Brayan to come out of the shadows and live with a sense of security rather than anxiety and fear. In Brayan's words, DACA has put hope in the hearts of the forgotten.

What I want Brayan and others like him to know is: You are not forgotten, not by me, not by those of us in the community who know you and love you.

I stand by Brayan's side, and I will fight to ensure that the DACA program is continued for the 17,000 recipients in Colorado and 800,000 nationwide. The bottom line is that Brayan and others like him belong here.

PRO-GROWTH TAX REFORM FOR
SMALL BUSINESSES

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

Mr. MARCHANT. Mr. Speaker, I rise today to discuss the need for pro-growth tax reform for small businesses in America.

Last week, I was on Main Street in Grapevine, Texas, surrounded by local businesses that were started in pursuit of the American Dream. These businesses are opened by hardworking people trying to give their families a better life and create jobs in north Texas and the communities that I represent.

Washington's Tax Code is too big and too complicated for American small businesses to grow and to be the job creation engine for future generations. We need pro-growth tax reform that lowers the rates for local businesses and simplifies the code for families. Main streets across America are counting on us to do that.

NEGATIVE IMPACT OF MEDIA

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

Mr. SMITH of Texas. Mr. Speaker, a new survey by the Pew Research Center found that an astounding two-thirds of Americans say the news media has a negative impact on our Nation. What a comment on the media.

The survey asked participants whether a variety of institutions are having a positive or negative effect on the way things are going in this country today. The rating the media received was the lowest of all institutions.

Another public opinion poll by Gallup showed the media's credibility has reached a record low. This is not much of a surprise, given the media's constant barrage of personal attacks and negative news coverage. The American people deserve better than a biased media.

For the sake of our country, our democracy, and the credibility of the media itself, let's hope they report the news more fairly and objectively in the future.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. MOONEY of West Virginia) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 18, 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 July 18, 2017, at 9:19 a.m.:

Appointments:
Women's Suffrage Centennial Commission.
With best wishes, I am,
Sincerely,

KAREN L. HAAS.

PROVIDING FOR CONSIDERATION OF H.R. 806, OZONE STANDARDS IMPLEMENTATION ACT OF 2017

Mr. BURGESS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 451 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 451

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant

to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 806) to facilitate efficient State implementation of ground-level ozone standards, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-26. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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 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.

□ 1230

Mr. BURGESS. Mr. Speaker, House Resolution 451 provides for a structured rule to consider a bill out of the Energy and Commerce Committee pertaining to the Environmental Protection Agency's ozone standards. The

rule provides for 1 hour of debate equally divided between the majority and the minority on the Energy and Commerce Committee. The rule further makes in order six Democratic amendments for consideration. Finally, the minority is afforded the customary motion to recommit.

Under the Clean Air Act's National Ambient Air Quality Standards program, the EPA is tasked with setting standards and regulations for certain defined pollutants, including ground-level ozone, commonly referred to as smog. The Environmental Protection Agency has set these standards and adjusted when necessary in 1971, 1979, 1997, and 2008.

Since 1980, ozone levels have declined by 33 percent, according to the EPA, thanks in large part to diligent State oversight of industries and planning, along with weather patterns and outside temperatures, which all contribute to ozone levels.

Ozone has been a particular issue in the north Texas area that I represent, where hot summer days and prevailing southerly breezes cause air quality issues that affect outdoor activities and may create health concerns.

In 2015, the EPA proposed changing the 2008 ozone standards that had not yet been fully implemented, despite nearly 700 national, State, and local organizations and stakeholders requesting that the EPA allow the 2008 standards to be adopted before moving the goalposts on these regulated parties. In fact, the EPA did not publish its implementation regulations for the 2008 standards until March of 2015, nearly 7 years after the standards had been issued, and then promptly that same year decided to change the rules entirely.

The EPA ignored the request from stakeholders and moved ahead with lowering the ozone standard, manipulating scientific findings in order to justify the move. In fact, nearly two-thirds of the so-called benefits that the EPA claimed would result from this new standard are not based on ozone reductions at all, but instead on reductions from an entirely different pollutant regulated under a different set of rules.

H.R. 806, the Ozone Standards Implementation Act of 2017, is an important step toward focusing the EPA's efforts at science-based regulating of the environment and a rejection of the politically motivated actions of the previous 8 years.

The legislation phases in implementation of the 2008 and 2015 ozone standards, extending the date for final designation for the 2015 standard to 2025, aligning the permitting requirements of the Clean Air Act with the implementation schedule set by the EPA. This allows for a thoughtful and methodical implementation process to proceed at the State level to address the varied needs and nuances that exist in the States based upon industry and based upon weather patterns.

The measured approach contained in H.R. 806 will allow States to pursue cost-effective and practical implementation plans to enforce the EPA's ozone standards. Further, it utilizes a process that will benefit from the States' practical experiences at implementing previous ozone standards.

Nothing in the legislation before the House today changes any existing air quality standards or regulations. Let me say that again. Nothing in the legislation before the House today changes any existing air quality standards or regulations.

This legislation is focused solely on providing States and businesses the proper tools, time, and flexibility to implement the EPA's regulations most effectively. This is a goal we should all support.

According to the EPA's own analysis in 2015, the vast majority of U.S. counties will meet the 2015 standards by 2025, the same timeframe that the bill before us contemplates implementation.

H.R. 806 is important, however, because it gives States the flexibility to focus on the most pressing environmental issues in each individual State, rather than having the EPA dictate where resources must be used regardless of need.

The Energy and Commerce Committee has been reviewing the issue of finding the correct balance for ozone implementation for years and has crafted legislation that reflects that measured approach.

In 2015, I wrote to the EPA's Clean Air Scientific Advisory Committee expressing my concern over the EPA's expedited implementation of the 2015 standards despite concerns on how the ozone rules could affect other pollutants, namely nitrogen oxide, which has been found to actually increase inversely when ozone levels decrease. This increase of nitrogen oxide is especially present in urban environments where many at-risk populations live.

Given the many implementation questions surrounding EPA's political decision to move forward with the 2015 standards, H.R. 806 is a prudent and justified course that this government should be taking.

For these reasons, I encourage my colleagues to support today's rule and the underlying bill, and I reserve the balance of my time.

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

Mr. Speaker, I rise in opposition to both this rule and the underlying bill. Instead of coming up with new thoughts or new ideas, here we have another recycled and careless bill that has been through this body before that takes away protections for our sick, for our children, for pregnant women, and for the elderly. It is the wrong way to go for our country.

This bill is called the Ozone Standards Implementation Act, but it is ac-

tually a political stunt for a special interest, in this case the oil and gas industry. It will hurt our air, our environment, and, frankly, have a negative impact on the health of Americans. It will increase healthcare costs at a time when healthcare costs are already too high.

We see that, the way the House Republicans are trying to jam through the Affordable Care Act repeal, which I remind my friends passed here in the House. It is only in the Senate where they are finally realizing the error of their ways.

In Colorado, 500,000 people have benefited from the Affordable Care Act, and the number of people without insurance has been cut in half from 6.7 percent to 2.5 percent. Of course, it is not perfect, and I hope that now is an opportunity for Democrats and Republicans to work together, rather than Republicans seeking to go at it alone with a plan that provides less people with healthcare rather than more.

The Affordable Care Act made sure that no one can be denied coverage for a preexisting condition. That benefited over 750,000 people in Colorado, including people with cancer and asthma, the rates of which would both increase if this bill that we are discussing under this rule were to become law. Yes, that is right. More people would suffer from asthma and more people would suffer from cancer if this bill were to pass.

This reckless Republican healthcare bill even eliminated the Prevention and Public Health Fund at the end of fiscal year 2017, slashing funding for the Centers for Disease Control by 12 percent, singling out certain providers, like Planned Parenthood, from even participating in the Medicaid program; preventing patients from receiving preventative care services, like cancer screenings and STD testing and contraceptive care from their provider of choice, often, in many cases, the only provider in town.

So it is no surprise that we have yet another bill that would increase healthcare costs before us, lead to more people having to pay more for what they already have for healthcare.

And here we have a bill that is opposed by the American Lung Association, the American Thoracic Society. They are all very strongly opposed to this bill. It is why over 700 healthcare professionals signed a letter in opposition to H.R. 806 dated July 17, 2017, which I include in the RECORD.

JULY 17, 2017.

DEAR MEMBER OF CONGRESS: We, the undersigned physicians, nurses, environmental health professionals and other health professionals, urge you to protect our patients' and communities' health from dangerous air pollution. Please oppose any legislation or administrative actions that would block, weaken or delay work to implement and enforce strong safeguards for healthy air.

Our patients, families, and neighbors need healthy air to breathe, particularly those who are at greater risk of getting sick or dying prematurely due to air pollution, including children, older adults, and people with asthma, COPD, and heart disease.

Thanks to the Clean Air Act, the United States has made enormous progress in cleaning up ozone and particle pollution. The American Lung Association's 2017 "State of the Air" report found that cities across the U.S. have made continued improvement in reducing these pollutants, with many reaching their lowest ozone levels yet. However, 125 million people still live in areas where they are exposed to unhealthy levels of air pollution.

Clean Air Act protections must continue to be implemented and enforced to ensure that all Americans have healthy air to breathe. In addition, evidence shows that climate change will make it harder to clean up ozone and particle pollution. The nation must reduce the carbon, methane, and other pollutants that lead to warmer temperatures, and work to protect our communities against the many health impacts of climate change.

As health and medical professionals, we call upon you to protect the health of our patients and our communities by opposing measures that would block, weaken, or delay protections under the Clean Air Act, or other protections that reduce harmful air pollution and protect public health from the impacts of climate change. Our communities are counting on you.

Sincerely,

ALABAMA

Surya Bhatt, MD; Cindy Blackburn, RN; Ellen Buckner, PhD, RN, CNE, AE-C; Mark Dransfield, MD; Linda Gibson-Young, PhD, ARNP; Katherine Herndon, PharmD, BCPS; deNay Kirkpatrick, DNP, Nurse Practitioner; Kathleen Lovlie, MD; Michael Lyerly, MD; Marissa Natelson Love, MD; Jessica Nichols, RN, BSN; Gabriela Oates, PhD; Ashley Thomas, MD; Paula Warren, MD.

ALASKA

Owen Hanley, MD; Charles Holyfield, RRT, Director, Cardiopulmonary Services; Sheila Hurst, Tobacco Treatment Specialist; Elaine Phillips, FNP; Melinda Rathkopf, MD; Jill Valerius, MD, ABIHM, IFMCP, ATC.

ARIZONA

Michelle Dorsey, MD; Mark Mabry, RN; Marsha Presley, PhD.

ARKANSAS

Marsha Scullark, MPS.

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Donna Carr, MD; Cherise Charleswell, MPH; Jiu-Chivan Chen, MD, MPH, ScD; Sharon Chinthrajah, MD; David T. Cooke, MD; Pamela Dannenberg, RN, COHN-S, CAE; John Davis, RN, FNP-BC; Sara DeLaney, RN, MSN, MPH; Anthony DeRiggi, MD; Maria Diaz, RN, BSN; Ralph DiLibero, MD; Jacquolyn Duerr, MPH; Marsha Eptein, MD; Enza Esposito Nguyen, RN, MSN, ANP-BC; Shohreh Farzan, PhD; Bennett Feinberg, MD; Amber Fitzsimmons, PT; Catherine Forest, MD, MPH; Vanessa Garcia, RN, PHN; Frank Gilliland, MD, PhD.

Robert M Gould, MD; Jim Grizzell, MBA, MA, MCHES(R), ACSM-EP; Kevin Hamilton, RRT; Stephen Hansen, MD, FACP; Catherine Harrison, RN, MPH; Marie Hoemke, RN, PHN, MPA, MA; Mark Horton, MD; Mary

Hunsader, RN, MSN, CNS, AE-C; Harriet Ingram, RN, BS; Karen Jakpor, MD, MPH; Martin Joye, MD; Magie Karla, RD; Lynn Kersey, MA, MPH, CLE; Ellen Levine, PhD, MPH; Rita Lewis, RN, PHN; Erica Lipanovich, PA-C; Shanna Livermore, MPH, MCHES; Cynthia Mahoney, MD; Michael Maiman, MD; Atashi Mandal, MD; Futernick Marc, MD.

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Richard Crume, Environmental Engineer, QEP, CHCM.

TEXAS

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UTAH

Kwynn Gonzalez-Pons, MPH, CPH.

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WISCONSIN

David Allain, RRT-NPS; William Backes, BS, RRT; Christine Bierer, RRT; Robert Brown, RRT, RPFT, FAARC; Sarah Brundidge, RRT; Lisa Crandall, APNP; Lindsay Deinhammer, BSN, RN; Alyssa Dittner, RRT; Rhonda Duerst, RRT-NPS; Jill Francis Donisi, RT Student; Elizabeth Gore, MD; Kimberly Granger, RN, MSN, FNP-C; Kristen Grimes, MAOM, MCHES; Nathan Houston, RRT; Jodi Jaeger, BS-RRT, Manager, Respiratory Care Service; Michael Jaeger, MD.

Peggy Joyner, RRT; Trina Kaiser, BSN, RN, School Nurse; Raquel Larson, RN; Jessica LeClair, RN, Public Health Nurse; Todd Mahr, MD; Michelle Mercure, CHES; Michele Meszaros, CPNP, APNP; Sara Motisi-Olah, RN; Elizabeth Neary, MD; Adam Nelson, RRT; Stephanie Nelson, RRT; Trisha Neuser, RN; Jackie Noha, RN; Kristine Ostrander, RRT, Director Respiratory Care Services; Sima Ramratnam, MD, MPH; Chris Rasch, Health Center Administration.

Grasieli Reis, RRT; Kathleen Roebber, RN; Elizabeth Scheuing, RRT; Michelle Schliesman, Respiratory Therapist; Rhonda Skolaski, Respiratory Therapist; Brenda

Steele, RRT, RPSGT; James Stout, RRT; Richard Strauss, MD; Amanda Tazelaar, RRT-ACCS; Angela Troxell, RRT; Larry Walter, RRT; David Warren, RRT; Laurel White, BS, RRT-NPS; Pamela Wilson, MD; Rhonda Yngsdal-Krenz, RRT; Lynn Zaspel, RN, BSN, NCSN.

WYOMING

Susan Riesch, PhD, RN, FAAN, Professor Emerita (Nursing); Ricardo Soto, PhD, DABT, MBA.

Mr. POLIS. In part, it says: “We, the undersigned physicians, nurses . . .”—et cetera—“. . . oppose any legislation . . .”—to—“. . . weaken or delay work to . . . enforce strong safeguards for healthy air.”

They are from nearly every State, Mr. Speaker. And looking at this, I see red states, and I see blue states, Louisiana, Missouri, Montana, Mississippi, and that is because this is science we are talking about here.

This bill will increase healthcare costs. That is the economic side. The human side is it will lead to suffering and even death. That is why it is important to stop this bill now by stopping this rule from passing.

Not only will this bill harm millions of Americans, but, in addition, they have offered it under a way to limit amendments and ideas that Republicans and Democrats had offered. This rule does allow several amendments, one of which is mine, and we will discuss that later, but it doesn't allow for amendments from Democrats and Republicans. They only made in order 6 of the 11 amendments, including germane amendments that were submitted to be debated.

For instance, why wasn't Mr. COOPER's amendment, which clarified that State implementation plans can incorporate local land use policies, allowed any debate on the floor?

All Members with amendments should be given the opportunity to bring them to the full House and get a fair up-or-down vote on the merits of their amendment. That is how we craft better legislation, and that is how we fix bills, Mr. Speaker.

I assure you, this bill needs to be fixed, because all it does is it repackages a bunch of bills that make our air dirtier and our health worse and healthcare more costly, all bills that we have seen here over the last several years, bringing them all together in sort of a Frankenstein bill where you assemble all these horrible body parts from different bills, each of which is bad, creating a huge monster that will kill people and increase healthcare costs for every American.

Instead of trying to weaken the Clean Air Act, putting Americans' health at risk, which is what this bill does, we should be talking about the way to close loopholes that exist in our Clean Air Act; to make our air cleaner, not dirtier; reduce asthma and cancer, not increase asthma and cancer.

That is why I am glad that my amendment was made in order. My amendment is based off of the BREATHE Act, which I introduced

with several of my colleagues earlier this year. It would close the oil and gas industry's loophole to the Clean Air Act's aggregation requirement. We will be discussing that in more detail later today, but, very simply, when you have small sites for oil and gas extraction, they don't have to aggregate their pollution, even though in the aggregate, when you have 20,000 wells in a county, cumulatively it can release a large amount of air pollutants, even more than a larger power plant. This amendment would simply hold all sources of emission to the same standard for the impact on the Nation's air quality. I hope that my amendment will be adopted, it is common sense, so we can improve the Clean Air Act rather than eviscerate it.

This bill takes apart a law that is one of the most successful in the history of our country in protecting our most vulnerable and strengthening our economy. A stronger economy means less sick days from work, it means less hospital visits, it means less premature deaths. This bill will increase all of those, sick days, hospital visits, and premature deaths, because it takes away protections for our clean air.

I am proud to say that between 1980 and 2014, emissions of six air pollutants controlled by the Clean Air Act have dropped 63 percent. We should be proud of that. While those six toxic pollutants dropped 63 percent, our gross domestic product increased 147 percent, vehicle miles traveled increased 97 percent, energy consumption increased 26 percent, our population grew by 41 percent. That shows over the last several decades how we can have clean air, a healthy population, and a strong economy—not one at the expense of another.

These emission standards have already generated dramatic public health benefits. A recent peer-reviewed study estimates that the Clean Air Act will save more than 230,000 lives, prevent millions of cases of respiratory problems in 2020 alone. It also enhances our national productivity by preventing 17 million lost workdays. These public health benefits translate into \$2 trillion in monetized benefits to the economy.

If this bill were to be scored by that metric, this bill would cost \$2 trillion by eviscerating the protections we have in the Clean Air Act, but instead of maintaining and strengthening these important life-saving laws, instead, they are delaying the implementation of the ozone National Ambient Air Quality Standards set by scientists, an update that is long overdue and has economic benefits of \$4.5 billion annually in 2025 alone. This bill would suspend that, which are particularly important for the pregnant, for the elderly, for those who suffer from asthma.

25 million Americans suffer from asthma, 7 million of whom are children. For many, the condition lasts a lifetime and sometimes can be life-threatening. In 2014, about 4,000 people

died due to an asthma attack. The connection between air quality and asthma is extremely well documented and incontrovertible, and it shouldn't be understated.

Clean air is an integral part of quality of life, and we shouldn't be tearing down protections that simply allow kids or the elderly to go outside, kids to play outside on a playground in a neighborhood, without worrying about respiratory problems or asthma.

Another problematic provision of this Frankenstein bill is that it changes the criteria for establishing a NAAQS from one that is based solely on protecting public health to one that includes consideration of technology.

□ 1245

Now, that is the core of the Clean Air Act and necessary to protect public health. The NAAQS determine what level of air pollution is “safe” to breathe. That is just a matter of fact. What is safe is safe, what is not safe is unsafe. Scientists need to determine that. This change would allow polluters to override scientists and is analogous to a doctor making a diagnosis based on how much a test cost.

I don't want my doctor telling me I don't have condition X or Y because I might have a high cost to treat. I don't think anybody else does, either. We demand, and we deserve, safe air. We should be safe breathing the air in our country, period.

The problems go on and on with this bill. I will stop there for now because the Republicans have wasted enough time even bringing this Frankenstein bill to the floor that cobbles together a number of other terrible bills that they have already passed.

Let's move forward with making our air cleaner, not dirtier; with reducing cancer and asthma, not increasing them; and with reducing healthcare costs, not increasing them. This bill is the wrong direction.

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

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

Mr. Speaker, I want to reference a letter that I sent on May 23, 2014, to Dr. Christopher Frey, who was then the chairman of the EPA Clean Air Scientific Advisory Committee.

The letter reads:

“I understand that, due in part to recommendations by the Clean Air Scientific Advisory Committee, EPA's new draft Health Risk and Exposure Assessment for Ozone concludes that”—I am quoting from the EPA here—“mortality from short- and long-term ozone exposures and respiratory hospitalization risk is not greatly affected by meeting lower standards.”

Again, that is from the EPA draft of the Health Risk and Exposure Assessment for Ozone, from May of 2014.

Mr. Speaker, I include in the RECORD the letter.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
May 23, 2014.

Dr. H. CHRISTOPHER FREY,
Chair, EPA Clean Air Scientific Advisory Committee, Distinguished University Professor, Department of Civil, Construction, and Environmental Engineering, North Carolina State University, Raleigh, NC.

DEAR DR. FREY: In January 2015, pursuant to a court imposed deadline, the Environmental Protection Agency (EPA) is expected to propose revisions to the current National Ambient Air Quality Standard (NAAQS) for ozone set in 2008. The agency's proposed revisions may well represent the most costly standards the agency has ever sought to impose on the U.S. economy. The Administrator's judgments about the adequacy of the standard and any such proposed revisions accordingly will be subject to close Congressional oversight and scrutiny. A critical question will concern whether the Administrator has fully and clearly evaluated the risk reduction estimates associated with the standard and proposed alternatives.

The Clean Air Scientific Advisory Committee's (CASAC) by statute serves to review the information supporting EPA's assessment of the existing NAAQS for ozone and to help assure that EPA conducts a full and objective evaluation of risks and risk tradeoffs in its proposals. In the context of this review, given the potential costs and impacts of any revision to the current standard, I believe it is critically important that such risks and risk tradeoffs are fully evaluated.

Presently, EPA appears to be moving forward without fully addressing important risk tradeoff questions regarding the impact of emissions reductions of nitrogen oxides (NO_x), which CASAC has also been reviewing, on ozone concentrations. I write today to draw your attention to concerns that have been raised that EPA has not fully evaluated the risk reduction outcomes identified in the agency's risk assessments used for the upcoming proposed rule.

I understand that, due in part to recommendations by CASAC, EPA's new draft Health Risk and Exposure Assessment for Ozone (HREA) concludes that "mortality from short- and long-term [ozone] exposures and respiratory hospitalization risk is not greatly affected by meeting lower standards." According to the HREA, this is due in part to the fact that further reductions in nitrogen oxides (NO_x) emissions will actually increase ozone levels on low concentration days in urban areas where at-risk populations live.

For instance, in modeling a 50 percent reduction in NO_x emissions from existing levels, the HREA found that April-to-October ozone exposures actually increased for large percentages of exposed populations in several major urban areas where at-risk populations are likely to live, including New York, Detroit, Los Angeles, and Chicago. In other words, even though reducing NO_x emissions may yield direct benefits by reducing NO_x related health effects, they may also lead to increased ozone levels—the issue under review by the CASAC Ozone Review Panel.

If EPA is correct to assume that all ozone exposures should be of concern, any increases in ozone exposure throughout the year are important to assess. However, testimony submitted to CASAC this past March notes that EPA's analysis likely underestimates the potential for increases in ozone exposures because the agency does not evaluate the effect of NO_x emission reductions on ozone levels throughout the full year. Specifically, EPA's analysis of epidemiologically-based short-term mortality and morbidity risks fails to consider

the likely increases in ozone levels during the cooler months of the year when NO_x emissions are reduced. This March testimony reported that such a full year-round analysis of the impact of NO_x emission reductions in urban Philadelphia resulted in increases in total ozone exposures.

The EPA's analysis itself notes that wintertime increases in ozone "were significant in 11 out of the 15 areas" evaluated when nationwide NO_x emissions were cut "almost in half," but fails to address how increases in wintertime ozone levels from further NO_x reductions will affect the proposed health benefits of meeting a lower ozone standard. Potential changes in wintertime ozone levels also pose a problem for EPA's assessment of mortality risks from long-term exposure to ozone.

In light of these shortcomings in analysis, we ask that you recommend that EPA conduct a full year-round analysis of the effect of further NO_x emission reductions on the epidemiologically-based, short-term mortality and morbidity health benefits from meeting a lower ozone standard. This should be done in a manner that clearly distinguishes between exposure changes projected for urban, suburban, and rural portions of each of the Urban Study Areas. In addition, EPA should provide a discussion of the limitations of projecting future mortality risks from long-term exposure given that the epidemiological study used did not account for potential differences in wintertime ozone levels.

Finally, I understand that transcripts of your public proceedings may not always be preserved for future public access and review. If this is the case, I ask that you ensure that CASAC preserve a full transcript or recording of the telephone conference and related public deliberations for future public access and review.

Thank you for your attention to this request.

Sincerely,

MICHAEL C. BURGESS, M.D.

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

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY. Mr. Speaker, I thank my dear friend from Colorado for his leadership on this important issue.

Mr. Speaker, I rise in strong opposition to this dirty air legislation. The House majority is, once again, substituting political ideology for sound science. Make no mistake: this is social Darwinism, at its worst, and a blueprint to make America sick again.

The intent of the Clean Air Act and its amendments couldn't be clearer: public health and science should drive public policy. And safe, breathable air must be our paramount goal.

Under the Clean Air Act, the EPA is required to review the public health impacts of carbon monoxide, lead, ozone, particulate matter, and sulphur dioxide every 5 years and update national air standards. The bill before us would roll that back and delay new standards for a decade. We cannot wait another decade, nor should we.

We know the health impacts of increased smog: greater incidence of asthma, acute bronchitis in children, and, in some cases, premature death. In Fairfax County, where I live, 23,023 children could be at risk of another

asthma attack due to poor air quality, and 136,327 adults over the age of 65 are at risk for a medical emergency.

I come from local government, where we actually had to put into place regional programs to reduce smog. This wasn't a theological or ideological assignment for us. It was practical. And let me show you the progress we made because of this legislation, the Clean Air Act and its amendments.

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

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

Mr. CONNOLLY. Mr. Speaker, in 1996, this region—the national capital region—had more than 60 orange ozone days, ozone layers that were hazardous to health, warnings given to people. Last year, we had 6, one-tenth of that number. And that is because of the Clean Air Act and its amendments.

Rather than dismantling these protections, we should provide States and localities the resources to continue on the progress we have made. Instead, the Trump budget would slash EPA funding by a third. That is not a plan for healthy communities. It is not a way to make America great.

Mr. Speaker, I urge my colleagues to reject this assault on public health and sound science.

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

Mr. Speaker, I include in the RECORD a letter that was sent by Representative JOE BARTON, who was then the ranking member on the Energy and Commerce Committee, and myself, as the ranking member of the Oversight and Investigations Subcommittee, June 11, 2010, asking for the economic data that the EPA was supposed to provide regarding their proposed rule changes back in 2010.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, June 11, 2010.

Hon. LISA JACKSON,
Administrator, U.S. Environmental Protection Agency,
Washington, DC.

DEAR ADMINISTRATOR JACKSON: While the President has repeatedly stated that job creation and economic growth are his top priorities, in the environmental arena it appears the Administration is allowing ideology to trump objective science and sound public policy, and is issuing new rules that will significantly impede economic development and growth throughout the United States. In particular, we are concerned that the Administration, through the Environmental Protection Agency (EPA), is promulgating a whole host of unworkable, multi-billion dollar environmental regulations without fully considering all available scientific information, and without regard to, the realistic compliance costs, job impacts, or the ability of states, municipalities and/or businesses to implement the new regulations.

In the past we have expressed very serious concerns about the Administration's global warming regulations and EPA's process for developing its endangerment finding, the agency's highly expedited issuance of that finding, and the agency's reliance on the scientific assessments of outside groups, including the United Nations Intergovernmental Panel on Climate Change (IPCC), without a

careful and critical examination of their conclusions and findings. Further, we have significant concerns about the potentially hundreds of billions of dollars or more in compliance costs that are triggered by the finding, the over 6 million entities that may ultimately be subject to complex new permitting requirements, potential enforcement actions, fines and penalties, and threats of citizen suits and other third-party litigation. EPA itself has acknowledged that the stationary source permitting requirements triggered by the endangerment finding are totally unworkable, and that it would be administratively impossible for EPA and states to administer those new requirements, or for employers and businesses to comply.

We write today regarding another set of multi-billion dollar regulations proposed by the Obama Administration which also appear to be extraordinarily expensive and unworkable. Specifically, in January 2010, EPA proposed new National Ambient Air Quality Standards (NAAQS) for ground-level ozone, the main component of smog. NAAQS ozone standards have been revised a number of times over the past several decades, including in 1997 when EPA set an 8-hour "primary" ozone standard, as well as an identical "secondary" standard, to a level of 0.08 parts per million (ppm), or effectively 0.084 ppm. While EPA significantly strengthened that standard in 2008 to a level of 0.075 ppm, in January 2010 this Administration took the unprecedented step of setting aside the 2008 standards, and proposing its own alternative standards based on the prior administrative record and a "provisional assessment," and without conducting a full review of the currently available scientific and technical information. EPA is now proposing a new primary ozone standard within the range of 0.060–0.070 ppm, as well as a distinct cumulative, seasonal secondary standard within the range of 7–15 ppm-hours. EPA has also proposed an accelerated implementation schedule.

We are very concerned about the proposed standards, not only because there appear to be questions about the development of the proposed standards, but also because EPA estimates that the costs would range from \$19 billion to \$90 billion annually, or nearly a trillion dollars over ten years. Moreover, it appears, based on EPA's own ozone maps and estimates, that most counties in the country could violate the standards, particularly if EPA chooses to set the standard at the lower end of the proposed range. Further, it also appears many areas of the country, including rural and remote areas, could never be in attainment because the standards are so low that they may exceed natural background ozone levels, or ozone levels due to foreign emissions from Asian or other sources.

We understand EPA plans to finalize the proposed ozone standards by August 31, 2010. Before EPA finalizes such standards, we believe your agency should provide the Congress with fuller information about the EPA's process for developing and proposing the new standards, the counties or municipalities expected to be in violation, whether the new standards can realistically be implemented by areas that have higher ozone levels due to natural background ozone levels or foreign emissions, and the potential restrictions that the new standards will place on future economic growth and development for non-attainment areas.

We request your responses to the following questions within two weeks of the date of this letter:

1. Under Sections 108 and 109 of the Clean Air Act (CAA), EPA is authorized to set NAAQS for certain criteria pollutants, including ozone, and the Act sets out specific procedures for revising those standards.

a. In proposing the new standards, why isn't EPA conducting a full analysis of all available data, including more recent data?

b. In proposing the standards, why isn't EPA following the express procedures set forth in Section 109 of the CAA?

2. Under the Clinton Administration's 1997 ozone standards:

a. What types of measures have been required by state and local governments to come into compliance with those standards?

b. What were the estimated costs for compliance with the 1997 standards and how do those compare with estimated costs for the proposed new standards?

c. What analysis, if any, did EPA conduct relating to the potential impacts on employment of the 1997 standards?

d. What were EPA's projections with regard to attainment of the 1997 standards, and approximately how many counties in the United States have still not been able to come into compliance?

e. What are the primary reasons for the inability of these counties to come into compliance?

3. Under the Obama Administration's proposed ozone standards, we understand that EPA projects, based on 2006–2008 data, that of the 675 counties that currently monitor ozone levels, 515 counties (76%) would violate a 0.070 ppm standard, and 650 counties (96%) would violate a 0.060 ppm standard.

a. Please identify the 515 counties that would violate a 0.070 ppm standard, and the expected time needed for attainment.

b. Please identify the additional 135 counties that would violate a 0.060 ppm standard, and the expected time needed for attainment.

4. According to the attached map from EPA's Clean Air Status Trends Network (CASTNET) 2008 Annual Report, it appears many areas of the country that do not currently have ozone monitors would also be likely to violate the new smog standards, including in very rural and remote areas.

a. How many counties don't currently have ozone monitors?

b. Based on CASTNET data and any other data EPA may have regarding ozone levels in non-monitored counties, how many additional counties could be in violation of EPA's proposed ozone standards if a monitor were present? Please identify those counties using the CASTNET data and any other data available, and the expected time needed for attainment.

c. Would there be areas with monitored air quality that attain the proposed standards but that might nevertheless be considered to be in "nonattainment" because they are in a Consolidated Metropolitan Statistical Area (CMSA) in which one monitor or more exceeds the proposed standards?

5. According to the EPA Fact Sheet for the Obama Administration's proposed ozone standards, the implementation costs range from \$19 to \$90 billion annually while EPA projects the value of the health benefits would range from \$13 to \$100 billion per year.

a. What are the primary studies EPA is relying upon in the development of its health benefits estimates? What are the major uncertainties in those studies that could affect the estimates?

b. How many of the health-based studies included in the criteria document for the proposed ozone standards were based on statistically significant evidence compared to those studies that were not?

c. How many of the new health-based studies included in the provisional assessment for the proposed ozone standards were based on statistically significant evidence compared to those studies that were not?

d. Can EPA provide any assurances that the value of the health benefits will outweigh the implementation costs?

6. Under the Obama Administration's proposed ozone standards, what control requirements, including offsets, transportation planning measure or other measures, may apply to nonattainment areas?

a. It appears the proposed standards would create a significant number of new non-attainment areas in the Western United States. How would nonattainment in rural or remote Western states and tribal lands be addressed?

b. In the event that an area fails to attain any new standards by the applicable date, what would be the potential consequences, including any sanctions or penalties?

c. What will happen to states or localities that cannot come into compliance with the proposed standards because of a lack of economically or technically feasible technology necessary to attain compliance?

d. What will happen to states or localities that have natural background ozone levels, and/or ozone levels due to transport from outside the United States, that are currently close to or exceed the new standards?

i. Will such areas be designated as being in nonattainment?

ii. Will EPA require states or localities to attain standards lower than concentrations below the non-controllable background levels?

7. Given, as EPA recognizes, that there would be many new nonattainment areas, does EPA believe it is realistic to require states to provide recommendations to EPA by January 7, 2011? Is it reasonable to require State Implementation Plans by December 2013?

a. If EPA believes these deadlines are realistic, please explain the basis for that conclusion.

8. Does EPA anticipate requiring separate planning requirements for a reasonable secondary standard if one is adopted as proposed? How does EPA plan to implement this type of secondary standard?

9. Has EPA prepared any analyses of the potential employment impacts of the proposed standards on specific sectors of the economy, including the manufacturing and construction sectors? If yes, please provide copies of such analyses.

10. Has EPA prepared any analyses of the potential relocation of production facilities outside the United States as a result of implementation of the proposed standards? If yes, please provide copies of such analyses.

11. Has EPA prepared any analyses of the potential impacts of the proposed standards on small businesses? If yes, please provide copies of such analyses.

If the EPA withholds any documents or information in response to this letter, please provide a Vaughn Index or log of the withheld items. The index should list the applicable question number, a description of the withheld item (including date of the item), the nature of the privilege or legal basis for the withholding, and a legal citation for the withholding claim.

Should you have any questions, please contact Minority Committee staff.

Sincerely,

JOE BARTON,
Ranking Member.
MICHAEL BURGESS,
Ranking Member, Subcommittee on Oversight and Investigations.

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

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

Mr. Speaker, President Trump campaigned on the promise of job creation; however, his budget paints a starkly

different and darker picture. It cuts job training programs by 39 percent. It would lead to massive job losses with its cuts. In this body, we talk a little about jobs, but we are 7 months into the 115th Congress and have failed to pass any major jobs bill.

Mr. Speaker, I am happy to say that I have an amendment in my hand that will generate thousands of American jobs.

When we defeat the previous question, I will offer an amendment to the rule to bring up Representative DEFAZIO's bipartisan bill, H.R. 2510, the Water Quality Protection and Job Creation Act. The bill will create thousands of new American jobs through increased investment in our Nation's wastewater infrastructure.

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

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

There was no objection.

Mr. POLIS. Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. DEFAZIO), the distinguished ranking member of the Transportation and Infrastructure Committee.

Mr. DEFAZIO. Mr. Speaker, I thank the gentleman for yielding and for his initiative here to actually create some jobs.

Mr. Speaker, the premise of the legislation before us today is that if we allow more pollution—particularly ozone pollution, which is very detrimental to the health of asthmatics; I mean, bad for the health of everyday Americans, but particularly to the 25 million asthmatics, seniors, and others—the premise is that by polluting the air more with ozone, we will create jobs.

Now, actually, I have got to agree with the Republicans on this. They will create more jobs by polluting the air. Pulmonary specialists will be very busy. And then, oh, the inhaler manufacturers. There has been some great press about the inhaler manufacturers in the last year, where they are quadrupling and sextupling the price to price gouge people. Well, they are going to have a heyday. In fact, I believe they have endorsed this legislation.

And then we are going to have a whole new group of people working on the streets in America. It is going to be a whole new entrepreneurial class. There are actually people in Beijing doing this now. The air is so polluted in Beijing that on many days they say: Don't go outside. But, I mean, you have to go outside sometimes, you have to go to the grocery store, or you have to go to work. They now have a very large industry of street vendors who sell oxygen; so, as you are about to collapse on the street in Beijing, someone will sell you a good whiff of oxygen for whatever they charge for it. We are going to

bring that industry to America. So this bill does have phenomenal potential to create a whole new bunch of jobs with oxygen street vendors and then, of course, the pulmonary specialists, the inhaler manufacturers, and others.

The President actually, as a candidate, said that he would triple the amount of money that would be spent on clean water State revolving funds; he would triple it. Now, interestingly enough, the Congressional Budget Office came out with an analysis yesterday of the President's proposed budgets over the next 10 years, which theoretically is going to increase investment and infrastructure. And they said: Actually, not so much. Actually, in fact, his cuts basically would lead to a reduction in investment in clean water and a reduction in investment in ground transportation.

So, instead of tripling the investment and putting many people to work, the President, actually, is going to cut investment in clean water in his proposed budget. Now, I know he didn't write the budget. You know, he has got this rightwing guy running the CBO—Mulvaney, founder of the Freedom Caucus. But Trump is somewhat responsible for a budget that has his name on it, even if he didn't write it, even if he didn't know what was in it, and even if he doesn't know that it contradicts promises he made as a candidate, which he is not going to deliver as President.

But, that said, I want to help the President out here. So, this bill simply delivers on the President's promise to triple the amount of investment to \$25 billion.

Now, do we need it? Heck, yeah, we need it. According to the American Society of Civil Engineers' 2017 infrastructure report card, America's wastewater treatment systems got a grade of D-plus—not too good. And there is a backlog of more than \$40 billion in clean water infrastructure.

The Federal Government needs to become an honest partner with our cities, counties, and others, who have needs to invest in their wastewater systems. We did it before when we cleaned up our rivers back in the sixties, seventies, and eighties with the Clean Air Act, and we need to do it again. We need the Federal partnership. We need this investment.

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

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

Mr. DEFAZIO. And the other good thing is, if we were to spend that money, according to the National Utility Contractors Association, every billion dollars—just \$1 billion—invested in our Nation's water infrastructure creates, or sustains, 27,000 jobs. So do the math. The President can do math. He is a businessman. That would be 540,000 jobs if we delivered on the President's promise to make significant new investments with Federal partnership in clean water in America.

So, we can put together health, cleaning up the environment, and jobs, as opposed to the Republican bill, which deteriorates health, deteriorates the environment and protections, and won't create any jobs.

Just one quick quote here: "The Clean Water State Revolving Fund is a perfect example of the type of program that should be reauthorized because it creates jobs while benefiting the environment, and is an efficient return on taxpayer investment."

That is from the Oregon Water Resources Congress.

Mr. Speaker, I will conclude as we proceed to this absurdity of saying, by deteriorating health, we will create jobs.

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

Mr. Speaker, it is ironic that the gentleman would reference the cost of asthma inhalers. It was, after all, two Congresses ago where the Environmental Protection Agency actually outlawed the manufacture and sale of over-the-counter asthma inhalers and took them away from those of us who suffer from that disease. And, indeed, losing that over-the-counter option for an over-the-counter epinephrine inhaler for the treatment of asthma as a rescue inhaler, we have, indeed, seen the cost of prescription inhalers quadruple over that time frame.

So, in many ways, as an asthma patient, I hold the EPA directly responsible for my inability to get an inexpensive over-the-counter rescue inhaler. And for many asthma patients, who may find themselves caught short, that means a trip to the emergency room and, probably, a \$1,200 or \$1,500 event that otherwise could have been solved by a Primatene inhaler that sold two for \$16.

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

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

Well, I know my friend actually has a bill on the topic of the asthma inhalers, and I can tell you, if this bill becomes law, we will need all the asthma inhalers we can get, so I think your bill will have to go through.

I would like to inquire of the gentleman why your asthma inhaler bill isn't included in this package, since we will need to sell more asthma inhalers if the rest of the bill goes through?

Mr. BURGESS. Will the gentleman yield?

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

Mr. BURGESS. The reason is because the manufacture of over-the-counter epinephrine inhalers has been prohibited by the EPA and the Food and Drug Administration.

Mr. POLIS. Did the gentleman consider offering that as an amendment to this bill, your other bill, to allow the sale of those asthma inhalers?

Mr. BURGESS. Will the gentleman yield?

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

Mr. BURGESS. Number one, it is not germane, and it is more complicated now because the Food and Drug Administration has gotten involved in the process. I wish it were straightforward. It is something I continue to work on.

Mr. POLIS. Mr. Speaker, reclaiming my time, our Rules Committee can waive germaneness. But it would be an appropriate bill to include, as Mr. DEFAZIO pointed out, ironically, there are some jobs that this bill will create: people selling oxygen on the street, pulmonologists, and, yes, asthma inhalers because more people will suffer from asthma, and kids with asthma won't be able to spend as much quality time outside if this bill were to become law.

Instead of continuing this kind of work that raises healthcare costs, and increases asthma and cancer, we should be focusing on issues that create jobs we want. We don't want the air to be so bad that there is somebody selling oxygen canisters on the street.

□ 1300

We want jobs in renewable energy and making our air cleaner, in new forms of energy efficiency and bringing down people's utility bills because we use less energy. That is what excites people and that is what is good for our air.

Instead of focusing on those kinds of needs or, God forbid, shrinking the deficit or halting the handout of subsidies to special interests, they are talking about ideas here like this, that further diminish our standing as a world leader and further diminish what makes America special and our quality of life.

I hope all Members look in the mirror and think about our health, the health of our children, the health of our elderly relatives, and those most at risk. And we ask: How would this bill affect them?

The answer is obvious. It only serves to hurt them. It only serves to make people sicker. It only serves to increase costs, destroy economic value, and create additional risk for our environment.

Mr. Speaker, I encourage 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 balance of my time.

Mr. Speaker, today's rule provides for the consideration of an important piece of environmental legislation to protect the lives and health of all Americans while providing smart tools to the States to implement the EPA's standards.

I thank my fellow Texan, PETE OLSON, for his work on this legislation, which I know affects his district in the Houston area as much as it does mine in the Dallas-Fort Worth region.

I encourage my colleagues to vote "yes" on today's rule and to support the underlying bill.

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

AN AMENDMENT TO H. RES. 451 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. 2510) to amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Transportation and Infrastructure. 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. 2510.

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 Rep-

resentatives, (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.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

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

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

FEDERAL POWER ACT
AMENDMENT

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2786) to amend the Federal Power Act with respect to the criteria and process to qualify as a qualifying conduit hydropower facility, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2786

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

SECTION 1. QUALIFYING CONDUIT HYDROPOWER FACILITIES.

Section 30(a) of the Federal Power Act (16 U.S.C. 823a(a)) is amended—

(1) in paragraph (2)(C), by striking “45 days” and inserting “30 days”; and

(2) in paragraph (3)(C)—

(A) in clause (i), by adding “and” after the semicolon;

(B) by striking clause (ii); and

(C) by redesignating clause (iii) as clause (ii).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from Illinois (Mr. RUSH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, this bill, H.R. 2786, introduced by my two colleagues, the gentleman from North Carolina (Mr. HUDSON) and the gentleman from Colorado (Ms. DEGETTE), has always been a bipartisan bill. It amends the Federal Power Act to promote renewable energy from small conduit hydropower facilities.

The bill would encourage the generation of electricity from existing man-made conduits operated for the distribution of water for agriculture, municipal, or industrial consumption.

I would note that Congress established qualifying conduit exemptions under the Hydropower Regulatory Efficiency Act of 2013. This bill, H.R. 2786, builds on that law to provide benefits to a greater range of conduit hydropower projects. This bill, in fact, will shorten the review period and allow larger conduit projects to be eligible for exemption from certain listing requirements.

I know of no serious objections to the bill. It is bipartisan, as it should be. I urge my colleagues to support it.

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

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

Mr. Speaker, I rise in support of H.R. 2786, the Promoting Small Conduit Hydropower Facilities Act of 2017.

In 2013, our committee moved bipartisan legislation by Representative McMORRIS RODGERS and Representative DEGETTE that created an exemption from hydropower licensing for certain conduit hydropower facilities of 5 megawatts capacity or less.

Under the provision established in the McMorris Rodgers-DeGette bill, the

Federal Energy Regulatory Commission, FERC, must determine within 15 days after receipt of a notice of intent to construct a small conduit project by the developer if the project meets the qualifying criteria for exemption under the law.

If FERC makes an initial determination that the project meets that criteria, current law requires FERC to publish a public notice of that determination and provide the public 45 days for an opportunity to comment on or contest FERC's determination.

That bill went on to be signed into law by President Obama and, as of May of this year, has resulted in qualifying 83 projects being exempted from Federal licensing requirements.

□ 1315

The bill before us now, Mr. Speaker, H.R. 2786, sponsored by Mr. HUDSON and Ms. DEGETTE, will amend the Federal Power Act to lift the 5-megawatt cap on conduit projects that could qualify for exemption. The bill would also reduce from 45 days to 30 days the amount of time the public will have to comment on or contest FERC's determination of whether a project qualifies for exception.

There is clearly strong support on both sides of the aisle for the development of conduit hydroelectric projects and for efforts like the Hudson-DeGette bill, which cuts red tape to ensure that environmentally sound projects can move forward quickly and efficiently.

However, Mr. Speaker, the original version of this bill cut the 45-day timeframe for public comment on a proposed exemption too much, down to 15 days. That, in my view, Mr. Speaker, and that of many of my colleagues, was too short a period of time to allow for meaningful public input into the process.

Fortunately and wisely, Mr. Speaker, Chairman UPTON and Chairman WALDEN accepted an amendment by Ranking Member PALLONE that reduced the amount of time for public notification by a third, from 45 days to 30 days, rather than the 15 days that many of us felt was excessive.

As a result, we now have a bill that is good policy, that cuts down on unnecessary regulation, while properly balancing the interests of hydropower development with that of the public.

The bill was rightfully reported by the committee with the unanimous support of Members on both sides of the aisle, and I hope the full House will do the same today.

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

Mr. UPTON. Mr. Speaker, I yield such time as he may consume to the gentleman from North Carolina (Mr. HUDSON), the original author of the bill.

Mr. HUDSON. Mr. Speaker, I rise today to urge my colleagues to support H.R. 2786, my bipartisan legislation focused on tapping our Nation's immense conduit hydropower potential.

Hydropower remains one of the most efficient and affordable sources of electricity, as well as one of the largest sources of renewable electricity in America. In North Carolina alone, it generates enough electricity to power 350,000 homes each year.

The opportunity is tremendous. Picture a tiny turbine placed in an existing man-made pipe that transports water from a water treatment plant. We can produce clean electric power inside these types of man-made conduits. There are over 1.2 million miles of water supply mains in the United States creating literally thousands of energy-recovery hydropower generation opportunities. This technology is readily available and environmentally friendly, but Federal regulations have discouraged and stifled the development.

That is exactly why I introduced this commonsense bill with my colleague, DIANA DEGETTE, whom I will say, even though her Broncos defeated my Panthers in the Super Bowl a couple years ago, it has really been a pleasure to work with on this.

What we are working on is to streamline the Federal review process for non-controversial conduit hydropower projects and make the projects eligible for streamlined consideration.

Mr. Speaker, I urge my colleagues to support this legislation to expand the development of conduit hydropower projects, create clean energy jobs, increase production of affordable renewable power, reduce consumer electricity costs, and improve energy diversity.

Mr. RUSH. Mr. Speaker, I yield such time as she may consume to the gentleman from Colorado (Ms. DEGETTE), the cosponsor of this bill.

Ms. DEGETTE. Mr. Speaker, in the spirit of bipartisanship, I won't talk exclusively about the Broncos today. Instead, I want to thank Representative HUDSON for working with me on the bill. It has been a pleasure.

I also want to thank Chairman UPTON and Ranking Member RUSH and Energy and Commerce Chairman WALDEN and Ranking Member PALLONE for helping us work on this important bill. It is really an example of what we can accomplish when we put partisanship aside and work to address our country's needs.

Hydropower is a clean, domestic energy source. Over the last 2 years, it has provided almost 6 percent of U.S. electricity and almost half of all renewable electricity. It also supports hundreds of thousands of good jobs across the country.

As a westerner, I know how important water is to our environment and to our communities, and I am committed to advancing hydropower in a way that both respects existing water rights and minimizes environmental disruption.

Hydropower is often associated with large-scale projects like dams, but I have been particularly interested in

smaller-scale projects attached to existing infrastructure, including irrigation canals and municipal water supply systems.

As Mr. RUSH noted, in 2013, I worked with Representative CATHY McMORRIS RODGERS, another westerner, to pass the Hydropower Regulatory Efficiency Act. That bill became law, and it established a process for qualifying conduit hydropower facilities to move forward without requiring a license from FERC.

A lot of people in western Colorado told me that this was one of the most important bills that they had ever seen come out of Congress, only demonstrating that all politics is local. Even though maybe it didn't seem so important to some people here at the time, 83 hydropower projects have been successfully promoted using the new process, including 23 projects in Colorado. This progress is encouraging, but there is even more we can do.

The Colorado government estimates that existing agricultural irrigation conduits in our State could support an additional 30 megawatts of hydropower, and municipal water supply systems could support another 20 to 25 megawatts. But to realize this potential, we need to listen to the advice that the Energy and Commerce Committee has heard on how to make the process as simple and flexible as possible.

We have heard testimony from FERC that the existing comment period is rarely used for comments that have a bearing on determining whether the project qualifies under the statute. In response, the bill we are considering today would shorten the comment period from 45 to 30 days to avoid unnecessary delays.

Second, FERC suggested lifting the megawatt cap on qualifying conduit projects. The amount of energy demonstrated by a hydroelectric project is not a good indication of its environmental impact. In fact, any project built on existing conduit infrastructure will have little to no environmental impact because it is using water that has already been diverted from its natural course.

The bill would not change the requirement in existing law that the project be built on a conduit that is primarily intended for non-power generating uses, further limiting the potential for any environmental impact.

Together, these two changes will open the door to more conduit hydropower projects without compromising important environmental protections.

Mr. Speaker, again, I would like to emphasize that bill shows what Congress can accomplish when we work together in a bipartisan manner to address our country's needs now and in the future. I urge everyone to support it.

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

Mr. UPTON. Mr. Speaker, I just want to comment briefly on the remarks by my two colleagues.

This is an important bill, and for those of us who have always supported all of the above, whether it be renewable or safe nuclear, all those different things, hydro is part of that mix.

I would just note that I had a question yesterday morning. I did a big Farm Bureau breakfast in my district, and the question about hydropower came up. Just like my friend from Colorado talks about the most important bill in Colorado, this is an important bill.

It is also important that we work together to get this bill done so that the Senate can follow suit. I urge my colleagues to vote for this bipartisan legislation.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 2786, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

EXTENDING DEADLINE FOR COMMENCEMENT OF CONSTRUCTION OF A HYDROELECTRIC PROJECT

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2828) to extend the deadline for commencement of construction of a hydroelectric project.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2828

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

SECTION 1. EXTENSION.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12569, the Commission shall, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the Commission's procedures under that section, extend the time period during which the licensee is required to commence the construction of the project for up to three consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission under that section.

(b) REINSTATEMENT OF EXPIRED LICENSE.—If the period required for commencement of construction of the project described in subsection (a) has expired prior to the date of the enactment of this Act, the Commission shall reinstate the license effective as of the date of its expiration and the first extension authorized under subsection (a) shall take effect on the date of such expiration.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Michigan (Mr. UPTON) and the gentleman from Illinois (Mr. RUSH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material.

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 2828, introduced by the gentleman from Washington (Mr. NEWHOUSE). This bill will authorize the Federal Energy Regulatory Commission, FERC, to extend the time period during which a licensee is required to commence construction of a hydroelectric project.

Back on July 9, 2013, FERC issued a license for the Public Utility District Number 1 of Okanogan County, Washington's proposed 9-megawatt Enloe hydroelectric project. This project will be located at the existing Enloe Dam on the Similkameen River near the city of Oroville, Washington.

The license requires the licensee to commence construction of the project within 2 years of the issuance date of the license, or by July 9, 2015. At the licensee's request, FERC has already granted the maximum allowable 2-year extension, thus making the construction deadline July 9, 2017.

Development of the Enloe project has experienced setbacks that have complicated the licensee's ability to meet the deadline. This bill, H.R. 2828, would authorize FERC to reinstate the license and issue up to three consecutive 2-year extensions to commence construction.

This bill is consistent with prior congressional actions and FERC's longstanding policy limiting the maximum allowable extension to 10 years from the issuance date of the license.

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

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

Mr. Speaker, the legislation before us sponsored by the gentleman from Washington State (Mr. NEWHOUSE) would authorize the Federal Energy Regulatory Commission to extend, up to 6 years, the date by which the licensee for the Enloe Dam hydropower project, No. 12569, is required to commence construction. This is necessary because the project's licensee is not likely to commence construction by the designated deadline.

Under the Federal Power Act, Mr. Speaker, FERC is unable to further extend that deadline administratively, so action by the Congress is required. In the event the license expires before this legislation is enacted, the bill contains language reinstating the license as of its date of expiration.

□ 1330

FERC has no objection, Mr. Speaker, to this piece of legislation, and neither do I, and I hope that my colleagues will support the passage of H.R. 951.

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

Mr. UPTON. Mr. Speaker, I urge my colleagues again to support this bill, on a bipartisan basis, and I yield back the balance of my time.

Mr. NEWHOUSE. Mr. Speaker, my legislation would provide a much-needed “commencement of construction” extension to the FERC permit for the Enloe Dam Hydroelectric Project located in my Central Washington district.

The Enloe Project is located at the existing Enloe Dam in the Similkameen River Valley, which is situated approximately four miles upriver of the City of Oroville. The original dam was constructed by BLM in 1920 for power generation but operations ceased in 1958 when the Bonneville Power Administration extended a high-voltage transmission line into the Okanogan Valley.

However, since 1958 the dam and its related power-generating facilities have sat dormant and the Okanogan Public Utility District (“District”) is now working on the proposed project to re-energize this infrastructure for hydropower development, as well as to relocate the site to the opposite bank, which offers numerous environmental and construction advantages.

The proposed 9 megawatt hydropower facility has faced several setbacks and regulatory hurdles, which have been addressed but have also delayed progress. However, despite these challenges the District has made considerable progress in fulfilling all of the pre-construction obligations contained in its FERC license.

H.R. 2828 would ensure this critical hydropower project can move forward and provide important renewable energy generation to the region. The Enloe Project makes economic and environmental sense, as it will convert currently untapped energy in existing flow releases into clean, carbon-neutral energy. Additionally, the Project will have a footprint that is roughly half the size of the existing facility but will provide approximately three times the generating capacity of the decommissioned plant.

Completion of the Project will provide Washingtonians and the Pacific Northwest region with a clean, renewable energy resource that generates an estimated 45,000 megawatt hours per year of carbon-free, renewable power. Further, the proposed project will create jobs and needed employment opportunities in a region with an unemployment rate that far exceeds the national average, underscoring the many positive benefits this project will have for the local community, state, and region.

This important legislation will allow for development of this critical hydropower facility to move forward under a realistic regulatory timeline and in a manner consistent with prior congressional actions on similar projects.

By passing this measure and extending the “commencement of construction” deadline for the Enloe Project, Congress can help spur hydropower development in Central Washington and ensure the Project’s many benefits are realized, which will have a lasting impact on the region’s energy supply and economic viability.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 2828.

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

A motion to reconsider was laid on the table.

ENHANCING STATE ENERGY SECURITY PLANNING AND EMERGENCY PREPAREDNESS ACT OF 2017

Mr. UPTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3050) to amend the Energy Policy and Conservation Act to provide Federal financial assistance to States to implement, review, and revise State energy security plans, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3050

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Enhancing State Energy Security Planning and Emergency Preparedness Act of 2017”.

SEC. 2. STATE ENERGY SECURITY PLANS.

(a) IN GENERAL.—Part D of title III of the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.) is amended by adding at the end the following:

“SEC. 367. STATE ENERGY SECURITY PLANS.

“(a) IN GENERAL.—Federal financial assistance made available to a State under this part may be used for the implementation, review, and revision of a State energy security plan that assesses the State’s existing circumstances and proposes methods to strengthen the ability of the State, in consultation with owners and operators of energy infrastructure in such State, to—

“(1) secure the energy infrastructure of the State against all physical and cybersecurity threats;

“(2) mitigate the risk of energy supply disruptions to the State and enhance the response to, and recovery from, energy disruptions; and

“(3) ensure the State has a reliable, secure, and resilient energy infrastructure.

“(b) CONTENTS OF PLAN.—A State energy security plan described in subsection (a) shall—

“(1) address all fuels, including petroleum products, other liquid fuels, coal, electricity, and natural gas, as well as regulated and unregulated energy providers;

“(2) provide a State energy profile, including an assessment of energy production, distribution, and end-use;

“(3) address potential hazards to each energy sector or system, including physical threats and cybersecurity threats and vulnerabilities;

“(4) provide a risk assessment of energy infrastructure and cross-sector interdependencies;

“(5) provide a risk mitigation approach to enhance reliability and end-use resilience; and

“(6) address multi-State, Indian Tribe, and regional coordination planning and response, and to the extent practicable, encourage mutual assistance in cyber and physical response plans.

“(c) COORDINATION.—In developing a State energy security plan under this section, the energy office of the State shall, to the extent practicable, coordinate with—

“(1) the public utility or service commission of the State;

“(2) energy providers from the private sector; and

“(3) other entities responsible for maintaining fuel or electric reliability.

“(d) FINANCIAL ASSISTANCE.—A State is not eligible to receive Federal financial assistance under this part, for any purpose, for a fiscal year unless the Governor of such State submits to the Secretary, with respect to such fiscal year—

“(1) a State energy security plan described in subsection (a) that meets the requirements of subsection (b); or

“(2) after an annual review of the State energy security plan by the Governor—

“(A) any necessary revisions to such plan; or

“(B) a certification that no revisions to such plan are necessary.

“(e) TECHNICAL ASSISTANCE.—Upon request of the Governor of a State, the Secretary may provide information and technical assistance, and other assistance, in the development, implementation, or revision of a State energy security plan.

“(f) SUNSET.—This section shall expire on October 31, 2022.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 365(f) of the Energy Policy and Conservation Act (42 U.S.C. 6325(f)) is amended—

(1) by striking “\$125,000,000” and inserting “\$90,000,000”; and

(2) by striking “2007 through 2012” and inserting “2018 through 2022”.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) CONFORMING AMENDMENTS.—Section 363 of the Energy Policy and Conservation Act (42 U.S.C. 6323) is amended—

(A) by redesignating subsection (f) as subsection (e); and

(B) by striking subsection (e).

(2) TECHNICAL AMENDMENT.—Section 366(3)(B)(i) of the Energy Policy and Conservation Act (42 U.S.C. 6326(3)(B)(i)) is amended by striking “approved under section 367”.

(3) REFERENCE.—The item relating to “Department of Energy—Energy Conservation” in title II of the Department of the Interior and Related Agencies Appropriations Act, 1985 (42 U.S.C. 6323a) is amended by striking “sections 361 through 366” and inserting “sections 361 through 367”.

(4) TABLE OF SECTIONS.—The table of sections for part D of title III of the Energy Policy and Conservation Act is amended by adding at the end the following:

“Sec. 367. State energy security plans.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from Illinois (Mr. RUSH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, this is an important bill. It really is. This bill, H.R. 3050, is a bipartisan bill introduced by myself and by my good friend and colleague across the aisle, Mr. RUSH. It is bipartisan.

This bill reauthorizes the State Energy Program and it strengthens our

energy emergency planning and preparedness efforts in a big-time way. This bill builds upon the Energy and Commerce Committee's impressive record of hearings and legislation focused on energy security, emergency preparedness, job creation, and infrastructure protection and resilience.

Across the country, States have to respond to a variety of hazards, including hurricanes, earthquakes, floods, fuel supply disruptions, physical and, yes, cyber threats, too. This legislation provides States with tools in the toolbox so that they have flexibility that they need to address local energy challenges.

It ensures that State energy security planning efforts address fuel supply issues, assess State energy profiles, address potential hazards to each energy sector. It mitigates risk to enhance reliability and incorporate regional planning efforts.

Let's face it, the consumer at home, businesses trying to put out a product, they want to make sure that the electricity is on. They don't care what the excuse is. They want it on.

This bill makes significant strides to protect our Nation's fuel and electric infrastructure from physical and cybersecurity threats and vulnerabilities. It makes sure that we are thinking ahead not just about the actual threat, but, in fact, how our energy and electric systems might be vulnerable in a broader sense.

The bill also encourages mutual assistance, an essential part of responding and restoring in the event of an energy emergency. Teamwork: prioritizing and elevating energy security planning and emergency preparedness is, yes, an important step in the face of increased threats, vulnerabilities, and interdependencies of energy infrastructure and end-use systems.

This bill is important and is going to get to the President's desk in a bipartisan way. Again, I thank my good friend and colleague for his help in getting this bill through our committee and here to the House floor.

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

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

Mr. Speaker, I want to also commend my friend and my colleague from the great State of Michigan, the chairman of the Energy Subcommittee, my long-standing friend, Mr. UPTON, for working with my office to bring H.R. 3050, the Enhancing State Energy Security Planning and Emergency Preparedness Act of 2017, to the floor today.

Mr. Speaker, this Upton-Rush bill represents bipartisan negotiation between Chairman UPTON and myself to much-needed Federal guidance and resources to the States that are on the front lines when it comes to protecting critical energy infrastructure and responding once disaster strikes.

Members on both side of the aisle, Mr. Speaker, support the State Energy Program, and this bill will help provide

resources to further develop and enhance the State energy security plans.

Since their inception in the 1970s, State Energy Programs, bolstered by Federal aid, have assisted States in developing these energy security plans in order to help prevent disasters from happening and to mitigate the damage once they do occur.

Mr. Speaker, funding provided in this bill will help States to implement, revise, and to review their energy security plans while also laying out criteria for the contents of these plans. These emergency plans have been instrumental in improving States' abilities to identify potential energy disruptions, quantify the effects of the disruptions, establish response plans, and limit the risk of further disturbances, whether they be natural or manmade.

Federal funding and leadership has also been critical in helping States and local stakeholders identify the roles and responsibilities of the various agencies in times of emergencies while also supporting training and response exercises.

Mr. Speaker, as the Trump administration weakens America's leadership role globally by signaling its intentions to withdraw from the Paris Agreement, it is even more vital that we provide the resources and funding needed for States to take more of a permanent role in advancing smart and sustainable energy policy.

Mr. Speaker, Federal leadership and investment must continue to play a vital role in developing State Energy Assurance Plans, and it is my hope and my expectation that this legislation will indeed bolster these State-led programs by enhancing Federal support.

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

Mr. UPTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. BARTON), former chairman and now vice chairman of the influential and powerful Energy and Commerce Committee, coming from the good State of Texas versus the great State of Michigan.

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

Mr. BARTON. Mr. Speaker, it is the great State of Texas. I want to set the RECORD straight on that.

I commend Chairman UPTON and Ranking Member RUSH for bringing this bipartisan bill the floor. All we hear is about how we don't get along, Mr. Speaker. Nobody is watching when we do get along. And all of the bills that are being debated and voted on on the House floor today are examples of bipartisanship at the Energy and Commerce Committee, and Mr. UPTON, Mr. RUSH, Mr. PALLONE, Mr. WALDEN, and the other ranking members and subcommittee chairmen are to be commended for that.

One of the bipartisan amendments, which was adopted in full committee on this bill, is a bipartisan amendment from Mr. MCNERNEY, a Democrat from

California, and myself, that deals with the cybersecurity and would suggest that, as these States provide these energy security plans to the Department of Energy, they include an assessment of cybersecurity.

So I can't tell you that this is the most important amendment that has ever been added to a bill in our committee, but it is a very good amendment, a very positive amendment. As plans are developed, including an assessment of cybersecurity threats and solutions to those threats, it should make the grid better, more reliable, and help make our country safer.

Mr. Speaker, I strongly support H.R. 3050. Again, I commend Mr. UPTON and Mr. RUSH for working together, and I hope the House very quickly passes this and sends it to the other body.

Mr. UPTON. Mr. Speaker, I would like to conclude by saying that I thank the gentleman from Texas for his remarks. It was an important amendment. God help us if something happens in our country because of a physical or cyber attack. And if it does, we always wonder and ask the questions: What do we do?

This is a step in advance to make sure that, in fact, we do have, as I said earlier, the tools in the toolbox to try and prevent such a travesty from happening that would impact the Nation in a major way. So it is important that this legislation pass this afternoon; that the Senate take it up as quickly as they can; that the President sign it; and that it then gets implemented to protect all of our citizens from East to West, to North, to South. It is an important issue.

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

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 3050, as amended.

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

A motion to reconsider was laid on the table.

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 451;

Adopting House Resolution 451, if ordered; and

Suspending the rules and passing H.R. 2786.

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. 806 OZONE STANDARDS IMPLEMENTATION ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 451) providing for consideration of the bill (H.R. 806) to facilitate efficient State implementation of ground-level ozone standards, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

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

The vote was taken by electronic device, and there were—yeas 231, nays 188, not voting 14, as follows:

[Roll No. 382]

YEAS—231

Abraham	Frelinghuysen	McKinley
Aderholt	Gaetz	McMorris
Allen	Gallagher	Rodgers
Amash	Garrett	McSally
Amodei	Gianforte	Meadows
Arrington	Gibbs	Meehan
Babin	Gohmert	Messer
Bacon	Goodlatte	Mitchell
Banks (IN)	Gosar	Moolenaar
Barletta	Gowdy	Mooney (WV)
Barr	Granger	Mullin
Barton	Graves (GA)	Murphy (PA)
Bergman	Graves (MO)	Newhouse
Biggs	Griffith	Noem
Bilirakis	Grothman	Norman
Bishop (MI)	Guthrie	Nunes
Bishop (UT)	Handel	Olson
Black	Harper	Palazzo
Blackburn	Harris	Paulsen
Blum	Hartzler	Pearce
Bost	Hensarling	Perry
Brady (TX)	Herrera Beutler	Pittenger
Brat	Hice, Jody B.	Poe (TX)
Bridenstine	Higgins (LA)	Poliquin
Brooks (IN)	Hill	Posey
Buchanan	Holding	Ratcliffe
Buck	Hollingsworth	Reed
Bucshon	Hudson	Reichert
Budd	Huizenga	Renacci
Burgess	Hultgren	Rice (SC)
Byrne	Hunter	Roby
Calvert	Hurd	Roe (TN)
Carter (GA)	Issa	Rogers (AL)
Carter (TX)	Jenkins (KS)	Rogers (KY)
Chabot	Jenkins (WV)	Rohrabacher
Cheney	Johnson (LA)	Rokita
Coffman	Johnson (OH)	Rooney, Francis
Cole	Jones	Rooney, Thomas
Collins (GA)	Jordan	J.
Collins (NY)	Joyce (OH)	Ros-Lehtinen
Comer	Katko	Roskam
Costomack	Kelly (MS)	Ross
Conaway	Kelly (PA)	Rothfus
Cook	King (IA)	Rouzer
Costello (PA)	King (NY)	Royce (CA)
Cramer	Kinzinger	Russell
Crawford	Knight	Rutherford
Curbelo (FL)	Kustoff (TN)	Sanford
Davidson	LaHood	Schweikert
Davis, Rodney	LaMalfa	Scott, Austin
Denham	Lamborn	Sensenbrenner
Dent	Lance	Sessions
DesJarlais	Latta	Shimkus
Diaz-Balart	Lewis (MN)	Shuster
Donovan	LoBiondo	Simpson
Duffy	Long	Smith (MO)
Duncan (SC)	Loudermilk	Smith (NE)
Duncan (TN)	Love	Smith (NJ)
Dunn	Lucas	Smith (TX)
Emmer	Luetkemeyer	Smucker
Estes (KS)	MacArthur	Stefanik
Farenthold	Marchant	Stewart
Faso	Marino	Stivers
Ferguson	Marshall	Taylor
Fitzpatrick	Massie	Tenney
Fleischmann	Mast	Thompson (PA)
Flores	McCarthy	Thornberry
Fortenberry	McCaul	Tiberi
Fox	McClintock	Tipton
Franks (AZ)	McHenry	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—188

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.

Brady (PA)
Brown (MD)
Brownley (CA)

Butterfield
Capuano
Cárbaal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)

Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist

Crowley
Cuellar
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier

Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Españillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard

Brooks (AL)
Culberson
Cummings
Davis, Danny
DeSantis

Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Bustos
Jeffries
Johnson (GA)
Johnson, E. B.

Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larson (CT)
Lawrence
Lawson (FL)

Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.

Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Neal
Nolan
Norcross

NOT VOTING—14

Graves (LA)
Jackson Lee
Johnson, Sam
Labrador
Larsen (WA)

O'Halleran
O'Rourke
Pallone
Panetta
Pascarell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen

Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sanchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)

Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozi
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

present, I would have voted "yea" on rollcall No. 382.

(By unanimous consent, Mr. SEAN PATRICK MALONEY of New York was allowed to speak out of order.)

MOMENT OF SILENCE HONORING SERVICEMEMBERS KILLED IN MISSISSIPPI

Mr. SEAN PATRICK MALONEY of New York. Mr. Speaker, last week, we learned the terrible news that we had lost 16 of the very best and brightest members of the United States Marine Corps and the United States Navy when the plane they were traveling on crashed in Mississippi.

I stand here with my colleagues who lost citizens of their districts, in particular, the gentleman from Mississippi (Mr. PALAZZO) and the gentleman from North Carolina (Mr. JONES). This is, of course, a national tragedy, though.

The gentleman from North Carolina represents Camp Lejeune, where six marines and one Navy corpsman were stationed. Those seven servicemembers include Staff Sergeant Robert Cox, Staff Sergeant William Kundrat, Sergeant Chad Jensen, Sergeant Talon Leach, Sergeant Joseph Murray, Sergeant Dietrich Schmieman, and Petty Officer 2nd Class Ryan Lohrey.

I, of course, represent Stewart Air National Guard Base, where nine marines who lost their lives in that terrible crash were stationed.

In my time in Congress, I have had many opportunities to visit with the brave men and women who serve our country and were based at Stewart Air National Guard Base. As you know, they are all truly American heroes.

Those we lost are as follows: Major Caine Goyette, Captain Sean Elliott, Gunnery Sergeant Mark Hopkins, Gunnery Sergeant Brendan Johnson, Staff Sergeant Joshua Snowden, Sergeant Julian Kevianne, Sergeant Owen Lennon, Corporal Daniel Baldassare, and Corporal Collin Schaaff.

Mr. Speaker, on behalf of my colleagues standing behind me, all of our communities, and our Nation, I ask for a moment of silence for these 16 brave servicemembers who made the ultimate sacrifice for our freedom.

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

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

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

RECORDED VOTE

Mr. HASTINGS. 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 235, noes 188, not voting 10, as follows:

[Roll No. 383]

AYES—235

Abraham	Allen	Amodei
Aderholt	Amash	Arrington

□ 1406
Messrs. CROWLEY, McNERNEY, HECK, BUTTERFIELD, and Ms. WASSERMAN SCHULTZ changed their vote from "yea" to "nay."

Mr. WITTMAN changed his vote from "nay" to "yea."

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

Stated for:

Mr. GRAVES of Louisiana. Mr. Speaker, I was unavoidably detained. Had I been

Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Billarakis
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
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
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxo
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy

Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Norman
Nunes

Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
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
Lowe
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Neal
Nolan
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
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

often referred to as the Origination Clause, the House of Representatives has the sole authority to initiate legislation that raises revenue for the national government, and the Committee on Ways and Means is considering a comprehensive reform of the Tax Code;

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

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

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

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

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

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

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

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

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

Whereas, disclosure of the President's tax returns would help those investigating Russian interference in the 2016 election and assist them in better

NOT VOTING—10

Brooks (AL)
Cummings
Davis, Danny
Jackson Lee
Johnson, Sam
Labrador
Napolitano
Rice (SC)
Ruppersberger
Scalise

□ 1417

Mr. ELLISON changed his vote from "aye" to "no."

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.

NOTICE OF INTENTION TO OFFER RESOLUTION RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. CICILLINE. Mr. Speaker, pursuant to clause 2(a)(1) of rule IX, I rise to give notice of my intent to raise a question of the privileges of the House.

The form of the resolution is as follows:

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

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

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

Whereas, pursuant to Article I, section 7, clause 1 of the Constitution,

NOES—188

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
Courtney
Crist
Crowley
Cuellar
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Español
Esty (CT)
Evans

understanding the President's financial ties to the Russian Federation, Russian businesses, and Russian individuals;

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

Whereas, President Trump fired Federal Bureau of Investigation Director James Comey, who was overseeing an investigation into ties and any collusion between the Russian Government and President Trump's campaign;

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

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

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

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

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

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

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

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

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

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

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

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

The SPEAKER pro tempore. Under rule IX, a resolution offered on the floor by a Member other than the majority leader or the minority leader as a question of the privileges of the House has immediate precedence only at a time designated by the Chair within 2 legislative days after the resolution is properly noticed.

Pending that designation, the form of the resolution noticed by the gentleman from Rhode Island will appear in the RECORD at this point.

The Chair will not at this point determine whether the resolution constitutes a question of privilege. That determination will be made at the time designated for consideration of the resolution.

FEDERAL POWER ACT AMENDMENT

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2786) to amend the Federal Power Act with respect to the criteria and process to qualify as a qualifying conduit hydropower facility, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, as amended.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 420, nays 2, not voting 11, as follows:

[Roll No. 384]

YEAS—420

Abraham
Adams
Aderholt

Aguilar
Allen
Amash

Amodei
Arrington
Babin

Bacon
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan
F.
Brady (PA)
Brat
Bridenstine
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan

Doyle, Michael
F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Espallat
Estes (KS)
Esty (CT)
Evans
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxy
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Hanabusa
Handel
Harper
Harris
Hartzler
Hastings
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jayapal
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee

Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
MacArthur
Maloney
Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Neal
Newhouse
Noem
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascarell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree

Pittenger	Schakowsky	Titus
Pocan	Schiff	Tonko
Poe (TX)	Schneider	Torres
Poliquin	Schrader	Trott
Posey	Schweikert	Tsongas
Price (NC)	Scott (VA)	Turner
Quigley	Scott, Austin	Upton
Raskin	Sensenbrenner	Valadao
Ratcliffe	Serrano	Vargas
Reed	Sessions	Veasey
Reichert	Sewell (AL)	Vela
Renacci	Shea-Porter	Velázquez
Rice (NY)	Sherman	Visclosky
Rice (SC)	Shimkus	Wagner
Richmond	Shuster	Walberg
Roby	Simpson	Walden
Roe (TN)	Sinema	Walker
Rogers (AL)	Sires	Walorski
Rogers (KY)	Slaughter	Walters, Mimi
Rohrabacher	Smith (MO)	Walz
Rokita	Smith (NE)	Wasserman
Rooney, Francis	Smith (NJ)	Schultz
Rooney, Thomas J.	Smith (TX)	Waters, Maxine
	Smith (WA)	Watson Coleman
Ros-Lehtinen	Smucker	Weber (TX)
Rosen	Soto	Webster (FL)
Roskam	Speler	Welch
Ross	Stefanik	Wenstrup
Rothfus	Stewart	Westerman
Rouzer	Stivers	Williams
Roybal-Allard	Suozzi	Wilson (FL)
Royce (CA)	Swalwell (CA)	Wilson (SC)
Ruiz	Takano	Wittman
Ruppersberger	Taylor	Womack
Rush	Tenney	Woodall
Russell	Thompson (CA)	Yoder
Rutherford	Thompson (MS)	Yoho
Ryan (OH)	Thompson (PA)	Young (AK)
Sánchez	Thornberry	Young (IA)
Sanford	Tiberi	Zeldin
Sarbanes	Tipton	

NAYS—2

Coffman Poliss

NOT VOTING—11

Brady (TX)	Davis, Danny	Scalise
Brooks (AL)	Jackson Lee	Scott, David
Cicilline	Labrador	Yarmuth
Cummings	Napolitano	

□ 1436

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. POLIS. Mr. Speaker, during rollcall Vote No. 384 on H.R. 2786, I mistakenly recorded my vote as “no” when I should have voted “yes.”

Mr. CICILLINE. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 384.

RESIGNATION AS MEMBER OF THE COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

The SPEAKER pro tempore (Mr. WOODALL) laid before the House the following resignation as a member of the Committee on Oversight and Government Reform:

HOUSE OF REPRESENTATIVES,
Washington, DC, July 18, 2017.

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

DEAR SPEAKER RYAN: I, John Sarbanes, am submitting my resignation from the Committee on Oversight and Government Reform effective immediately. It has been a privilege and honor to have served on this Committee.

Sincerely,

JOHN P. SARBANES,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

ELECTING A MEMBER TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. CROWLEY. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 453

Resolved, That the following named Member be and is hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON NATURAL RESOURCES.—Mr. Gomez.

(2) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Mr. Gomez.

The resolution was agreed to.

A motion to reconsider was laid on the table.

OZONE STANDARDS IMPLEMENTATION ACT OF 2017

GENERAL LEAVE

Mr. SHIMKUS. 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 the bill, H.R. 806.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 451 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 806.

The Chair appoints the gentleman from New York (Mr. REED) to preside over the Committee of the Whole.

□ 1438

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 806) to facilitate efficient State implementation of ground-level ozone standards, and for other purposes, with Mr. REED in the chair.

The Clerk read the title of the bill.

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

The gentleman from Illinois (Mr. SHIMKUS) and the gentleman from New York (Mr. TONKO) each will control 30 minutes.

The Chair recognizes the gentleman from Illinois.

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

Mr. Chairman, H.R. 806, the Ozone Standards Implementation Act of 2017, is about ensuring effective implementation of our air quality standards.

We have learned that timelines and procedures established almost 30 years

ago can be counterproductive today, resulting in unnecessary costs, regulatory delay, and economic uncertainty.

H.R. 806 ensures we will continue to deliver effective environmental protections, with reforms that will also help expand economic opportunity in communities around the Nation.

H.R. 806 removes barriers to the planning and permitting of new or expanded manufacturing facilities and to related economic activity essential for building out America’s infrastructure.

The bill’s reforms reflect practical improvements to the law suggested by State and local regulators, who have confronted the growing challenges of implementing multiple air quality standards under multiple implementation plans and under tight statutory deadlines. As a result, these challenges have increased, and it has become more difficult for many areas to enable the economic expansion needed for their communities. This bill takes several sensible steps to fix this situation.

First, it extends the date for final designations for the 2015 ozone standards to 2025. This allows States time to implement the 2008 ozone standards and other measures to improve air quality. The provisions align requirements for new source construction permitting with this phased ozone schedule, which will reduce permitting delays and still ensure the use of the best available emissions control technologies. The provisions would require timely issuance of implementation guidelines by EPA so States can plan effectively.

Second, the bill aligns the air quality standard setting with how the process works in practice, and it ensures fuller information about regulatory impacts. For example, it updates the mandatory review of air quality standards to reflect past experience by extending the requirement to 10 years, and preserves the EPA administrator’s discretion to issue revised standards earlier, if necessary. The bill ensures the administrator, prior to revising an air quality standard, obtains advice from the EPA’s Independent Science Advisory Committee about any adverse effects on jobs, welfare, and other economic impacts related to implementing the standards.

Finally, the bill takes several steps to address some of the problems communities face when working to meet the standards. For example, it ensures that, for certain ozone and particulate matter nonattainment areas, States are not required to include economically infeasible measures in their plans; it ensures that States may seek relief with respect to certain exceptional events, including droughts; and it directs EPA to examine the impacts of foreign emissions on standards compliance, ozone formation, and identify effective control strategies, including ways to facilitate EPA review to avoid unnecessary penalties for foreign emissions.

The bill also helps communities with most severe air quality challenges that are doing the most to clean up their air by providing a reasonable way to avoid burdensome and unnecessary sanctions, which harm their ability to grow their economies and create jobs.

The provisions of H.R. 806 represent important steps to update the Clean Air Act to reflect what we have learned over the past 25 years since its last major revisions.

There is more work to be done to modernize environmental laws, but ensuring orderly implementation of air quality standards is an important place to start and essential in our environment and our economy.

Mr. Chair, I urge all Members to support this important bill today, and I reserve the balance of my time.

Mr. TONKO. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I want to express my strong opposition to H.R. 806, the Ozone Standards Implementation Act, which would undermine the Clean Air Act and the decades of progress that we have made to improve our Nation's public health and air quality.

This bill delays implementation of the 2015 ozone standards until 2025, extends the review cycle for all National Ambient Air Quality Standards from 5 to 10 years, and authorizes the EPA administrator to consider technological feasibility when establishing or revising a NAAQS.

Today, we will hear that removing health and environmental protections creates jobs, despite all the evidence that protecting public health and growing the economy are not mutually exclusive.

Since its enactment, the Clean Air Act has reduced key air pollutants by roughly 70 percent, while the United States economy has more than tripled.

We will hear today that our country has made enough progress, and we will hear claims that further progress will be extremely difficult, if not impossible, but this bill's supporters may not tell us that the American Lung Association's 2017 State of the Air report found that nearly 4 in 10 people in the United States live in counties that have unhealthy levels of either ozone or particle pollution. Delaying EPA's more protective health standards will only serve to delay these Americans' access to guaranteed clean air.

□ 1445

I believe American ingenuity continues to be up to the task of developing and deploying technologies that will protect our citizens. History has shown again and again that meeting such basic health protective standards is achievable. More importantly, advancing these protections will make America more productive, more competitive, and will improve quality of life and drive down public health costs tied to asthma, heart disease, and even cancer.

We may hear today that standards change too frequently and EPA should

have more time to review and implement each standard. We will likely not hear that EPA has discretion on these matters and is only tasked with changing those standards if it will protect health.

Every year, more studies are completed. With each new study, we gain an even better understanding of how ozone and other pollutants are harming Americans' health. It is critical that these standards reflect the latest available science.

What we are not likely to hear today is questioning of the large and growing body of scientific and medical evidence that breathing air that contains ozone and other criteria pollutants can cause serious health effects.

Unfortunately, this bill would cast aside that scientific evidence in favor of adding cost and technological feasibility considerations into the standard setting process. The proposed changes to the Clean Air Act will slow down, if not outright roll back, the progress we have made to clean our air. This would be a giant mistake.

Healthier people means fewer sick days, fewer hospital visits, and fewer premature deaths, all of which lead us to a more productive society.

According to a peer-reviewed 2011 EPA study, in 2010 alone, the Clean Air Act prevented over 160,000 premature deaths, 130,000 cases of heart disease, 1.7 million asthma attacks, and a million more respiratory illnesses. Many of those health benefits have helped our most vulnerable populations, particularly our children.

Let's do this for our children. Let's not make it worse. Let's improve our standards. That is why so many public health and medical organizations and professionals have vocally opposed this bill every step of the way.

The Clean Air Act keeps kids in school, adults at work and on the job, and tens of thousands of Americans out of the emergency room each and every year.

At a time when Republicans in Congress have been almost singularly focused on ramming through legislation to repeal the Affordable Care Act and rip healthcare away from tens of millions of Americans, this bill adds insult to injury. Plain and simple, the bill before us today would undermine the Clean Air Act as a safeguard of our public health law, and I encourage each and every Member of the House to oppose it.

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

Mr. SHIMKUS. Mr. Chairman, I yield 4 minutes to the gentleman from Texas (Mr. OLSON), the author of the legislation.

Mr. OLSON. Mr. Chairman, I thank my friend from the land of Lincoln for the time to speak on this important bill this afternoon.

Mr. Chairman, I remember Houston in 1972, 45 years ago. Just like today, we were the heart of America's energy and chemical industries. But back

then, there were far too many days I could not see downtown from my home 25 miles away because of smog, ozone.

We have made amazing progress, Mr. Chairman. All of America has made progress. Now it is rare when I can't see downtown from 40 miles away. I am raising my family in the suburbs of Houston, Texas. I don't want to see my hometown's air get any worse—or anyone else's, for that matter.

I want that progress to continue. That is why this bipartisan bill, H.R. 806, keeps us moving forward with more breathable, cleaner air.

Nothing in this bipartisan bill changes any air quality standard. Nothing in this bill puts costs before science when EPA sets a new standard.

I will say that again because there is a lot of misinformation out there. This bill explicitly says that EPA can never ignore health data and can never put money ahead of safety.

This commonsense bill is about listening to our job creators back home. It is about giving local officials the tools they need to make air rules work. It is about making sure that our communities aren't penalized for pollution they can't control. It is about making sure that, when EPA sets a standard, they have to put out the rules to comply with that standard to our local communities at the exact same time.

Mr. Chairman, this is commonsense, bipartisan legislation. I urge my colleagues to support H.R. 806 so we can keep cleaning up America's air while growing our economy.

Mr. TONKO. Mr. Chairman, I would just suggest that, when we move the timeframe for accomplishment of our progress by 8 years out into the future, we are stalling progress; and when we tamper with a review every 5 years and make it 10, we are denying progress.

Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CÁRDENAS).

Mr. CÁRDENAS. Mr. Chairman, I rise today to speak in opposition to H.R. 806. I call it the "Smog Is Back" bill.

I was born and raised in the San Fernando Valley. As a boy, I was not allowed to play outside due to smog alerts, and you couldn't see the mountains just a few miles away. I have told my kids. They don't know what a smog alert is. You get to see the mountains 365 days a year.

That is because we got smart about cutting pollution. We passed commonsense regulations, and the impact was remarkable. Yet today, as I stand here, this Congress is trying to strip those protections and take us back to a dangerous time. It is not a joke, and this is shameful.

Just over a year ago, my first grandchild was born. It infuriates me that he could grow up with the same restrictions that I had after we have made so much progress. We should be making the world a better place for our children and grandchildren.

Mr. Chairman, when it comes to smog, it is not good to go back to the

future. It is just wrong. I urge my colleagues to oppose this legislation for the sake of all children.

Mr. SHIMKUS. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. SMITH), the chairman of the Science, Space, and Technology Committee.

Mr. SMITH of Texas. Mr. Chairman, I thank the gentleman from Illinois (Mr. SHIMKUS) for yielding me time, and I thank the gentleman from Texas (Mr. OLSON) for sponsoring H.R. 806, the Ozone Standards Implementation Act of 2017. I appreciate the efforts of Chairman WALDEN, subcommittee Chairman SHIMKUS, and members of the Energy and Commerce Committee to reduce the regulatory burden on the American people and the economy.

As chairman of the Science, Space, and Technology Committee, I have worked to ensure that EPA regulations are based on sound science. Specifically, the committee found that the 2015 ozone standards implemented by the previous administration were based on questionable science and would cost billions of dollars to implement. H.R. 806 is commonsense legislation that appropriately delays the implementation of these new standards, allowing States more time to work through compliance.

This legislation also resets the time period for the next review of Clean Air Act regulations. This is necessary to provide the Agency with ample time to analyze the science and economic impact of new rules.

Mr. Chairman, I urge my colleagues to support this legislation and reduce the regulatory burden on the American people and return the Agency to sound scientific rulemaking.

Again, I appreciate Chairman OLSON taking the initiative on this subject.

Mr. TONKO. Mr. Chairman, we have just heard from two colleagues from Texas, and I want to remind all of my colleagues, our colleagues, that the State of Texas has over 1.5 million residents with asthma, including some 430,000 children. Weakening vital protections in the Clean Air Act would put their health at risk.

Mr. Chairman, I yield 4 minutes to the gentlewoman from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. Mr. Chairman, I thank my colleague for yielding.

Mr. Chairman, I rise in strong opposition to the Republican's "Smoggy Skies Act" that will gut America's landmark Clean Air Act.

Since Congress passed the Clean Air Act almost 50 years ago, American progress on clean air has gone hand in hand with growth in jobs and businesses. But that is at risk under this bill today because polluters want to take shortcuts and shift the costs to hardworking American families and other businesses. Republicans are helping them get this done through this "Smoggy Skies Act."

Coming from the State of Florida, I understand very well how air pollution

hurts jobs and economic growth. Americans everywhere, regardless of their ZIP Code, deserve an EPA and a Congress working to clean up air pollution, not boost polluter profits at our expense. In Florida, we probably would not be the tourist mecca that we are without the Clean Air Act.

When you look across the globe at other countries and people are deciding, "Where am I going to take my vacation? Where am I going to take my trip?" they are very discerning about countries that do not have the same kind of consumer protections.

I have seen, since the time I was a little girl, vast improvement in air quality back home in the Tampa Bay area, to the point of it used to be, in the early morning, you would walk outside and you could smell and taste it. Now we have very few days of smog and pollution.

But still, Congress should protect the pocketbooks of American citizens, not the profits of polluters because we have pockets of real pollution problems all across America. Approximately 125 million Americans still live in areas with dangerous levels of air pollution.

Air pollution costs our families money as smoggy skies aggravate asthma, COPD, bronchitis, lung disease, and the ability to work outside. Improving ozone standards can help avoid premature deaths, childhood asthma attacks, and missed school days.

I encourage you all to google the New England Journal of Medicine study that came out at the end of last month that said dirty air is very costly and has a deadly impact on many Americans still, especially our older neighbors and younger people with asthma and other respiratory illnesses. It said air pollution hastens death in America.

Harvard researchers determined that, after reviewing years of health records of more than 60 million Medicare beneficiaries in specific air quality levels, we are still in trouble. I took that as a direct warning to this Congress not to roll back the Clean Air Act and air pollution protections.

The Clean Air Act requires the EPA to take a look at air quality every 5 years, but under this bill, nope, it will be every 10 years. So polluters win and citizens pay more.

The Clean Air Act codifies a citizen's right to know when they are breathing dirty air, but under this bill, nope, citizens will not have a right to know. Again, the polluters win and citizens pay more.

Just like Mr. TONKO said, America is the world leader in ingenuity, technology, and science, but not under this GOP bill. Polluters will win, science will lose, and citizens will pay more.

This is a costly shame, and I urge my colleagues to oppose this bill.

Mr. SHIMKUS. Mr. Chairman, I would like to highlight a few specific things.

One is the standards established by the EPA remains unchanged. The real premise of this bill is the fact that,

when the 2008 standards came out, it took the EPA 7 years to get to the guidelines for how local communities and businesses could comply. While that was occurring, they ratcheted down a new set of standards.

So when we talk, this is really more about having our citizens and our communities be able to comply with the rules and regs before a new rule and reg gets in place.

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

□ 1500

Mr. BIGGS. Mr. Chairman, I thank the gentleman from Illinois for yielding time to me today. I applaud Congressman OLSON for introducing this very important legislation. I also thank Science Committee Chairman LAMAR SMITH for holding numerous hearings to fully examine the Environmental Protection Agency's National Ambient Air Quality Standards.

Arizonans desperately need the reforms that Representative OLSON has offered in his legislation. Unfortunately, my constituents in the East Valley of Maricopa County understand all too well the consequences of onerous EPA regulations.

Arizona has high levels of background ozone in the atmosphere, meaning that, from the EPA's perspective, we are regularly above the attainment level. But instead of trying to fully understand my State's intricate needs or engaging in efforts to work with State officials to develop achievable plans and paths forward, the EPA has doubled down time after time with new standards that are impossible to meet.

H.R. 806 will help States like mine create meaningful implementation plans by giving us more time to work with the Federal Government and stakeholders. It will also allow us more flexibility in how we meet new regulations. Good, commonsense bills like this one are needed to ensure that we do not overregulate in a way that severely disrupts our local economies for little or no benefit.

As chairman of the Science Subcommittee on Environment, I once again applaud Representative OLSON and thank my friend from Illinois, and I look forward to seeing this bill pass this Chamber.

Mr. TONKO. Mr. Chairman, having just heard from the gentleman from Arizona, I want to remind my colleagues that the State of Arizona has over 660,000 residents with asthma, including some 175,000 children. Weakening vital protections in the Clean Air Act would put their health at risk.

Mr. Chairman, I yield 3 minutes to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Mr. Chairman, I rise in strong opposition to H.R. 806, the Ozone Standards Implementation Act.

For nearly 5 decades, the Clean Air Act has proven to reduce air pollution by establishing critical National Ambient Air Quality Standards to protect

our public health and public welfare. This bill would drastically alter the Clean Air Act, putting everyone at risk by delaying the implementation of stronger air quality protections and extending the review period for setting future air pollution standards.

If we choose not to put air quality and public health first today, we jeopardize and undermine our ability to live long and healthy lives tomorrow.

When the EPA issued its final rule strengthening the National Ambient Air Quality Standards in 2015, this decision was based on the review of thousands of studies showing ozone's harmful effects.

Ozone is a pollutant. If we do not take our responsibility serious to ensure every American has clean and healthy air to breathe, those with asthma will experience more attacks. We need to make sure that our children aren't developing chronic bronchitis and asthma; and we risk increased numbers of premature deaths across the country.

Every American deserves clean air now. We cannot afford an almost decade-long delay of improved air pollution standards.

According to the American Lung Association, nearly 4 in 10 people in the United States live in counties that have unhealthy levels of either ozone or particle pollution. More than 125 million Americans live in 204 counties where they are exposed to concerning levels of air pollution in the form of either ozone or short-term or year-round levels of particles.

While we have continued to make progress reducing ozone pollution, we have to further strengthen these standards in the name of public health. These standards are the cornerstone of the Clean Air Act.

Additionally, the provisions in this bill would also affect future NAAQS reviews for criteria pollutants by extending the review time for 5 to 10 years, compounding the negative public health impacts for generations.

In Michigan, if we fail to lower our ground ozone pollution, our seniors with pulmonary disease, asthma, and diabetes will suffer. For our kids who want to explore the outdoors and experience all the Great Lakes have to offer, ozone pollution may increasingly trigger a variety of health problems, including chest pain, coughing, and throat irritation.

Please, my colleagues, do not do this today. Think of the health of Americans.

Mr. SHIMKUS. Mr. Chairman, let me just remind my colleagues that—why 10 years? I mean, that is a good question.

When the 2008 standards came out, it took the administration 7 years, to 2015, to tell people how to even implement the 2008 standards. Then, 3 months later, they say: Oh, no, we are going to have a new standard set at 2015.

So this debate doesn't reduce or roll back. It says, let's let the EPA estab-

lish standards and then give communities time to comply. That is all this bill does.

Mr. Chairman, I yield 3 minutes to the gentleman from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. Mr. Chairman, today the House will vote on a bill addressing the ozone standards issued by the Obama administration.

Look, with the comments you have heard today, we all want clean air. But America has made great strides already. Ozone is down by one-third since 1980.

But the regulations imposed by President Obama in 2015 would cost the economy billions of dollars each year and hamper job growth. In many parts of the country, it is literally impossible to meet the new standards due to the background levels of ozone.

Much of the country, as you just heard the chairman talk about, was still trying to comply with the previous standard when, suddenly, a new level was imposed. This has resulted in confusion and duplication.

The bill that is before us this afternoon provides a commonsense approach. It delays the implementation, but, more importantly, it gives the States flexibility to deal with this issue. It revises the timeframe for changing standards from 5 years to 10 years. That is all. It requires the EPA to consider—very important—the economic and technical feasibility of the new standards.

So, Mr. Chairman, passing this bill today will remove a barrier to economic growth while, at the same time, still protecting our environment.

Mr. TONKO. Mr. Chair, having heard from my friend and colleague from West Virginia, I want to remind my colleagues that the State of West Virginia has 100,000 residents with asthma, including over 18,000 children. So it is weakening vital protections in the Clean Air Act that would put these populations at risk.

Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Chairman, I rise in strong opposition to H.R. 806, better known as the "Smoggy Skies Act."

Because of the Clean Air Act, families have safer air to breathe, fewer emergency room visits, and healthier futures. The bill before us today is a direct attack on that progress, delaying lifesaving protections against ozone pollution.

H.R. 806 will be particularly devastating to children with asthma, the elderly, and people with lung and heart disease. Dirty air remains a public health hazard.

If this bill becomes law, we will be rolling back the Clean Air Act's protections and successes and putting people's health at risk.

The Sacramento region in my district sits in California's Central Valley, which traps pollution from other parts of the State. And despite these chal-

lenges, we have fostered a strong partnership between the Federal Government and Sacramento's local agencies to improve our air quality. But in order for this progress to continue, the EPA must set its clean air requirements at a level that truly protects public health.

The bill before us today would block ozone protections and permanently damage the Clean Air Act. Between this "Smoggy Skies Act" and TrumpCare, Republicans are waging an all-out assault on Americans' health.

I urge my colleagues to oppose this bill and protect the well-being of future generations.

Mr. SHIMKUS. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Chairman, I rise today in strong support of H.R. 806, the Ozone Standards Implementation Act of 2017, introduced by my friend and colleague, PETE OLSON. This bill is necessary to shield States from job-killing mandates and ozone levels proposed by the Obama administration in October of 2015.

Most States are just beginning to adopt the 75 parts per billion ozone standard proposed in 2008, as the EPA didn't announce implementation guidance and a final rule until March 6 of 2015. Rather than allowing time for that standard to be implemented, the Obama administration moved the goalposts and unilaterally sought to dramatically lower the ozone standard once again to 70 parts per billion in October 2015.

Industry analysis projects that more than 950 different counties throughout the country will immediately be in nonattainment under the October 2015, 70 parts per billion standard. To make matters worse, the 70 parts per billion standard is not currently attainable in 9 of 10 counties in Arizona that measure ozone levels.

When pristine national parks like the Grand Canyon, Yosemite, and Rocky Mountain are in danger of being in nonattainment under the proposed Obama standard, there is a serious problem with the numbers.

The Chamber of Commerce has reported that counties classified as in nonattainment can have important permits denied by the EPA and important Federal highway and transportation projects suspended.

The Arizona Chamber Foundation and Prosper Foundation stated: "The EPA's new ozone standard of 70 parts per billion will virtually be impossible for Arizona to meet due to Arizona's high level of background, limited local sources, and unique geography. . . . Implementation of the current rule in Arizona is not reasonable, based in sound science, or achievable."

Tri-State stated: "In order to preserve our co-op-member owners access to affordable and reliable electricity, Tri-State Generation and Transmission Association wholeheartedly supports H.R. 806."

The National Taxpayer Union stated: “The costs are high for States and localities, regardless of whether they achieve attainment . . . jobs and investments will go elsewhere without more feasible, predictable reforms that are present in H.R. 806.”

Even the Obama administration projected in 2010 the unrealistic standard we are debating today would cost our economy between \$19 to \$25 billion annually.

The previous administration also admitted it did not have a clear plan for dealing with background ozone generated by factors outside a State’s control. This means the Obama EPA was literally attempting to punish States for ozone pollution that is created in other States like California, or in Mexico, or even China.

The October 2015 Obama ozone rule will force companies to close their doors and kill countless jobs throughout the country if this bill is not passed.

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

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

As I earlier stated, the State of Arizona has over 660,000 residents with asthma, including 175,000 children; and I just question putting their health at risk with this bill that moves us in the wrong direction.

Mr. Chairman, I include in the RECORD a number of supporting documents. The first is a letter opposing the bill signed by the State Attorneys General of New York, California, Connecticut, Delaware, Illinois, Iowa, Maryland, Massachusetts, New Mexico, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia, and the Acting Secretary of the Pennsylvania Department of Environmental Protection.

APRIL 26, 2017.

Re Opposition to H.R. 806, Ozone Standards Implementation Act of 2017.

Hon. GREG WALDEN, *Chairman*,
Hon. FRANK PALLONE, *Ranking Member*,
Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR REPRESENTATIVE WALDEN AND REPRESENTATIVE PALLONE: We write in opposition to H.R. 806, Ozone Standards Implementation Act of 2017. This bill would not only delay implementation of more protective ozone air quality standards, but, more broadly, would undermine the mandate in the Clean Air Act (Act) that the national ambient air quality standards for ozone and other criteria pollutants be based on up-to-date scientific evidence and focus solely on protecting public health and welfare. As explained below, these measures would be a significant step backward in combatting the dangers of ozone and other criteria pollutants.

Many of our states have struggled for decades with the pervasive problem of ozone pollution. The scientific evidence of harm to public health from ozone pollution is well established, as are the economic consequences. At certain concentration levels, ozone irritates the respiratory system, causing

coughing, wheezing, chest tightness and headaches. People exposed to elevated levels of ozone suffer from lung tissue damage, and aggravation of asthma, bronchitis, heart disease, and emphysema. Children, older adults, people with asthma or other lung diseases, and people who are active outdoors are particularly susceptible to the harmful health effects of ozone. Public health harms also exact an economic toll. For example, increased hospital admissions on bad ozone days increase health care costs borne by states and local governments. Ozone pollution also harms public welfare by damaging trees and reducing crop yields by interfering with the ability of plants to produce and store food and making them more susceptible to disease, insect pests, and other stressors. Ozone can also inhibit the ability of plants and trees to mitigate harms from climate change.

To protect against these and other adverse impacts and “to promote the public health and welfare and the productive capacity of its population,” the Act aims “to protect and enhance the quality of the Nation’s air resources.” 42 U.S.C. §7401(b)(1). To achieve this goal, the Act requires EPA to adopt primary standards for certain criteria pollutants, such as ozone, at a level that protects public health with an “adequate margin of safety.” 42 U.S.C. §7409(b)(1). The Act also requires EPA to adopt secondary standards at a level that protects the public welfare from “any known or anticipated adverse effects.” 42 U.S.C. §7409(b)(2). The Act mandates that EPA review the air quality standards for each criteria pollutant every five years and revise the standards as advances in science warrant. As Justice Scalia explained for a unanimous Supreme Court, EPA’s review must set the primary and secondary standards based on the scientific evidence, and may not consider implementation costs or other economic consequences. *Whitman v. Am. Trucking Ass’n*, 531 U.S. 457, 465 (2001). Rather, implementation decisions are a matter for states, which are empowered to evaluate the costs and co-benefits of potential implementation strategies and determine, in light of those costs and co-benefits, which strategies are most suitable for them. See *Union Elec. Corp. v. EPA*, 427 U.S. 246, 266 (1976).

To ensure that our residents and natural resources enjoy the benefits of the clean air that the statute demands, our offices have advocated in rulemakings and litigation that EPA set standards that protect public health and welfare with an adequate margin of safety, as the Act requires. E.g., *Mississippi v. EPA*, 744 F.3d 1334 (D.C. Cir. 2013) (State petitioners, including New York, California, Connecticut, Delaware, Illinois, Maryland, Massachusetts, New Mexico, Oregon, Rhode Island, and the District of Columbia, successfully argued for remand of secondary ozone standards); *American Farm Bureau Fed. v. EPA*, 559 F.3d 512 (D.C. Cir. 2009) (State petitioners and amici, including New York, California, Connecticut, Delaware, Illinois, Maryland, Massachusetts, New Mexico, Oregon, Pennsylvania Department of Environmental Protection, Rhode Island, and the District of Columbia, successfully argued for remand of primary fine particulate matter standards); *Murray Energy v. EPA* (D.C. Cir. 15–1385) (State amici, including California Air Resources Board, Delaware Department of Natural Resources, Massachusetts, New York, Rhode Island, Vermont, and the District of Columbia, filed a brief supporting the 2015 primary ozone standard against attempts to weaken it).

The ozone rule promulgated by EPA in 2015 strengthened the primary standard of 75 parts per billion (ppb) to 70 ppb. 80 Fed. Reg. 65,292 (Oct. 26, 2015). This level was at the

high end (i.e., less stringent) of the 65–70 ppb range that EPA proposed in 2014. EPA’s independent science advisors, the Clean Air Scientific Advisory Committee, cautioned that this level may offer little margin of safety, particularly for sensitive subpopulations. Therefore, in comments on the proposal, several of our states urged EPA to adopt a primary standard lower than 70 ppb to protect public health with an adequate margin of safety. However, even tightening the standard from 75 ppb to 70 ppb will result in important public health benefits. For example, EPA conservatively estimated that meeting the 70 ppb standard nationally (not including California) will result in net annual public health benefits of up to \$4.5 billion starting in 2025. These national benefits include preventing approximately: 316 to 660 premature deaths; 230,000 asthma attacks in children; 160,000 missed school days; 28,000 missed work days; 630 asthma-related emergency room visits; and 340 cases of acute bronchitis in children.

Under current law, states will develop and submit their own plans to attain the 2015 standard by 2020 or 2021. But H.R. 806 would delay this deadline until October 2026 and delay other similarly related deadlines, postponing even further the life-saving benefits of attaining clean air. The bill should be rejected on these grounds alone.

In addition, H.R. 806 would undermine the protection of health and welfare from the dangers of all criteria air pollutants by weakening the national ambient air quality standards process for updating standards based on the most recent scientific evidence. Instead of requiring that standards be reviewed—and as necessary, revised—every five years based on the latest scientific evidence on the harms to public health and welfare from exposure to criteria pollutants, H.R. 806 would require updates only once a decade.

The bill would also eliminate the Act’s requirement that air quality standards be set solely based on adequate protection of public health and welfare. Specifically, the bill would authorize the EPA Administrator to also consider “likely technological feasibility” in establishing primary and secondary standards. This provision appears designed to allow EPA to weaken standards nationwide if it thinks a single area might be incapable of meeting them. But if that were ever the case, the Act already provides relief mechanisms for the affected area. In addition, the bill undermines the Act’s existing protections by creating a loophole that allows EPA to treat hot or dry weather as an “exceptional event” excusing an area’s non-attainment.

Finally, the bill appears to be based on a misunderstanding of the Act’s balance between federal and state authority. The bill directs EPA to cherry-pick hypothetical state implementation strategies and only evaluate their adverse side-effects, and, potentially, use that evaluation to weaken ambient air quality standards. But EPA cannot know at the time it sets standards what strategies states will choose, or how individual states will value their beneficial side-effects. Those considerations should remain separate from the standard-setting process.

In summary, ozone pollution remains a serious and persistent problem for our nation, posing a particular risk to the health of children, the elderly and the sick, as well as individuals who spend time outdoors. Because H.R. 806 would represent a significant step backward in combatting ozone and other dangerous criteria pollutants, we urge you to

oppose the bill. Thank you for your attention to this critical matter.

Sincerely,

Eric T. Schneiderman, Attorney General of New York, Lemuel Srolovic, Chief, Environmental Protection Bureau, Michael J. Myers, Assistant Attorney General, Environmental Protection Bureau.

Xavier Becerra, Attorney General of California, David A. Zonana, Supervising Deputy Attorney General, Jonathan Wiener, Deputy Attorney General.

George Jepsen, Attorney General of Connecticut, Matthew I. Levine, Kirsten S.P. Rigney, Scott N. Koschwitz, Assistant Attorneys General, Office of the Attorney General.

Matthew P. Denn, Attorney General of Delaware, Ralph K. Durstein, III, Valerie S. Edge, Deputy Attorneys General, Delaware Department of Justice.

Lisa Madigan, Attorney General of Illinois, Matthew J. Dunn, Gerald T. Karr, James P. Gignac, Assistant Attorneys General, Environmental Enforcement Division.

Thomas J. Miller, Attorney General of Iowa, Jacob Larson, Assistant Attorney General.

Brian Frosh, Attorney General of Maryland, Roberta R. James, Assistant Attorney General.

Maura Healey, Attorney General of Massachusetts, Christophe Courchesne, Chief, Carol Iancu, Assistant Attorneys General, Environmental Protection Division, Office of the Attorney General.

Hector Balderas, Attorney General of New Mexico, Bill Grantham, Assistant Attorney General.

Ellen F. Rosenblum, Attorney General of Oregon, Paul Garrahan, Attorney-in-Charge, Natural Resources Section, Oregon Department of Justice.

Josh Shapiro, Attorney General of Pennsylvania, Office of the Attorney General.

Patrick McDonnell, Acting Secretary, Pennsylvania Department of Environmental Protection.

Peter Kilmartin, Attorney General of Rhode Island, Gregory S. Schultz, Assistant Attorney General.

Thomas J. Donovan, Jr., Attorney General of Vermont, Nicholas F. Persampieri, Assistant Attorney General.

Mark Herring, Attorney General of Virginia, John W. Daniel, II, Deputy Attorney General, Matthew L. Gooch, Assistant Attorney General, Environmental Section.

Bob Ferguson, Attorney General of Washington, Katharine G. Shirey, Assistant Attorney General.

Karl A. Racine, Attorney General for the District of Columbia.

Mr. TONKO, Mr. Chairman, the second document I include in the RECORD is a letter from the Commissioner of the New York State Department of Environmental Conservation, again, opposing the bill.

OFFICE OF THE COMMISSIONER, NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION,

Albany, NY.

Re H.R. 806, Ozone Standards Implementation Act of 2017.

Hon. JOHN SHIMKUS, Chairman, Subcommittee on the Environment, Committee on Energy and Commerce, House of Representatives, Washington, DC.

Hon. PAUL D. TONKO, Ranking Member, Subcommittee on the Environment, Committee on Energy and Commerce, House of Representatives, Washington, DC.

DEAR HONORABLE CHAIR SHIMKUS AND REPRESENTATIVE TONKO: The State of New York strongly opposes the "Ozone Standards Implementation Act of 2017," which will sub-

stantially harm public health to the detriment of New Yorkers and residents of many other states. The proposed bill would restrict the efficacy of the Clean Air Act in a way that would delay implementation of critical health-based standards for protecting the public from harmful ground-level ozone and other dangerous air pollutants. The result of this proposed bill would be the significant postponement of health and environmental benefits for nearly a decade, inevitably resulting in increased illness and deaths from air pollution.

INTRODUCTION

The Clean Air Act ("Act") addresses the critically important issue of protecting the health and welfare of all Americans from excessive levels of air pollution. It establishes a federal-state partnership under which EPA, informed by established science, sets National Ambient Air Quality Standards (NAAQS) at a level necessary to protect public health, and states develop and implement plans for achieving those standards. This collaborative process has significantly reduced pollutant concentrations to the great benefit of the public. Importantly, the process provided by the sections 109 and 110 of the Act recognizes that air pollution knows no boundaries and that air quality in many states, including New York, is impacted by emissions from sources located upwind.

Section 109 of the Act ensures that implementation of the Act is guided by established science; it charges the Clean Air Scientific Advisory Committee (CASAC) with reviewing the latest "state of the science" relating to public and environmental health, and conveying its findings to the Administrator. Based on that information, the Administrator establishes the NAAQS at a level necessary to protect public health within a reasonable margin of safety. Under Section 110 of the Act, States then develop plans to achieve air quality that meets the standard in those areas that do not meet the standard, known as "nonattainment" areas.

In its latest review, CASAC determined that the existing 2008 ozone NAAQS was insufficiently protective of public health, particularly for at-risk groups including children, older adults, people of all ages who have lung diseases such as asthma, and people who are active outdoors. Based on CASAC's scientific findings, EPA determined that implementing the 2015 ozone NAAQS would help prevent a range of harmful health effects each year, including 320 to 660 premature deaths; 230,000 asthma attacks in children; 160,000 days when kids miss school; 28,000 missed work days; 630 asthma-related emergency room visits; and 340 cases of acute bronchitis in children. EPA has identified additional serious health threats from ozone including cardiovascular disease (e.g., heart attacks, strokes, heart disease, congestive heart failure); potential harm to the central nervous system; and potential reproductive and developmental harm. The health benefits from meeting the 2015 ozone NAAQS exceed the costs of controls by 2 to 4 times.

Like many other states, New York strongly supported EPA's strengthening of the ozone NAAQS in 2015. This support comes even though New York faces a substantial burden of achieving ozone attainment in the New York City metropolitan area. This burden, however, is outweighed by the need to address the serious public health impacts. In New York City, approximately 1 in 10 emergency room visits for asthma are attributable to ozone pollution. Rather than seek to delay its ozone attainment efforts, New York strives to bring the New York City metropolitan area into attainment as expeditiously as possible, in order to provide its residents with cleaner and more healthful air to breathe.

DELAYING PUBLIC HEALTH BENEFITS OF THE 2015 OZONE NAAQS

The proposed legislation would harm public health by delaying the implementation of the 2015 ozone NAAQS (and its corresponding health benefits) for eight years and further postponing any future standard for several years beyond when they are necessary. Current law requires EPA to designate states under the 2015 ozone NAAQS according to their monitored air quality by October 2017, and states not meeting the standards would have a number of years to reach compliance proportional to the severity of their ozone problems. However, this legislation would defer action so that designations would not be made until October 2025, thus postponing even the beginning of planning efforts until after attainment would otherwise have been achieved under the current structure of the Act. For New Yorkers and other Americans, this would result in a substantial delay in their ability to breathe clean and healthful air.

Even worse, this proposed bill compounds this public health harm by allowing the construction of new power plants and factories without considering their impact on a region's ability to achieve compliance with the NAAQS. Under current law, such new and modified facilities located in areas designated nonattainment are subject to a control technology review under the Clean Air Act's nonattainment new source review program, which requires a demonstration of control technology that would consider the "lowest achievable emission rate," resulting in the most stringent emission limit for a certain source class. This bill would eliminate these new source reviews, which are critical for advancing a nonattainment area toward NAAQS compliance.

Together, these aspects of the legislation will have even worse additional adverse impacts on states like New York that are victimized by upwind air pollution. First, this legislation will impair New York's relief from ozone transport from upwind locations. EPA modeling indicates that between 75% and 94% of the ozone in the New York City metropolitan area comes from sources outside of New York. Although New York will continue actions to reduce emission of ozone precursors, it cannot achieve healthful ozone levels without a substantial reduction in emissions from states located upwind, which are responsible for most of New York's ozone levels. Many of these states encompass areas that are currently monitoring as nonattainment, and these areas would have to achieve emission reductions under current law if designated nonattainment. Postponing a nonattainment designation for the New York City metropolitan area will have the unacceptable effect of postponing the "good neighbor" obligation of upwind areas to reduce their significant contribution to New York's nonattainment until sometime after the nonattainment designation.

Moreover, postponing compliance with nonattainment New Source Review in areas that would otherwise be designated as nonattainment with the ozone NAAQS establishes an inequitable outcome for New York and other states that have already been designated nonattainment. Under this proposed bill, new industrial facilities in areas currently designated nonattainment with the 2008 ozone NAAQS or in the Ozone Transport Region—including all of New York—will have to comply with nonattainment NSR requirements, yet facilities located in regions with comparable or worse air quality and much higher emissions will not have to do so for a decade or more. As such, states that would otherwise be designated nonattainment would gain an unfair advantage in attracting business development under this bill.

DELAYING PUBLIC HEALTH BENEFITS FROM
REDUCING OTHER CRITERIA POLLUTANTS

Aside from ozone, provisions of this proposed bill would affect future NAAQS reviews for all criteria pollutants, thus compounding negative public health impacts. For example, the bill would irresponsibly extend the NAAQS review time from five years to ten for all criteria pollutants. Retaining the five-year review schedule ensures that the Administrator reviews the relevant state of the science while it is timely and germane. Health science moves quickly; by the time one NAAQS revision is reaching completion, other pertinent clinical studies are being published.

This proposed bill weakens public health protection by making cost and technological feasibility larger factors in the establishment and implementation of NAAQS. The Supreme Court has already upheld the notion that the consideration of costs has no place in the setting of a NAAQS (*Whitman v. American Trucking Associations, Inc.*, 2001). Instead, questions of technological and economic feasibility are considered at the stage of implementing the NAAQS. For example, the Act's nonattainment area classifications recognize that areas with more difficult ozone pollution problems require more time to comply. Unfortunately, Section 3(b) of the proposed bill would change the long-standing practice of how an Administrator determines the NAAQS by allowing him or her to analyze, as a secondary consideration, the likely technological feasibility of a revised NAAQS. Section 3(c) would expand CASAC's role to providing advice to the Administrator on adverse economic effects (among others) prior to the setting of the NAAQS. Taken together, these proposed revisions would have the effect that NAAQS would no longer be set at levels that are protective of public health and welfare.

Finally, the proposed bill unnecessarily redefines ordinary expected conditions as "exceptional events" that need not be considered by a state in demonstrating attainment. The intent of the "extraordinary event" exception is to allow a state to discount NAAQS exceedances that result from one-time, unpredictable, and uncontrollable events such as wildfires. The proposal, however, would allow commonplace conditions such as stagnant air masses and "meteorological event[s] involving high temperatures or lack of precipitation" to be considered exceptional. In their ozone planning, states should anticipate these conditions, which are expected to occur each year and promote the formation of ozone when public health is at the greatest risk.

We also disagree with the proposal to allow sources to avoid nonattainment new source review until release of the implementation guidance. EPA's delay in issuing guidance should not be an excuse to allow new sources in nonattainment areas to contribute to further air quality degradation. In addition, the bill's reduction of the time allotted for states to formulate and submit attainment plans from the current three years to one year reflects a misunderstanding of the laborious process for developing these plans.

CONCLUSION

The Clean Air Act is a bipartisan success story. Citizens across the country have benefited from the Act's clean air requirements over the last few decades. People can breathe easier due to the clean air standards that have resulted from rigorous reviews that are guided by the latest scientific evidence. Passage of this proposed bill would deprive the American people of those benefits, worsen air quality and harm public health substantially.

Sincerely,

BASIL SEGGOS.

Mr. TONKO. Mr. Chairman, the third document I include in the RECORD is a letter signed by 15 medical and public health organizations, again, opposing the bill.

JULY 17, 2017.

DEAR REPRESENTATIVE: Clean air is fundamental for good health, and the Clean Air Act promises all Americans air that is safe to breathe. The undersigned public health and medical organizations urge you to oppose H.R. 806, the so-called "Ozone Standards Implementation Act of 2017." A more fitting name for this legislation would be the "Smoggy Skies Act," as it delays lifesaving standards to reduce ozone pollution, or smog, and permanently weakens the Clean Air Act.

Clear, up-to-date, scientific evidence documented the need for greater protection from ozone pollution, and drove the stronger limit on ozone that the U.S. Environmental Protection Agency (EPA) finalized in 2015. To meet the updated standard, the states have clear authority and plenty of time to plan and then work to reduce pollution under the Clean Air Act's long-established, balanced implementation timeline. Despite those facts, the Smoggy Skies Act imposes additional delays and sweeping changes that will threaten health, particularly the health of children, seniors and people with chronic disease.

The Smoggy Skies Act also reaches far beyond implementation of the current ozone standards. It permanently weakens the Clean Air Act and future air pollution health standards for all criteria pollutants. Specifically, the Smoggy Skies Act weakens implementation and enforcement of all lifesaving air pollution health standards, including those for carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, and sulfur dioxide. It would also permanently undermine the Clean Air Act as a public health law.

The Clean Air Act requires that EPA review the science on the health impacts of carbon monoxide, lead, nitrogen dioxide, ozone, particulate matter, and sulfur dioxide air pollutants every five years and update these national ambient air quality standards according to the current science. The Smoggy Skies Act would lengthen the review period of the air pollution health standards from once every five years to once every ten years for all criteria pollutants. As the science continues to evolve, the public deserves that their protections be based on the most up-to-date science, certainly not a schedule that is twice as long as they currently have under the law. The work that EPA and states do to clean up air pollution should be based on the best and most current science.

Emerging research adds crucial information to our understanding of the impacts that air pollution has on human health, and EPA should not have to wait a decade to incorporate it. For example, on March 29, 2016, a newly published study, *Particulate Matter Exposure and Preterm Birth: Estimates of U.S. Attributable Burden and Economic Costs* showed new information linking particulate air pollution to nearly 16,000 preterm births per year. Under the Smoggy Skies Act, EPA would have to wait as much as a decade to consider such new evidence when setting standards. Ten years is far too long to wait to protect public health from levels of pollution that the science shows are dangerous or for EPA to consider new information.

In the 2015 review of the ozone standard, EPA examined an extensive body of scientific evidence demonstrating that ozone inflames the lungs, causing asthma attacks

and resulting in emergency room visits, hospitalizations, and premature deaths. A growing body of research indicates that ozone may also lead to central nervous system harm and may harm developing fetuses. In response to the evidence, EPA updated the ozone standards. While many of our organizations called for a more protective level, there is no doubt that the updated, 70 parts per billion standard provides greater health protections compared to the previous standard.

The Smoggy Skies Act would delay implementation of these more protective air pollution standards for at least eight years. This means eight years of illnesses and premature deaths that could have been avoided. Parents will not be told the truth about pollution in their community and states and EPA will not work to curb pollution to meet the new standards. The public has a fundamental right to know when pollution in the air they breathe or the water they drink threatens health, and Congress must not add eight years of delay to health protections and cleanup.

Furthermore, the American public overwhelmingly supports upholding these more protective limits on ozone. A 2017 poll found that by a 2-to-1 margin, Americans believe Congress should leave EPA's updated standards in place, showing clear public opposition to the Smoggy Skies Act.

The Smoggy Skies Act would also permanently weaken implementation of the 2015 and future ozone standards. The Act would delay implementation to a date when the evidence shows that most states would meet the standard with cleanup measures already in place. It would also reduce requirements for areas with the most dangerous levels of ozone. Areas classified as being in "extreme nonattainment" of the standard would no longer need to write plans that include additional contingency measures if their initial plans fail to provide the expected pollution reductions. The Clean Air Act prioritizes reducing air pollution to protect the public's health, but the Smoggy Skies Act opens a new opportunity for communities to avoid cleaning up, irrespective of the health impacts.

Further, the bill would greatly expand the definition of an exceptional event. Under the Clean Air Act, communities can demonstrate to EPA that an exceptional event, such as a wildfire, should not "count" in determining whether their air quality meets the national standards. This bill would recklessly expand the definition of exceptional events to include high pollution days when the air is simply stagnant—the precise air pollution episodes the Clean Air Act was designed to combat—and declare those bad air days as "exceptional." Changing the accounting rules will undermine health protection and avoid pollution cleanup.

Additionally, the bill would permanently weaken the Clean Air Act. The Clean Air Act is one of our nation's premier public health laws because it puts health first. The Act has a two-step process: first, EPA considers scientific evidence to decide how much air pollution is safe to breathe and sets the standard that is requisite to protect public health with an adequate margin of safety. Then, states work with EPA to develop a plan to clean up air pollution to meet the standard. Cost and feasibility are fully considered in the second phase during implementation of the standard.

This bill states that if EPA finds that "a range of levels" of an air pollutant protect public health with an adequate margin of safety, then EPA may consider technological feasibility in choosing a limit within that

range. Further, the bill would interject implementation considerations, including projections of adverse economic and energy effects, into the standard setting process. These changes will permanently weaken the core health-based premise of the Clean Air Act—protecting the public from known health effects of air pollution with a margin of safety.

These changes would reverse the intention of the Clean Air Act explicitly included by its bipartisan authors in Congress: that basing the standard on the protection of public health would push technology to develop new tools and techniques to reduce emissions. They understood that pushing the cleanup technology to meet the urgent need to protect health would help to expand job development and growth. They were correct, as the emission control industry today has helped the nation meet stronger standards in creative, cost-effective ways.

The text also explicitly states that the Smoggy Skies Act does not authorize any additional funds to be appropriated to EPA for its work carrying out the bill's provisions. Forcing EPA to perform the additional work of implementing this bill with no additional resources could put the agency's current, lifesaving work at further risk.

Finally, an amendment adopted in committee would eliminate key enforcement provisions under the Clean Air Act. As amended, the bill could perpetuate poor air quality in communities with the highest pollution levels indefinitely. The provision waives the obligation for states with areas heavily polluted by ozone or particulate matter to write effective plans to attain the health standards. Currently, if an area with unhealthy air fails to write an adequate plan to meet air pollution standards, EPA can impose sanctions. Because that enforcement provision exists, EPA has almost never needed to use it—states wrote effective plans. As amended, the Smoggy Skies Act would bar EPA from using this key enforcement tool for especially polluted areas, essentially eliminating the obligation for states to write a meaningful pollution cleanup plan that can demonstrate meeting the health standards.

The Smoggy Skies Act is a sweeping attack on lifesaving standards that protect public health from air pollution. This bill is an extreme attempt to undermine our nation's proven clean air health protections. Not only does it delay the long-overdue updated ozone standards and weaken their implementation and enforcement, it also permanently weakens the health protections against many dangerous air pollutants and the scientific basis of Clean Air Act standards.

Please prioritize the health of your constituents and vote NO on the Smoggy Skies Act.

Sincerely,

Allergy & Asthma Network
Alliance of Nurses for Healthy Environments
American Academy of Pediatrics
American Lung Association
American Public Health Association
American Thoracic Society
Asthma and Allergy Foundation of America
Center for Climate Change and Health
Children's Environmental Health Network
Health Care Without Harm
National Association of County & City Health Officials
National Environmental Health Association
National Medical Association
Physicians for Social Responsibility
Trust for America's Health.

Mr. TONKO. Finally, Mr. Chairman, I include a letter signed by 121 environmental and other groups opposing the bill.

MARCH 21, 2017.

DEAR SENATOR/REPRESENTATIVE, on behalf of our millions of members, the undersigned 121 organizations urge you to oppose the "Ozone Standards Implementation Act" (H.R. 806, S. 263). The innocuous-sounding name is misleading: this legislation would actually systematically weaken the Clean Air Act without a single improvement, undermine Americans' 46-year right to healthy air based on medical science, and delay lifesaving health standards already years overdue.

This bill's vision of "Ozone Standards Implementation" eliminates health benefits and the right to truly safe air that Americans enjoy under today's law. First, the legislation would delay for ten years the right to safer air quality, and even the simple right to know if the air is safe to breathe. Corporations applying for air pollution permits would be free to ignore new ground-level ozone (aka smog) health standards during these additional ten years. For the first time the largest sources of air pollution would be allowed to exceed health standards. The bill would also outright excuse the parts of the country suffering the worst smog pollution from having backup plans if they do not reduce pollution. The most polluted parts of the country should not stop doing everything they can to protect their citizens' health and environment by cleaning up smog pollution.

This bill is not content to merely weaken and delay reductions in smog pollution. It also strikes at our core right to clean air based on health and medical science. The medically-based health standards that the law has been founded on for 46 years instead could become a political football weakened by polluter compliance costs. This could well result in communities being exposed to unhealthy levels of smog and soot and sulfur dioxide and even toxic lead pollution. The bill would also double the law's five-year review periods for recognizing the latest science and updating health standards, which are already frequently years late; this means in practice that unhealthy air would persist for longer than ten years.

The legislation also weakens implementation of current clean air health standards. The bill expands exemptions for "exceptional events" that are not counted towards compliance with health standards for air quality, even when air pollution levels are unsafe. This will mean more unsafe air more often, with no responsibility to clean it up. Requirements meant to ensure progress toward reducing smog and soot pollution would shift from focusing on public health and achievability to economic costs. Despite the bland name "Ozone Standards Implementation Act," this bill represents an extreme attack on the most fundamental safeguards and rights in the Clean Air Act.

Since 1970, the Federal Clean Air Act has been organized around one governing principle—that the EPA must set health standards based on medical science for dangerous air pollution, including smog, soot and lead, that protect all Americans, with "an adequate margin of safety" for vulnerable populations like children, the elderly and asthmatics. This legislation eviscerates that principle and protection. We urge you to oppose H.R. 806 and S. 263, to protect our families and Americans' rights to clean air.

Sincerely,

350KC; 350 Loudoun; Alaska Community Action on Toxics; Alton Area Cluster UCM (United Congregations of Metro-East); Brentwood House; California Latino Business Institute; Center for Biological Diversity; Central Valley Air Quality (CVAQ) Coalition; Chesapeake Physicians for Social Responsibility; Chicago Physicians for Social Responsibility.

Citizens for Clean Air; Clean Air Watch; Clean Water Action; Cleveland Environmental Action Network; Climate Action Alliance of the Valley; Connecticut League of Conservation Voters; Conservation Voters for Idaho; Conservation Voters of South Carolina; Dakota Resource Council; Earth Day Network; Earthjustice; Earthworks; Environment Iowa; Environment America.

Environment Arizona; Environment California; Environment Colorado; Environment Connecticut; Environment Florida; Environment Georgia; Environment Illinois; Environment Maine; Environment Maryland; Environment Massachusetts; Environment Michigan; Environment Minnesota; Environment Missouri; Environment Montana; Environment Nevada; Environment New Hampshire; Environment New Jersey; Environment New Mexico; Environment North Carolina.

Environment Ohio; Environment Oregon; Environment Rhode Island; Environment Texas; Environment Virginia; Environment Washington; Environmental Defense Action Fund; Environmental Entrepreneurs (E2); Environmental Law & Policy Center; Ethical Society of St. Louis; Faith Alliance for Climate Solutions; Florida Conservation Voters; Fort Collins Sustainability Group; Gasp; GreenLatinos.

Health Care Without Harm; Iowa Interfaith Power & Light; Jean-Michel Cousteau's Ocean Futures Society; KyotoUSA; Labadie Environmental Organization (LEO); Latino Donor Collaborative; League of Conservation Voters; League of Women Voters; Maine Conservation Voters; Maryland League of Conservation Voters; Michigan League of Conservation Voters; Moms Clean Air Force; Montana Conservation Voters Education Fund.

Montana Environmental Information Center; National Parks Conservation Association; Natural Resources Defense Council; NC League of Conservation Voters; Nevada Conservation League; New Mexico Environmental Law Center; New York League of Conservation Voters; Northern Plains Resource Council; OEC Action Fund; Ohio Organizing Collaborative, Communities United for Responsible Energy; Oregon League of Conservation Voters; Partnership for Policy Integrity; PennEnvironment.

People Demanding Action, Tucson Chapter; Physicians for Social Responsibility; Physicians for Social Responsibility, Maine Chapter; Physicians for Social Responsibility, Los Angeles Chapter; Physicians for Social Responsibility, Arizona Chapter; Physicians for Social Responsibility, SF Bay Area Chapter; Physicians for Social Responsibility, Tennessee Chapter; Physicians for Social Responsibility, Wisconsin Chapter; Powder River Basin Resource Council; Public Citizen; Public Citizen's Texas Office; RVA Interfaith Climate Justice Team; Safe Climate Campaign; San Juan Citizens Alliance; Sierra Club.

Southern Environmental Law Center; Texas Campaign for the Environment; Texas Environmental Justice Advocacy Services; Texas League of Conservation Voters; The Environmental Justice Center at Chestnut Hills United Church; Trust for America's Health; Union of Concerned Scientists; Utah Physicians for a Healthy Environment; Valley Watch; Virginia Organizing; Virginia Interfaith Power & Light; Voces Verdes; Voices for Progress; Washington Conservation Voters; WE ACT for Environmental Justice; Western Colorado Congress; Western Organization of Resource Councils; Wisconsin Environmental Health Network; Wisconsin League of Conservation Voters; Wisconsin Environment; Wyoming Outdoor Council.

□ 1515

Mr. TONKO. Mr. Chair, I yield 3 minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Chair, I want to thank the gentleman for yielding.

Mr. Chair, for the folks who might be watching this today, I think it is important to understand that bad ozone causes a whole lot of health problems—things like making it difficult to breathe deeply. It can aggravate your emphysema. It can cause a sore and scratchy throat. It can aggravate lung diseases like asthma, emphysema, and bronchitis. And it is actually associated with asthma attacks, as I mentioned, and it can cause very serious obstructive pulmonary disease. It is a bad thing, it is dangerous, and it hurts people.

In the Obama administration, we tried to pass some standards to say that companies that emit the polluting substances have to comply with certain air standards to make sure that people don't suffer these nasty health effects.

What is going on today with H.R. 806 is that the Republicans are going to say: No, they don't have to implement right away. They have got a lot more time, years, before they actually have to comply with these air standards.

So what they are saying is that industries that pollute don't have to take the measures that they would need to take that will cost them money—yes, they will—in order to protect the public's health. They are saying that their money and the profits of their shareholders are more important than the lungs of our kids.

You are going to hear them say all this stuff about jobs, jobs. Please. This is not about jobs. This is about money. This is about profitability from polluting industries that don't want to spend the money to protect the public's health. That is what this is about. That is what we are talking about.

They always say: You can have a job, or you can breathe, but you can't do both. That is what our friends say. You can breathe, but then you won't have a job; or you can have a job, but then you can't breathe.

The fact is, they want to send us to work with gas masks on, and it is wrong. We as a people deserve to breathe. Our kids deserve to breathe. Our seniors deserve to breathe. If it costs a company a little bit more to make sure the air that we have is breathable, then they should spend that money. I believe that they should, because when you look at the health costs on the other side, they are astronomical. What does it cost to lose a loved one dying from an asthma attack or bronchitis or obstructive pulmonary disease? What does it cost a family in terms of not just treasure but heartache when they have their loved ones hooked up to a bunch of machines and wires because they are undergoing a respiratory attack? That is the cost. That is the true cost that we have to consider, Mr. Chair.

The real cost here is not this mythical jobs thing that they say. The real cost they are talking about is profitability, but the true cost to society is our health. Do you really want to see missed days of school, missed days of work? Do you really want to see more people incurring medical bills because of the failure of industry to protect our health when they are taking that stuff that they are spitting out of their smokestacks and putting it into the sky that we all have to breathe?

Mr. Chair, it is time to say “no” to H.R. 806. No.

The Acting CHAIR (Mr. BRIDENSTINE). The time of the gentleman has expired.

Mr. SHIMKUS. Mr. Chairman, let me just remind folks that what is going on here is that we have a 2008 standard that we were told 7 years afterwards: Here is how you comply.

That same year, we get new standards saying: Oh, no, no, no. You have got new standards lower than what it took us 7 years to define.

That is really the debate. We are not eliminating standards, we are not rolling back standards, we are just saying: Give us a break. Give us time to comply with the 2008 standards before you even force down the 2015 standards. Nothing in this bill rolls back either of those standards.

Mr. Chairman, I yield 2 minutes to my colleague from South Carolina (Mr. SANFORD).

Mr. SANFORD. Mr. Chair, I thank my colleague from Illinois for his hard work, and I thank Mr. OLSON for his hard work. They have worked, I think, tirelessly and in an awfully well-intended way to craft a balance between the different competing points of view on this whole issue of ozone.

I know that he is concerned about people's health. I know that he is concerned about the environment. But on this particular issue, I am going to respectfully disagree and agree with my Democratic colleagues to say that I think that the time to act is now, because at some point there becomes the question: If not now, then when? At some point, delay moves to the point of obstruction of moving forward on an idea that has had its different wrinkles, in fairness to my colleague from Illinois. But at some point, you have to act.

Given the fact that people's health does hang in the balance, given the fact that there are another 2,000 cases a day of asthma that are protracted, we need to have a bias for action. I think it is a time for action.

I think it is reasonable. Moving from 75 to 70 parts per billion is not exactly a gargantuan change, given what is at play with regard to health. And finally, simply, I believe it fits with the conservative philosophy that I believe in. The conservative philosophy says that my rights end when they begin to infringe upon yours.

This notion of privatizing gain and offsetting costs to the public is some-

thing I think we always have to watch out for when we talk about this notion of free markets and having them truly work.

I, as a boy, grew up down the creek from a place called Campbell Creek, and there was a chemical plant that ended up dumping some stuff in the creek. It turned out not to be so good. It made a lasting impression on me as a boy. They were externalizing their costs, but they were internalizing their profits.

Mr. Chair, I think we need to be true to that theme whether we are talking about air or water or anything else. I think that this bill fits under that larger description. For that reason, I do say, with all due respect for the hard work that has been done, that it is time to act on this particular bill.

Mr. TONKO. Mr. Chair, two points on the review and the standards. Certainly not every review would require a change in standards, and I think that needs to be made clear here. When we talk about the difficulty of having to respond or achieve the standards that have been established and then they go stronger, well, on your way to 70 parts per billion, you are going to be moving through 75 parts per billion as you reduce those particulates that get emitted into our air. It is only logical that you could move along and continue to improve those standards.

This is about maintaining a quality of life, enhancing a quality of life, cutting into, for public health policy purposes, the devastating impacts of air pollutants and their relation to our public health.

Mr. Chair, I yield 3 minutes to the gentlewoman from California (Ms. BARRAGÁN).

Ms. BARRAGÁN. Mr. Chair, I rise today in opposition to the “Smoggy Skies Act,” a bill that would effectively gut the Clean Water Act.

I represent one of the most heavily polluted districts in California. As a matter of fact, sometimes kids in my district walk around with inhalers around their necks.

When I was a kid, my father had a home next to the freeway, and I first thought it was a great place to live because it was conveniently by the freeway, and what I later learned about air pollution and smog and the ozone layer, I knew it was not a good thing. When I see kids in my district walk around with inhalers, it just breaks my heart.

Every day, many of my constituents, people of color and low income, are surrounded by oil refineries, major highways, and industrial activities. These activities generate ozone pollution, the key ingredient for smog. It is dangerous. It is deadly.

Since 1970, the Clean Air Act has reduced the ozone in our air, protecting Americans against health problems, including asthma and heart attacks, shortness of breath, low birth weight, and premature death. Clean air is a good investment. The benefits of a

healthy environment pay off in worker productivity and longevity. Unhealthy people can't work or go to school, which is also a problem in my district where only 10 percent of students go on to college.

Oftentimes, it is a cycle. They are outside, they breathe in the dirty air, they get sick, they have asthma, they have to go to the doctor, and they miss school. That is only contributing to the low graduation rates that we are seeing happen in my district.

Smog is not only harmful to health, I think it is harmful especially in young children, in our seniors, and in some of our most vulnerable communities.

Over a third of the U.S. population lives in areas with unhealthy ozone levels—areas that would have to clean up the air under the new and improved 2015 ozone standards.

The "Smoggy Skies Act" is the latest in a series of congressional attempts to gut the Clean Air Act and block or delay lifesaving standards and protection.

Mr. Chair, I urge my colleagues to vote "no" on H.R. 806, the "Smoggy Skies Act."

Mr. SHIMKUS. Mr. Chair, I yield 1 minute to the gentleman from California (Mr. MCCARTHY), the majority leader of the House.

Mr. MCCARTHY. Mr. Chair, I thank the gentleman for yielding me time and for his work.

Mr. Chair, when you drive up north through and past my district in California, you go through some amazing places—Sequoia National Park, Kings Canyon, then right on over to Yosemite. These are beautiful places. American treasures. You don't have to go far off the road to feel like you are remote and completely surrounded by the peacefulness of nature.

I have had my troubles with the EPA—regulatory cap and trade, waters of the U.S. rule. They are a couple that come to mind. But I do think and believe there is a purpose to ozone standards that clean up our air and make our communities healthier.

Yet the latest ozone and particulate matter regulations are so severe and divorced from reality that even the national parks like Sequoia, Kings Canyon, and Yosemite may not be clean enough. If such pristine nature isn't clean, nothing can be.

The problem is that the EPA sets new standards before we reach the old ones, and even before we have the technology to reach the new standards, the only result will be failure.

California's Central Valley faces many disadvantages with air quality. We have prevailing winds from the north to send us pollution from San Francisco, and because of our topography, it traps it all in. But we have made some amazing progress. Good days, when ozone isn't a problem, are up 144 percent since 2002. Unhealthy ones are down over 75 percent in the same period. You see similar trends in particulate matter as well.

But no matter how much better we make our air, we cannot catch up to reach the latest unrealistic EPA hurdles. The head of the San Joaquin Valley Air Pollution Control District said that, to do so, we would have to stop all fossil fuel combustion in the Central Valley. If we don't do that, don't stop all industry, stop building, stop businesses, and even stop driving our cars, you know what will happen? We will be punished, and we will be fined for where we live.

Now, something obviously has to change because these regulations are not rooted in reality. In this legislation, Mr. Chair, Congressman PETE OLSON's Ozone Standards Implementation Act, we don't get rid of ozone or particulate matter standards, we don't even oppose raising our standards when we use our technology and abilities to improve. What we do is make sure that the standards are set with a specific level for a set time so that the EPA cannot come back and change the goal-post every few years.

What we do is make sure that the EPA actually determines whether something is technologically possible when setting new attainment deadlines. What we do is make sure we aren't penalized for all things affecting our air that we can't control.

□ 1530

We made sure that this legislation accomplished these goals without rolling back the protections for our communities or without backsliding on meeting current EPA standards in the Central Valley.

In the end, we must have clean air, but we have to be smart with this and set achievable and fixed goals our communities can meet. Building on our success, the people of our district and across America can continue to have cleaner air tomorrow than we do today.

Mr. TONKO. Mr. Chair, I yield myself the balance of my time.

Mr. Chair, I want to remind my colleagues, having just heard from a Californian, that California has nearly 3 million residents with asthma, including 650,000 children. Why on Earth would we want to put them at further risk by going backward? I suggest that we keep that in mind as we vote on this measure.

I heard the comment made about unachievable or unrealistic standards. Well, how is it that we have been making progress through the years? We have been growing jobs, and we have been cleaning the air. How is it that that was deemed unrealistic and unachievable?

Mr. Chairman, I believe in the pioneer spirit of this great country. I believe in her intellect. I believe in the passion to do the right thing. And I think that will continue to motivate us as we listen to scientists who tell us about the standards that we ought to achieve.

On our way to 75 parts per billion, we know that it is continued progress if

we achieve 70; and if we listen to the Clean Air Scientific Advisory Committee, they will tell us that the air, for safety, with the safety factor, we should be closer to 60. So we have much more room for progress, and we have the technological wizardry to make that happen. Our children and generations unborn are counting on us.

As has been stated many times over today, this is a move in a backward direction. We are concerned on this side of the aisle about H.R. 806. We need to know that the standards that are out there are achievable, that those standards drive technological improvement.

We can grow the economy and clean the air. They are not mutually exclusive. In fact, we have proven that they are inclusive.

Mr. Chair, I encourage all of my colleagues to support this effort of opposition to H.R. 806. It is, as many have called it, an effort that will continue to hold back progress.

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

Mr. SHIMKUS. Mr. Chairman, I yield myself the balance of my time.

I would first of all like to thank my colleague from New York who serves as the ranking member of the committee. We have done some good work together that we look forward to bringing to the floor in a more amicable setting. Obviously, this one is not. I wish it could have been, but so the public policy world goes.

Let me, in my remaining time, highlight some of the organizations that are supporting our action. Through the committee process, we had the Farm Bureau, the American Petroleum Institute, the American Fuel & Petrochemical Manufacturers, the Portland Cement Association, National Association of Manufacturers, and the U.S. Chamber of Commerce express the need to reform and modernize the Clean Air Act in order to encourage economic growth and job creation, because we understand that what has, also, a major impact on health and welfare is our citizens having good-paying jobs.

There is a focus on what we are trying to do as Republicans through the legislative process, and we want to reduce the tax burdens, to ease the regulatory burdens, and to create jobs so that all of our citizens are able to achieve their economic goals and aspirations.

We also received a letter today that I include in the RECORD from over 145 organizations and over close to 20 State chambers of commerce.

JULY 18, 2017.

Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate,
Washington, DC.

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

Hon. CHUCK SCHUMER,
Minority Leader, U.S. Senate, Washington, DC.

Hon. NANCY PELOSI,
Minority Leader, House of Representatives,
Washington, DC.

DEAR MAJORITY LEADER MCCONNELL,
SPEAKER RYAN, AND MINORITY LEADERS

SCHUMER AND PELOSI: The undersigned, which represent a diverse group of industries from across the country, write to express our strong support for H.R. 806 and S. 263, the "Ozone Standards Implementation Act of 2017." This legislation provides a common-sense approach for implementing national ambient air quality standards, recognizes ongoing state efforts to improve air quality through a reasonable implementation schedule for the 2015 ozone standards, streamlines the air permitting process for businesses to expand operations and create jobs, and includes other reforms that bring more regulatory certainty to federal air quality standards. Additionally, the undersigned support language including certain elements of H.R. 806 and S. 263 included in the Fiscal Year 2018 Interior, Environment and Related Agencies Appropriations bill.

We have significant concerns that the 2015 ozone standards overlap with existing state plans to implement the 2008 ozone standards, leading to duplicative and wasteful implementation schedules, and unnecessary and severe economic impacts. The new ozone standards were promulgated in October 2015, only months after states received their final guidance from the Environmental Protection Agency (EPA) on how to implement the 2008 ozone standards. This delay was the result of the Obama administration's decision to halt work on the 2008 ozone standards during a 2010-2011 reconsideration period. The EPA, however, did not account for this self-imposed delay when issuing the 2015 ozone standards, thereby imposing duplicative costs and burdens of implementing multiple standards simultaneously. This is particularly wasteful as the EPA itself projects that nearly the entire country would attain the 2015 ozone standards simply by being provided an opportunity to fully implement already-planned measures like their state implementation plans for the 2008 ozone standards. Local economies also face severe impacts, as analysis of data indicates that the 2015 ozone standards could expand nonattainment to more than 950 counties if planned reductions are not allowed time to take effect, subjecting large parts of the country to costly nonattainment control requirements.

Notwithstanding concerns expressed by thousands of elected officials, state agencies, businesses, community groups, and other stakeholders, the EPA issued the 2015 ozone standards without addressing the overlap with the 2008 ozone standards and the enormous impacts that dual implementation would have on limited state resources, permitting, and the economy. It is now up to Congress to address these issues, and that is why we support H.R. 806 and S. 263. By better aligning the 2015 ozone standards with the 2008 ozone standards and their associated emissions reductions, H.R. 806 and S. 263 will help prevent unnecessary nonattainment designations and cost burdens, without sacrificing environmental protection. The legislation's permitting relief and other reforms are also an important step towards national ambient air quality standards that balance environmental protection and economic development.

In sum, H.R. 806 and S. 263 and the related appropriations language provide a common-sense plan that maintains continued air quality improvement without unnecessarily straining state and local economic resources.

We strongly encourage Congress to act quickly on this critical legislation.

Alabama Petroleum Council; Alaska Chamber; Alliance of Automobile Manufacturers; Alliance of Wyoming Manufacturers; Aluminum Association; American Chemistry Council; American Coatings Association; American Coke and Coal Chemicals Institute; American Farm Bureau Federation;

American Forest & Paper Association; American Fuel & Petrochemical Manufacturers; American Iron and Steel Institute; American Petroleum Institute; American Road & Transportation Builders Association (ARTBA); American Wood Council; Anderson Area Chamber of Commerce; Apache Junction Chamber of Commerce; API New York; API Ohio; API South Carolina.

Ardagh Group, Glass North America; Arizona Chamber of Commerce and Industry; Arizona Mining Association; Arkansas Petroleum Council; Ascension Chamber of Commerce; Associated Petroleum Industries of Michigan; Associated Petroleum Industries of Pennsylvania; Association of American Railroads; Baton Rouge Area Chamber; Buckeye Valley Chamber of Commerce; Carefree Cave Creek Chamber of Commerce; Cedar City Area Chamber of Commerce; Chandler Chamber of Commerce; Chemical Industry Council of California; Chemical Industry Council of Illinois; Chemistry Council of New Jersey; Colorado Association of Commerce & Industry; Colorado Oil & Gas Association; Colorado Petroleum Association; Colorado Petroleum Council.

Colorado Wyoming Petroleum Marketers Association; Connecticut Petroleum Council; Consumer Energy Alliance; Consumer Specialty Products Association; Council of Industrial Boiler Owners (CIBO); CVR Energy, Inc.; Delaware Petroleum Council; East Valley Chambers of Commerce Alliance; Fashion Jewelry & Accessories Trade Association; Flexible Packaging Association; Florida Petroleum Council; Fountain Hills Chamber of Commerce; Georgia Chemistry Council; Georgia Petroleum Council; Gilbert Chamber of Commerce; Glass Packaging Institute (GPI); Global Cold Chain Alliance; GPA Midstream Association; Grand Rapids Area Chamber of Commerce; Greater Bakersfield Chamber of Commerce.

Greater Baton Rouge Industry Alliance, Inc.; Greater Cheyenne Chamber of Commerce; Greater Coachella Valley Chamber of Commerce; Greater Flagstaff Chamber of Commerce; Greater North Dakota Chamber of Commerce; Greater Phoenix Chamber of Commerce; Greater Pittsburgh Chamber of Commerce; Illinois Petroleum Council; Independent Petroleum Association of America; Indiana Petroleum Council; Industrial Energy Consumers of America (IECA); Industrial Environmental Association; Industrial Minerals Association—North America; Institute of Makers of Explosives; Institute of Shortening and Edible Oils; Iowa Association of Business and Industry; Kansas Petroleum Council; Kentucky Association of Manufacturers; Kentucky Chamber of Commerce; Kentucky Chemical Industry Council.

Lodi District Chamber of Commerce; Louisiana Association of Business and Industry; Louisiana Chemical Association; Manufacture Alabama; Maryland Petroleum Council; Massachusetts Petroleum Council; Mesa Chamber of Commerce; Michigan Chemistry Council; Minnesota Petroleum Council; Missouri Petroleum Council; National Asphalt Pavement Association; National Association of Chemical Distributors; National Association of Manufacturers; National Cotton Council; National Council of Farmer Cooperatives; National Lime Association; National Mining Association; National Oilseed Processors Association; National Tooling and Machining Association; Nebraska Chamber of Commerce and Industry.

New Jersey Petroleum Council; New Mexico Association of Commerce & Industry; New York State Chemistry Council; North American Die Casting Association; North Carolina Petroleum Council; North Orange County Chamber; Ohio Chamber of Commerce; Ohio Chemistry Technology Council; Oklahoma State Chamber; Oregon Women In

Timber; Owens Illinois, Inc.; Oxnard Chamber of Commerce; Pennsylvania Chamber of Business and Industry; Petroleum Marketers Association of America; Portland Cement Association; Precision Machined Products Association; Precision Metalforming Association; Queen Creek Chamber of Commerce; Rancho Cordova Chamber of Commerce; Roof Coatings Manufacturers Association (RCMA).

Salt Lake Chamber; San Gabriel Valley Economic Partnership; Scottsdale Area Chamber of Commerce; South Carolina Chamber of Commerce; South Carolina Manufacturers Alliance; Tempe Chamber of Commerce; Tennessee Chamber of Commerce & Industry; Tennessee Petroleum Council; Texas Association of Manufacturers; Texas Oil and Gas Association; The Fertilizer Institute; Treated Wood Council; Truck and Engine Manufacturers Association; Tucson Metro Chamber; Tulsa Regional Chamber; U.S. Chamber of Commerce; Utah Petroleum Association; Virginia Chamber of Commerce; Virginia Petroleum Council; West Baton Rouge Chamber of Commerce.

West Virginia Chamber of Commerce; West Virginia Manufacturers Association; West Virginia Petroleum Council; Wisconsin Manufacturers & Commerce; Wisconsin Petroleum Council; Wyoming Petroleum Marketers Association; Yuma County Chamber of Commerce.

Mr. SHIMKUS. If I may, in the middle paragraph it says: "We have significant concerns that the 2015 ozone standards overlap with existing State plans to implement the 2008 ozone standards, leading to duplicative and wasteful implementation schedules, and unnecessary and severe economic impacts. The new ozone standards were promulgated in October of 2015, only months after States received their final guidance from the Environmental Protection Agency on how to implement the 2008 ozone standards."

Mr. Chairman, I couldn't say it any better than that. This is not, as I have said a couple of times, a rolling back of our regulations. This is identifying the fact that 2008 standards were implemented. It took 7 years to do the implementation guidelines, and when those guidelines came out 3 months after that, the Federal Government, through the EPA said, oh, we are going to now ratchet it down 5 more parts per billion, which leads you to believe that people are trying to comply.

Other benefits of this bill address the fact that you could be in the remotest parts of the country and fall against the EPA and ozone standards based upon nothing that you can do. We have communities that are trying to comply, are doing great work, but they are receiving emissions outside of their control. Plus, they will be penalized for that.

So we look forward to continued debates. I know that there have been amendments offered that we will consider.

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

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-26. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 806

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Ozone Standards Implementation Act of 2017”.

SEC. 2. FACILITATING STATE IMPLEMENTATION OF EXISTING OZONE STANDARDS.

(a) DESIGNATIONS.—

(1) DESIGNATION SUBMISSION.—Not later than October 26, 2024, notwithstanding the deadline specified in paragraph (1)(A) of section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)), the Governor of each State shall designate in accordance with such section 107(d) all areas (or portions thereof) of the Governor’s State as attainment, nonattainment, or unclassifiable with respect to the 2015 ozone standards.

(2) DESIGNATION PROMULGATION.—Not later than October 26, 2025, notwithstanding the deadline specified in paragraph (1)(B) of section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)), the Administrator shall promulgate final designations under such section 107(d) for all areas in all States with respect to the 2015 ozone standards, including any modifications to the designations submitted under paragraph (1).

(3) STATE IMPLEMENTATION PLANS.—Not later than October 26, 2026, notwithstanding the deadline specified in section 110(a)(1) of the Clean Air Act (42 U.S.C. 7410(a)(1)), each State shall submit the plan required by such section 110(a)(1) for the 2015 ozone standards.

(b) CERTAIN PRECONSTRUCTION PERMITS.—

(1) IN GENERAL.—The 2015 ozone standards shall not apply to the review and disposition of a preconstruction permit application if—

(A) the Administrator or the State, local, or Tribal permitting authority, as applicable, determines the application to be complete on or before the date of promulgation of the final designation of the area involved under subsection (a)(2); or

(B) the Administrator or the State, local, or Tribal permitting authority, as applicable, publishes a public notice of a preliminary determination or draft permit for the application before the date that is 60 days after the date of promulgation of the final designation of the area involved under subsection (a)(2).

(2) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to—

(A) eliminate the obligation of a preconstruction permit applicant to install best available control technology and lowest achievable emission rate technology, as applicable; or

(B) limit the authority of a State, local, or Tribal permitting authority to impose more stringent emissions requirements pursuant to State, local, or Tribal law than national ambient air quality standards.

SEC. 3. FACILITATING STATE IMPLEMENTATION OF NATIONAL AMBIENT AIR QUALITY STANDARDS.

(a) TIMELINE FOR REVIEW OF NATIONAL AMBIENT AIR QUALITY STANDARDS.—

(1) TEN-YEAR CYCLE FOR ALL CRITERIA AIR POLLUTANTS.—Paragraphs (1) and (2)(B) of section 109(d) of the Clean Air Act (42 U.S.C. 7409(d)) are amended by striking “five-year intervals” each place it appears and inserting “10-year intervals”.

(2) CYCLE FOR NEXT REVIEW OF OZONE CRITERIA AND STANDARDS.—Notwithstanding section 109(d) of the Clean Air Act (42 U.S.C. 7409(d)), the Administrator shall not—

(A) complete, before October 26, 2025, any review of the criteria for ozone published under section 108 of such Act (42 U.S.C. 7408) or the national ambient air quality standard for ozone promulgated under section 109 of such Act (42 U.S.C. 7409); or

(B) propose, before such date, any revisions to such criteria or standard.

(b) CONSIDERATION OF TECHNOLOGICAL FEASIBILITY.—Section 109(b)(1) of the Clean Air Act (42 U.S.C. 7409(b)(1)) is amended by inserting after the first sentence the following: “If the Administrator, in consultation with the independent scientific review committee appointed under subsection (d), finds that a range of levels of air quality for an air pollutant are requisite to protect public health with an adequate margin of safety, as described in the preceding sentence, the Administrator may consider, as a secondary consideration, likely technological feasibility in establishing and revising the national primary ambient air quality standard for such pollutant.”.

(c) CONSIDERATION OF ADVERSE PUBLIC HEALTH, WELFARE, SOCIAL, ECONOMIC, OR ENERGY EFFECTS.—Section 109(d)(2) of the Clean Air Act (42 U.S.C. 7409(d)(2)) is amended by adding at the end the following:

“(D) Prior to establishing or revising a national ambient air quality standard, the Administrator shall request, and such committee shall provide, advice under subparagraph (C)(iv) regarding any adverse public health, welfare, social, economic, or energy effects which may result from various strategies for attainment and maintenance of such national ambient air quality standard.”.

(d) TIMELY ISSUANCE OF IMPLEMENTING REGULATIONS AND GUIDANCE.—Section 109 of the Clean Air Act (42 U.S.C. 7409) is amended by adding at the end the following:

“(e) TIMELY ISSUANCE OF IMPLEMENTING REGULATIONS AND GUIDANCE.—

“(1) IN GENERAL.—In publishing any final rule establishing or revising a national ambient air quality standard, the Administrator shall, as the Administrator determines necessary to assist States, permitting authorities, and permit applicants, concurrently publish regulations and guidance for implementing the standard, including information relating to submission and consideration of a preconstruction permit application under the new or revised standard.

“(2) APPLICABILITY OF STANDARD TO PRECONSTRUCTION PERMITTING.—If the Administrator fails to publish final regulations and guidance that include information relating to submission and consideration of a preconstruction permit application under a new or revised national ambient air quality standard concurrently with such standard, then such standard shall not apply to the review and disposition of a preconstruction permit application until the Administrator has published such final regulations and guidance.

“(3) RULES OF CONSTRUCTION.—

“(A) Nothing in this subsection shall be construed to preclude the Administrator from issuing regulations and guidance to assist States, permitting authorities, and permit applicants in implementing a national ambient air quality standard subsequent to publishing regulations and guidance for such standard under paragraph (1).

“(B) Nothing in this subsection shall be construed to eliminate the obligation of a preconstruction permit applicant to install best available control technology and lowest achievable emission rate technology, as applicable.

“(C) Nothing in this subsection shall be construed to limit the authority of a State, local, or Tribal permitting authority to impose more stringent emissions requirements pursuant to State, local, or Tribal law than national ambient air quality standards.

“(4) DEFINITIONS.—In this subsection:

“(A) The term ‘best available control technology’ has the meaning given to that term in section 169(3).

“(B) The term ‘lowest achievable emission rate’ has the meaning given to that term in section 171(3).

“(C) The term ‘preconstruction permit’—

“(i) means a permit that is required under this title for the construction or modification of a stationary source; and

“(ii) includes any such permit issued by the Environmental Protection Agency or a State, local, or Tribal permitting authority.”.

(e) CONTINGENCY MEASURES FOR EXTREME OZONE NONATTAINMENT AREAS.—Section 172(c)(9) of the Clean Air Act (42 U.S.C. 7502(c)(9)) is amended by adding at the end the following: “Notwithstanding the preceding sentences and any other provision of this Act, such measures shall not be required for any nonattainment area for ozone classified as an Extreme Area.”.

(f) PLAN SUBMISSIONS AND REQUIREMENTS FOR OZONE NONATTAINMENT AREAS.—Section 182 of the Clean Air Act (42 U.S.C. 7511a) is amended—

(1) in subsection (b)(1)(A)(ii)(III), by inserting “and economic feasibility” after “technological achievability”;:

(2) in subsection (c)(2)(B)(ii), by inserting “and economic feasibility” after “technological achievability”;:

(3) in subsection (e), in the matter preceding paragraph (1)—

(A) by striking “The provisions of clause (ii) of subsection (c)(2)(B) (relating to reductions of less than 3 percent), the provisions of paragraphs” and inserting “The provisions of paragraphs”; and

(B) by striking “, and the provisions of clause (ii) of subsection (b)(1)(A) (relating to reductions of less than 15 percent)”; and

(4) in paragraph (5) of subsection (e), by striking “, if the State demonstrates to the satisfaction of the Administrator that—” and all that follows through the end of the paragraph and inserting a period.

(g) PLAN REVISIONS FOR MILESTONES FOR PARTICULATE MATTER NONATTAINMENT AREAS.—Section 189(c)(1) of the Clean Air Act (42 U.S.C. 7513a(c)(1)) is amended by inserting “, which take into account technological achievability and economic feasibility,” before “and which demonstrate reasonable further progress”.

(h) EXCEPTIONAL EVENTS.—Section 319(b)(1)(B) of the Clean Air Act (42 U.S.C. 7619(b)(1)(B)) is amended—

(1) in clause (i)—

(A) by striking “(i) stagnation of air masses or” and inserting “(i)(I) ordinarily occurring stagnation of air masses or (II)”; and

(B) by inserting “or” after the semicolon;

(2) by striking clause (ii); and

(3) by redesignating clause (iii) as clause (ii).

(i) REPORT ON EMISSIONS EMANATING FROM OUTSIDE THE UNITED STATES.—Not later than 24 months after the date of enactment of this Act, the Administrator, in consultation with States, shall submit to the Congress a report on—

(1) the extent to which foreign sources of air pollution, including emissions from sources located outside North America, impact—

(A) designations of areas (or portions thereof) as nonattainment, attainment, or unclassifiable under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)); and

(B) attainment and maintenance of national ambient air quality standards;

(2) the Environmental Protection Agency’s procedures and timelines for disposing of petitions submitted pursuant to section 179B(b) of the Clean Air Act (42 U.S.C. 7509a(b));

(3) the total number of petitions received by the Agency pursuant to such section 179B(b), and for each such petition the date initially submitted and the date of final disposition by the Agency; and

(4) whether the Administrator recommends any statutory changes to facilitate the more efficient review and disposition of petitions submitted pursuant to such section 179B(b).

(j) STUDY ON OZONE FORMATION.—

(1) STUDY.—The Administrator, in consultation with States and the National Oceanic and Atmospheric Administration, shall conduct a study on the atmospheric formation of ozone and effective control strategies, including—

(A) the relative contribution of man-made and naturally occurring nitrogen oxides, volatile organic compounds, and other pollutants in ozone formation in urban and rural areas, including during wildfires, and the most cost-effective control strategies to reduce ozone; and

(B) the science of wintertime ozone formation, including photochemical modeling of wintertime ozone formation, and approaches to cost-effectively reduce wintertime ozone levels.

(2) PEER REVIEW.—The Administrator shall have the study peer reviewed by an independent panel of experts in accordance with the requirements applicable to a highly influential scientific assessment.

(3) REPORT.—The Administrator shall submit to Congress a report describing the results of the study, including the findings of the peer review panel.

(4) REGULATIONS AND GUIDANCE.—The Administrator shall incorporate the results of the study, including the findings of the peer review panel, into any Federal rules and guidance implementing the 2015 ozone standards.

SEC. 4. APPLICABILITY OF SANCTIONS AND FEES IF EMISSIONS BEYOND CONTROL.

The Clean Air Act (42 U.S.C. 7401 et seq.) is amended by inserting after section 179B the following new section:

“SEC. 179C. APPLICABILITY OF SANCTIONS AND FEES IF EMISSIONS BEYOND CONTROL.

“(a) IN GENERAL.—Notwithstanding any other provision of this Act, with respect to any non-attainment area that is classified under section 181 as severe or extreme for ozone or under section 188 as serious for particulate matter, no sanction or fee under section 179 or 185 shall apply with respect to a State (or a local government or source therein) on the basis of a deficiency described in section 179(a), or the State’s failure to attain a national ambient air quality standard for ozone or particulate matter by the applicable attainment date, if the State demonstrates that the State would have avoided such deficiency or attained such standard but for one or more of the following:

“(1) Emissions emanating from outside the nonattainment area.

“(2) Emissions from an exceptional event (as defined in section 319(b)(1)).

“(3) Emissions from mobile sources to the extent the State demonstrates that—

“(A) such emissions are beyond the control of the State to reduce or eliminate; and

“(B) the State is fully implementing such measures as are within the authority of the State to control emissions from the mobile sources.

“(b) NO EFFECT ON UNDERLYING STANDARDS.—The inapplicability of sanctions or fees with respect to a State pursuant to subsection (a) does not affect the obligation of the State (and local governments and sources therein) under other provisions of this Act to establish and implement measures to attain a national ambient air quality standard for ozone or particulate matter.

“(c) PERIODIC RENEWAL OF DEMONSTRATION.—For subsection (a) to continue to apply with respect to a State or local government (or source therein), the State involved shall renew the demonstration required by subsection (a) at least once every 5 years.”.

SEC. 5. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) BEST AVAILABLE CONTROL TECHNOLOGY.—The term “best available control technology” has the meaning given to that term in section 169(3) of the Clean Air Act (42 U.S.C. 7479(3)).

(3) HIGHLY INFLUENTIAL SCIENTIFIC ASSESSMENT.—The term “highly influential scientific assessment” means a highly influential scientific assessment as defined in the publication of the Office of Management and Budget entitled “Final Information Quality Bulletin for Peer Review” (70 Fed. Reg. 2664 (January 14, 2005)).

(4) LOWEST ACHIEVABLE EMISSION RATE.—The term “lowest achievable emission rate” has the meaning given to that term in section 171(3) of the Clean Air Act (42 U.S.C. 7501(3)).

(5) NATIONAL AMBIENT AIR QUALITY STANDARD.—The term “national ambient air quality standard” means a national ambient air quality standard promulgated under section 109 of the Clean Air Act (42 U.S.C. 7409).

(6) PRECONSTRUCTION PERMIT.—The term “preconstruction permit”—

(A) means a permit that is required under title I of the Clean Air Act (42 U.S.C. 7401 et seq.) for the construction or modification of a stationary source; and

(B) includes any such permit issued by the Environmental Protection Agency or a State, local, or Tribal permitting authority.

(7) 2015 OZONE STANDARDS.—The term “2015 ozone standards” means the national ambient air quality standards for ozone published in the Federal Register on October 26, 2015 (80 Fed. Reg. 65292).

SEC. 6. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in House Report 115–229. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. CASTOR OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 115–229.

Ms. CASTOR of Florida. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of section 2, add the following new subsection:

(c) LIMITATION.—This section shall not apply if the Clean Air Scientific Advisory Committee finds that application of subsection (a) could increase (especially for vulnerable populations such as children, seniors, pregnant women, outdoor workers, and minority and low-income communities) any of the following:

(1) Asthma attacks.

(2) Hospitalization and emergency room visits for those with respiratory disease or cardiovascular disease.

(3) The risk of preterm birth, babies born with low birth weight, or impaired fetal growth.

(4) The risk of heart attacks, stroke, or premature death.

(5) Reproductive, developmental, or other serious harms to human health.

The Acting CHAIR. Pursuant to House Resolution 451, the gentlewoman from Florida (Ms. CASTOR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. CASTOR of Florida. Mr. Chair, my amendment seeks to ensure that American families aren’t forced to pick up the costs of air pollution that should be rightfully borne by polluters. My amendment seeks to protect kids across America, our older neighbors, and the most vulnerable to smog and dirty air.

My amendment says that the Republicans’ “Smoggy Skies Act” will not take effect if the EPA Clean Air Scientific Advisory Committee finds negative impacts on individuals with asthma, bronchitis, COPD, and other health conditions, particularly in children and our older neighbors, pregnant women, folks who work outdoors, and those in working-class communities.

Mr. Chairman, Americans value their health and they value America’s landmark Clean Air Act. Earlier this year, the American Lung Association released a new poll showing that 61 percent of all Americans support stronger smog standards and clearly oppose this dirty-air policy.

Harold P. Wimmer, national president and CEO of the American Lung Association, said: “More than half of all Americans breathe polluted air, putting them at risk of asthma attacks, respiratory infections, and premature death.”

The public wants clean, healthy air. It is no surprise that American voters strongly support maintaining safeguards to protect their health from the dangers of ozone pollution.

I have seen great improvement in the air quality over my lifetime back home in Tampa, Florida. We have heard in front of our committee and heard from folks through social media, from Democrats and Republicans here today, how much they value clean air and how much progress we have seen. Yet, according to the Florida KIDS COUNT Data book, in 2016, asthma emergency department visits reached over 48,000 in my State, and hospitalizations are in the thousands and thousands. That takes a toll, and it is very costly. Florida is not alone. This affects all Americans.

Mr. Chairman, you might have heard during general debate that I referenced a new, very important study that came out at in the month of June in the New England Journal of Medicine. Here is a press report that summarizes the study.

The title of the story is: “U.S. Air Pollution Still Kills Thousands Every Year, Study Concludes.

“The air Americans breathe has been getting cleaner for decades.

“But air pollution is still killing thousands in the U.S. every year. . . .

“We are now providing bullet-proof evidence that we are breathing harmful air,” says Francesca Dominici, a professor of biostatistics at the Harvard T.H. Chan School of Public Health, who led the study. ‘Our air is contaminated.’

“Dominici and her colleagues set out to do the most comprehensive study to date assessing the toll that air pollution takes on American lives.

“The researchers used data from Federal air monitoring stations as well as satellites to compile a detailed picture of air pollution down to individual ZIP Codes. They then analyzed the impact of very low levels of air pollution on mortality, using data from 60 million Medicare patients from 2000 to 2012.”

They said: “About 12,000 lives could be saved each year . . . by cutting the level of fine particulate matter nationwide by just 1 microgram per cubic meter of air below current standards.

Dominici said: “It’s very strong, compelling evidence that, currently, the safety standards are not safe enough.”

And yet, Republicans want to take us backwards. They are going to side with polluters over the health of American families, and I think that is wrong.

The proposed rollbacks by the Trump administration and this Republican Congress are simply a costly, dirty air policy. Repealing clean air rules will bring about disastrous health and economic damage to not only the folks I represent back home in Florida, but all across the country.

So let’s be clear. Ozone, or smog, is a corrosive gas that forms when emissions from smokestacks and tailpipes cook in the heat and sunlight. It triggers asthma and other respiratory illnesses. It is very expensive. It is not fair for Republicans to let polluters off the hook and shift costs to hard-working American families.

So if you believe in clean air in our great country, support my amendment. If you believe environmental protection based on science, support my amendment. If you want to stand with American families over polluters who seek shortcuts, support the Castor amendment.

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

Mr. SHIMKUS. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chairman, I appreciate my colleague, and I don’t question her passion and her evaluation of her perception about what we are doing.

But again, as I have said in general debate, nothing in this bill rolls back the 2008 standards; nothing rolls back the 2015 standards. The attempt is to say: Why is it so difficult to believe that we should meet the 2008 standards and give our communities time to do that before we throw on them a new

2015 standard? So that is the basic premise.

This amendment would allow the advisory panel to nullify one of the central provisions of the bill, section 2(a), which allows States to fully implement the 2008 ozone standards for which EPA only issued the implementing regulations in 2015 before turning to 2015.

So EPA says meet the 2008 standards. Delay, delay, delay; don’t know how to do it; no guidelines. 2015 comes, they say meet the 2008 standards; 3 months later, oh, but now we have got 2015 standards we want you to comply with. That is the basic premise of this bill.

□ 1545

Ozone air quality will continue to improve under H.R. 806. Regarding the 2015 standards, the EPA projects the vast majority of U.S. counties will meet the 2015 ozone standards by 2025 just with the rules and programs now in place or underway.

The bill ensures hundreds of counties are on track to meeting the 2015 standards, and that can come into compliance without being subjected to additional regulatory burdens, paper requirements, or restrictions, which will not do anything to improve public health.

The bill also does not limit States from imposing more stringent emission requirements if a State finds that such a condition exists in section 2. Nowhere does the bill authorize States to increase their emissions. This is not about continuing to improve air quality in a manner that doesn’t require the States to duplicate paperwork requirements.

Since 1980, ozone levels have declined 32 percent, and as we talk about in the environmental process, the low-hanging fruit has been picked. It gets more and more difficult as you start reducing the standards time, effort, energy, and technology.

So with the reduction of 32 percent by 1980, the EPA projects air quality “will continue to improve over the next decade as additional reductions in ozone precursors from power plants, motor vehicles, and other sources are realized.”

Nothing in the pending bill prevents these improvements to air quality from being realized.

Mr. Chairman, I urge a “no” vote on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. CASTOR).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. CASTOR of Florida. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Florida will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. TONKO

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 115-229.

Mr. TONKO. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike subsection (b) of section 3 (relating to consideration of technological feasibility) and make such conforming changes as may be necessary.

The Acting CHAIR. Pursuant to House Resolution 451, the gentleman from New York (Mr. TONKO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. TONKO. Mr. Chair, my amendment strikes subsection (b) of section 3, which would allow the EPA to consider technological feasibility when determining what level of pollution is safe.

Health-based standards are the cornerstone of the Clean Air Act—health-based. The EPA sets NAAQS at levels sufficient to protect the public health, essentially, the level of ambient air pollution that is safe to breathe.

While costs are not considered in establishing these standards, costs can be—and are considered—in developing plans to achieve the necessary pollution reductions to meet the standards.

Unfortunately, H.R. 806, as currently drafted, would change the longstanding criteria for establishing an air quality standard from one that is based solely on protecting public health to one that includes a consideration of the technological feasibility. This issue has been long debated and settled by Congress.

Since passage of the Clean Air Act in 1970, including the 1990 Clean Air Act Amendments, Congress has excluded technological feasibility considerations from standard setting to ensure that public health—and public health alone—would determine the standards for air quality.

In 1970, on the passage of the Clean Air Act, Senator Ed Muskie from Maine said: “The first responsibility of Congress is not the making of technological or economic judgments—or even to be limited by what is or appears to be technologically or economically infeasible. Our responsibility is to establish what the public interest requires to protect the health of persons. This may mean that people and industries will be asked to do what seems to be impossible at present time. But if health is to be protected, these challenges must be met.”

For approaching five decades, that has been the guiding tenet of the Clean Air Act: what is in the betterment of public health.

Guided by this principle, our Nation has experienced a 70 percent reduction in key air pollutants while tripling the size of the economy.

I believe that a great deal of this success can be credited to American innovation. Despite assertions that achieving clean air was not feasible, American ingenuity has consistently risen

to the challenge and made our country the leader in both clean air and clean air technology.

Unquestionably, these standards have driven innovation, creating a thriving domestic pollution control industry.

So I ask my colleagues who are in favor of this measure: What is it about a can-do attitude that you don't get? Why is it that you have a lack of trust in the power of American ingenuity?

Had these standards not been ambitious and focused solely on public health, we may still be relying upon the technology from the 1970s and breathing the poor air quality from that era along with it.

Available technologies cannot and should not determine what we can have in terms of clean air. Let's have the scientific and medical experts guide us, and I have confidence that our engineers and innovators will find that way. The history of those protections that we enjoy has been to set ambitious, but achievable, goals. We have achieved those goals, and we have much cleaner air to show for it. Let's not roll back this process.

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

Mr. OLSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. OLSON. Mr. Chairman, Texans like me believe that facts are little, persistent things. With all due respect to my colleagues on the other side of the aisle, apparently, facts are annoying little things. Here are the facts about section 3(b) of my bill:

Section 3(b) states that if the EPA Administrator, in consultation with the EPA's independent scientific advisory committee, finds a range of levels of air quality that are needed to protect public health with an adequate margin of safety, then "the Administrator may . . ."—the Administrator may, not shall, not must, may—"as a secondary consideration, likely technological feasibility in establishing and revising the national primary ambient air quality standard for this pollutant."

Again, it clearly says may, not shall, not must, but may.

H.R. 806 does not change the Clean Air Act's requirement that standards be based on the protection of public health. Again, H.R. 806 does not change the Clean Air Act's requirement that standards be based on the protection of public health. This bill simply clarifies that the EPA Administrator has the discretion to consider technological feasibility when choosing among a range of levels identified and supported by science as protective of public health.

This is a clarification for all future Administrators—Democrat or Republican—that Congress considers technical feasibility to be a reasonable part of the decisionmaking process with policy choices. These policy choices

must be made among a range of scientifically valid options.

Again, facts are little, persistent things, and these are the facts about section 3(b) of H.R. 806.

Mr. Chairman, I urge a "no" vote on this amendment, and I yield back the balance of my time.

Mr. TONKO. Mr. Chairman, I think the insertion of discretion of the Administrator at the EPA as to the technological and economical availability, achievable qualities being inserted into this bill tells me—my interpretation is that the Administrator may not—the Administrator may not, may not—side with the residents—with the people of this country and their right to breathe clean air.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. TONKO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. TONKO. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. BEYER

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 115-229.

Mr. BEYER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike subsection (h) of section 3 (relating to exceptional events).

The Acting CHAIR. Pursuant to House Resolution 451, the gentleman from Virginia (Mr. BEYER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BEYER. Mr. Chairman, my amendment would strike the language that weakens the definition of exceptional events for air quality monitoring data. We know that air quality monitoring data is incredibly important and that Americans value clean air.

I am a businessman, and it is axiomatic that we can't manage what we can't measure.

Just last month, The New England Journal of Medicine published a study that showed long-term exposure to air pollution increases mortality for all Americans, but particularly those that are self-identified as racial minorities or people with low incomes.

That is why the EPA is responsible for setting the National Ambient Air Quality Standards, or NAAQS, for outdoor—ambient—air to protect our public health and the environment.

When States and the EPA identify areas that do not meet the standards,

States prepare their own plans specifying how they will reach attainment in those areas.

States are currently allowed to exclude monitoring data for periods affected by exceptional events—exceptional events like forest fires or unusual weather conditions, volcanos or seismic activities. They can exclude this data from the measurements used to make designation decisions. This is appropriate and it makes sense.

I think volcanos are exceptional. But this bill changes the exceptions provision in dangerous ways. It changes the definition of what qualifies as exceptional. Instead of exceptional, call it routine. Stagnant air, high temperature, or a lack of precipitation are not exceptional events, but they would be considered exceptional by this bill.

We live in Washington, D.C., with a record number of days of high temperatures this summer already. But this fact shouldn't exempt D.C. from keeping accurate NAAQS data.

Pretending that a heat wave is exceptional or that bad air quality is not harmful to people's health doesn't make it so. Climate change, global warming, and more frequent heat waves are likely to be the reality of our Earth today. So weakening this definition means that, by default, over time, States will never need to be in compliance with the NAAQS. They can say it is an exceptional event.

So, frustratingly, by weakening this definition of exceptional events, we nullify the standards altogether.

None of us wants to see the disastrous smog events—think of China and India—erupt here in America. So by supporting this amendment, we keep our commitment to the American people to support clean air. We shouldn't weaken our definition of exceptional events to incorporate everyday air occurrences like heat waves.

If this provision becomes law, it can mean more asthma attacks, cardiovascular and respiratory harm, emergency visits, and even early deaths from ozone pollution. So please support my amendment. It is important that if we have standards that they actually mean something. Exceptional is defined as unusual. Exceptional does not mean typical. Let's keep it that way.

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

Mr. SHIMKUS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chairman, under the Clean Air Act, section 319 provides relief to areas that violate National Ambient Air Quality Standards due to unusual or naturally occurring events as that they cannot control.

Section 3(h) would add—and I would argue strengthens the definition—droughts and extraordinary stagnation to the act's definition of an exceptional event.

Let me give you an example. In 2012, there was a major drought in the Midwest. Now, I am from corn country, and

we don't irrigate our corn because we have got great soil, and we have got weather conditions for most of the years that provide plentiful rain for that to happen. But that didn't happen in 2012. It was an extraordinary event. It was a drought.

Now the question is posed: Should we punish the communities for an extraordinary event; i.e., a drought that is out of the control of any human being?

It is an "extraordinary event." This language would provide reasonable relief for States in this condition, particularly those in the Western United States for, as I said, events beyond their control.

Nothing in H.R. 806 does away with the detailed statutory requirements under section 319(h) of the Clean Air Act for demonstrating "an exceptional event." Nor does anything in the bill do away with the detailed regulatory procedures and guidelines that the EPA has laid out for demonstrating exceptional events or the requirements to measure air quality or to make that air quality data available to the public.

□ 1600

This provision simply ensures citizens in areas experiencing unusual or natural occurring events beyond their control do not become subject to penalties or sanctions under the Clean Air Act as a result of those events.

Mr. Chair, I urge a "no" vote on this amendment, and I reserve the balance of my time.

Mr. BEYER. Mr. Chairman, I thank the gentleman for the perspective on corn. As someone who very much respects American agriculture, the worst thing is to have a drought.

Around here, climate change is pretty controversial. We seem to slowly be moving in the recognition that it is real, whether we believe that it is caused by man or not. However, one of the things that we see around the world with climate change is the ever-increasing frequency of droughts.

The existing language in the original bill says that droughts and lack of precipitation are not considered exceptional events. Certainly, if they weren't exceptional before, they are going to be even less exceptional as we move into the future.

I appreciated the debate on the last amendment from my friend, Mr. TONKO, where he talked about the EPA Administrator saying: May, may, may. Well, this is a case where the last thing we want to do is make something like a drought a typical event. It is not going to be exceptional in the years to come.

So, let's preserve these. The EPA Administrator will always have an opportunity in the case of a drought once every 100 years to say that is, in fact, exceptional.

Mr. Chair, I urge adoption of this amendment, and I yield back the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I appreciate my colleague. Again, he was

on the floor when I talked about the great work I do with subcommittee members. Obviously, this is part of the debate where we are agreeing to disagree.

I will just say that air quality standards are put in place so that there are things that we can effect and we can deal with through mobile emissions, as you would probably know about, as stationary sources.

Exceptional events, such as droughts, are out of our control. That is why we think it should be placed into the language. We do believe it strengthens the provision of the law, doesn't weaken it.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. BEYER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BEYER. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 115-229.

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Redesignate sections 5 and 6 as sections 6 and 7, respectively.

Insert after section 4 the following:

SEC. 5. BRINGING REDUCTIONS TO ENERGY'S AIRBORNE TOXIC HEALTH EFFECTS.

(a) REPEAL OF EXEMPTION FOR AGGREGATION OF EMISSIONS FROM OIL AND GAS SOURCES.—Section 112(n) of the Clean Air Act (42 U.S.C. 7412(n)) is amended by striking paragraph (4).

(b) HYDROGEN SULFIDE AS A HAZARDOUS AIR POLLUTANT.—The Administrator of the Environmental Protection Agency shall—

(1) not later than 180 days after the date of enactment of this Act, issue a final rule adding hydrogen sulfide to the list of hazardous air pollutants under section 112(b) of the Clean Air Act (42 U.S.C. 7412(b)); and

(2) not later than 365 days after a final rule under paragraph (1) is issued, revise the list under section 112(c) of such Act (42 U.S.C. 7412(c)) to include categories and subcategories of major sources and area sources of hydrogen sulfide, including oil and gas wells.

The Acting CHAIR. Pursuant to House Resolution 451, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

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

Mr. Chair, since the Republicans are talking about a bill that makes the Clean Air Act work better, even though, in many ways, that is the opposite of what the bill does, I have offered an amendment that will actually

do that. It will make the Clean Air Act work better to keep our air clean so we can breathe more freely, reduce asthma rates, and reduce cancer rates.

My amendment would very simply close a very glaring loophole that our current Clean Air Act has—a loophole that every day harms the freshness of the air and the health of my constituents in my State and so many others across the country.

My amendment, which is based off of legislation that I have introduced, along with many other cosponsors, four times, including in this Congress, called the BREATHE Act, would close the oil and gas industry's loophole to the Clean Air Act's aggregation requirement.

Currently, oil and gas operations, like the one here, are completely exempt from the aggregation requirement in the Clean Air Act. Under the aggregation requirement, small air pollution sources that cumulatively reduce as much air pollution as major sources, like a power plant, are actually rounded out entirely of the protections of the Clean Air Act. Oil and gas is exempt, and they shouldn't be.

While one site like this has emissions that are significant, you can imagine having 20,000 of these in one county, which we do in my home State of Colorado, and that cannot conceivably be rounded down to zero. That is the equivalent of several large power plants. We should look at them in the aggregate, where they are close to one another geographically.

The aggregation requirement is actually intended to protect the public from small air pollution sources that might individually seem innocuous, but cumulatively account for large volumes of toxic substances that are put in the air.

We have areas of Wyoming and northern Colorado that have worse air quality than Los Angeles, not because of one or two or ten extraction sites, but because of tens of thousands within an immediate vicinity.

The oil and gas industry currently does not have to aggregate or pull together its small air pollution sources. They round them down to zero. Rounding one or two down to zero is not an issue. Rounding 20,000 in one county down to zero leads to dirtier air, higher asthma, higher cancer rates.

If we round down every fracking pad to zero in an area where there are 100 of them, zero times 100 is still zero. But if we multiply a small amount of pollutants times 100, that can equal a great deal of pollutants, not to mention times 1,000, times 10,000. This provides a more holistic fix to make sure that our air is clean.

My amendment also adds hydrogen sulfide to the Clean Air Act's Federal List of Hazardous Air Pollutants, which was originally on the list but was, in my opinion, wrongly removed by Congress. The Clean Air Act completely exempts hydrogen sulfide from the list, even though hydrogen sulfide

already has been scientifically associated as the cause of a number of health issues, including nausea; vomiting; headaches; and irritation of the eyes, nose, and throat.

Hydrogen sulfide often may be released from well heads, pumps, piping, storage tanks, and flaring, which is what we are seeing here. In fact, 15 to 20 percent of all natural gas wells emit hydrogen sulfide, even though control technologies are inexpensive and are already deployed to curtail those hydrogen sulfide emissions.

This amendment ensures our oil and gas industry takes the measures that we need to avoid the release of hydrogen sulfide into communities by adding hydrogen sulfide to the List of Hazardous Air Pollutants and by listing oil and gas wells as a source of hydrogen sulfide.

My amendment simply makes the Clean Air Act work better. You can't round something significant down to zero, when you have a lot of them concentrated in a particular area. Of course, there is an impact on air quality from 1,000 or 10,000 wells that operate in one county.

Mr. Chair, I encourage my colleagues to vote "yes" on my amendment, and I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR (Mr. TIPTON). The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chairman, the subject of H.R. 806 is criteria pollutants and the National Ambient Air Quality Standards program, not the hazardous air pollutants programs, which my colleague is referring to.

These two programs are addressed under different sections of the Clean Air Act. The whole title is Clean Air Act, but you have one section here dealing with national ambient air quality, and then you have another section on hazardous air aspects, which is what my colleague is trying to address. Criteria pollutants are addressed under section 107 and 110 and part C and D of title 1 of the Clean Air Act, while hazardous air pollutants fall under section 12.

This amendment, moreover, is wholly unrelated to the purpose of H.R. 806, which is to provide State regulators with additional time and flexibility, as we have heard throughout this debate, to implement ozone and other standards for criteria pollutants.

H.R. 806 makes process-related reforms to address practical implementation challenges identified by State regulators. This amendment would make substantive changes relating specifically to regulation of the oil and gas sector.

This amendment would make significant changes to the Clean Air Act that did not receive any Energy and Commerce Committee consideration during the markup of this bill.

The amendment would also circumvent the established regulatory

process for listing new hazardous air pollutants set forth under the Clean Air Act.

Mr. Chair, I urge a "no" vote on this amendment, and I reserve the balance of my time.

Mr. POLIS. Mr. Chair, I would like to point out that the Rules Committee granted the necessary waivers to allow this amendment to be considered, as they often do, and this amendment was also considered in a similar bill last session. That is because it is relevant to the subject matter at hand. The Rules Committee often waives those requirements.

This bill, as he pointed out, does two different things, both appearing in different sections of the Clean Air Act.

My amendment will, very simply, make sure that oil and gas operators play by the same rules as other industries. It doesn't mean that flaring won't occur. It will, and it does. For those of us who live in and around fracking, that is a fact of life. What it means is, whereas, you have the argument the industry has made that if you have one or two of these sites and you round the profile of emissions down to zero, just simply doesn't hold water when you have 1,000 or 10,000 active wells in a very limited area. We can't round that down to zero. It is simple math. The profile of emissions from that site is greater than several large power plants, if you have 10,000 wells.

Mr. Chair, I strongly urge my colleagues to vote "yes" on this amendment, and I yield back the balance of my time.

Mr. SHIMKUS. Mr. Chairman, to my colleague from Colorado, sitting in with the Rules Committee yesterday, the question was asked: Would you accept this amendment or would you not? I said: I appreciate my colleagues on the Rules Committee. They will do the due diligence in agreeing which amendment comes to the floor or not.

So it is good to see the Rules Committee has so much comradery and comity that they would allow someone from the committee to offer an amendment on the bill, but I still have to object because it splits this bill and tries to bring in air issues that are in the hazardous air program and jam it into this one where, basically, what we are trying to do is send a signal and allow communities to meet the 2008 standards before a new 2015 standard gets placed upon them 3 months after they do the implementing guidelines.

It is really a process, a bill that makes it easier for people to comply. It really helps EPA more easily be able to evaluate the data and move us forward to a cleaner environment.

Mr. Chair, I reluctantly hold my position that we should vote against the Polis amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

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

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. MCNERNEY

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 115-229.

Mr. MCNERNEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 6.

The Acting CHAIR. Pursuant to House Resolution 451, the gentleman from California (Mr. MCNERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCNERNEY. Mr. Chair, I yield myself such time as I may consume.

Mr. Chairman, this is an easy amendment to argue because it makes so much sense.

I am going to ask to strike section 6 of the bill. Let me read that section: "No additional funds are authorized to be appropriated to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized."

In other words, they are going to be carried out without any funds.

Mr. Chairman, I am going to move forward here and make the statement that the administration and House Republicans continue to add to the EPA's workload while cutting funding and hampering State and local agencies from providing the resources needed to protect public health.

□ 1615

This is surely unreasonable. In the case of H.R. 806, it will continue to obstruct the EPA's ability to advance and improve our Nation's air and water quality. My congressional district has extremely poor air quality, which has caused a variety of health issues for my constituents.

This bill does weaken the Clean Air Act. Specifically, it targets the implementation and enforcement of air pollution health standards. It also negatively impacts the budget for programs necessary to ensure that Americans can breathe clean air.

This bill is in stark opposition to the public's overwhelming support of the Clean Air Act. According to the Center for American Progress, the Trump administration's EPA budget, which cuts more than \$2 billion from the Agency's budget, shifts the cost of implementing clean air standards to the States. All of these cuts would be harmful to the 649,000 children and more than 2 million adults with asthma living in California.

Every State agency that testified before the Energy and Commerce Subcommittee on the Environment stated

that more, not less, money is needed and that the Clean Air Act was working to protect the public's health and safety.

I represent one of the worst air quality regions in the Nation, the San Joaquin Valley, and yet the San Joaquin Valley air district has been a leader in utilizing EPA grants and expertise to achieve emissions reductions from mobile sources, showing that this funding is beneficial. The valley continues to set emission levels to record lows and has reduced air pollution by over 80 percent. This data proves that the Clean Air Act works and creates a better standard of living for all Americans.

The American Lung Association issued a State of the Air report for 2017 in the State of California. Most of its 28 counties received an F for air quality. We should be striving for better air quality.

Grants like the EPA's Targeted Air Shed Grants and Diesel Emission Reductions Act help thousands of agriculture, trucking, and other businesses acquire low-emitting tractors, trucks, and other equipment. This funding generates jobs and manufacturing here in the United States. These Federal funds have a great track record of benefiting our region, and it is a good investment.

EPA estimates that for every dollar spent on DERA, more than \$20 in health benefits are generated. That is \$20 of health benefits for every dollar invested. All 50 States have these programs.

I also want to highlight how this bill, combined with other efforts by the Trump administration, will continue to negatively impact air quality and public health.

Our States have made tremendous progress and a significant investment toward addressing climate change and public health. However, the Ozone Standards Implementation Act would take a step backward, destroying much of the progress, leading to a greater harm to public health and our economy.

I urge a "yes" vote on this amendment, and I reserve the balance of my time.

Mr. OLSON. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. OLSON. Mr. Chair, first of all, I appreciate my colleagues's challenge back in the San Joaquin Valley. It is a very tough place with ozone.

Fresno County is extreme for ozone, the San Joaquin Valley; Kern County is extreme for ozone, the San Joaquin Valley; Kings County is extreme for ozone, the San Joaquin Valley; Madera County is extreme for ozone, the San Joaquin Valley; Merced County is extreme for ozone, the San Joaquin Valley; San Joaquin County is extreme for ozone, the San Joaquin Valley; Stanislaus County is extreme for ozone, the San Joaquin Valley; Tulare County is extreme for ozone, the San

Joaquin Valley. That is a tough problem for your own district in the San Joaquin Valley, but your amendment does not fix this problem in any way.

Under this bill, the amount of resources that EPA needs to review proposed nonattainment designations and approving complex State implementation plans under 2015 ozone standards will be greatly reduced. EPA will do more with less. Therefore, EPA will be able to carry out the new requirements of this bill within existing authorizations, helping out the San Joaquin Valley.

This amendment is unnecessary because the bill will reduce the implementation costs by eliminating redundant and overlapping Federal regulatory requirements. Less red tape means lower implementation costs.

States testified that the bill will reduce the cost of EPA in their existing ozone programs while continuing to improve air quality and reduce ozone emissions. Our States have an excellent track record for cost-effective emission reductions over the last several decades.

The State of Maine sums up the point of this bill exactly, and they have very little ozone problems. The director of Maine's Bureau of Air Quality testified before our committee:

The changes, as proposed, in H.R. 806 to delay final designations under the 2015 standard until 2025 and to extend the timeframe for standard review from 5 to every 10 years, including concurrently published clearly defined implementing regulations, would allow the due process to be followed and fulfilled. This would more effectively and efficiently utilize Federal, State, and individual facility resources to establish a standard and work for the improvement of air quality and the protection of the people of our Nation.

This amendment is unnecessary. I urge my colleagues to oppose it, and I reserve the balance of my time.

Mr. McNERNEY. Mr. Chair, how much time is remaining?

The Acting CHAIR. The gentleman from California has 1 minute remaining, and the gentleman from Texas has 1 minute remaining.

Mr. McNERNEY. Mr. Chair, I appreciate my colleague and friend from Texas pointing out that we have counties in San Joaquin Valley that have extreme ozone problems, but to ask to do more with less is not reasonable. It is the DERA grants given to the counties from the EPA's budget that have allowed the agencies to have the 80 percent reduction in air pollution.

So taking that money away is not going to help. It is going to make matters worse. Our agencies aren't going to be able to do the things that they have been able to do, and they are not going to be able to continue those things. So I think saying that we can't put more money into air pollution reduction is not the answer. We need to be able to spend money to do this.

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

Mr. OLSON. Mr. Chairman, this bill ensures that EPA has the money to

help the San Joaquin Valley and every part of America that is nonattainment for ozone with the funds they need as quickly as possible. EPA will be more and more and more efficient. I urge opposition to this amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. McNERNEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. McNERNEY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. McNERNEY
The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 115-229.

Mr. McNERNEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Air and Health Quality Empowerment Zone Designation Act of 2017".

SEC. 2. AIR AND HEALTH QUALITY EMPOWERMENT ZONES.

(a) DESIGNATION OF AIR AND HEALTH QUALITY EMPOWERMENT ZONES.—

(1) IN GENERAL.—The Administrator may designate an area as an air and health quality empowerment zone if—

(A) the air pollution control district or other local governmental entity authorized to regulate air quality for the area submits an application under paragraph (2) nominating the area for such designation; and

(B) the Administrator determines that—

(i) the information in the application is reasonably accurate; and

(ii) the nominated area satisfies the eligibility criteria described in paragraph (3).

(2) NOMINATION.—To nominate an area for designation under paragraph (1), the air pollution control district or other local governmental entity authorized to regulate air quality for the area shall submit to the Administrator an application that—

(A) demonstrates that the nominated area satisfies the eligibility criteria described in paragraph (3); and

(B) includes a strategic plan that—

(i) is designed for—

(I) addressing air quality challenges and achieving attainment of air quality standards in the area; and

(II) improving the health of the population in the area;

(ii) describes—

(I) the process by which the district or local governmental entity is a full partner in the process of developing and implementing the strategic plan; and

(II) the extent to which local institutions and organizations have contributed to the planning process;

(iii) identifies—

(I) the amount of State, local, and private resources that will be available for carrying out the strategic plan; and

(II) the private and public partnerships to be used (which may include participation by, and cooperation with, institutions of higher education, medical centers, and other private and public entities) in carrying out the strategic plan;

(iv) identifies the funding requested under any Federal program in support of the strategic plan;

(v) identifies baselines, methods, and benchmarks for measuring the success of the strategic plan; and

(vi) includes such other information as may be required by the Administrator; and

(C) provides written assurances satisfactory to the Administrator that the strategic plan will be implemented.

(3) ELIGIBILITY CRITERIA.—To be eligible for designation under paragraph (1), an area must meet all of the following criteria:

(A) NONATTAINMENT.—The area has been designated as being—

(i) in extreme nonattainment of the national ambient air quality standard for ozone; and

(ii) in nonattainment of the national ambient air quality standard for PM_{2.5}.

(B) UNIQUE SOURCES.—The area had—

(i) emissions of oxides of nitrogen from farm equipment of at least 30 tons per day in calendar year 2011;

(ii) emissions of volatile organic compounds from farming operations of at least 3 tons per day in calendar year 2010; or

(iii) emissions of oxides of nitrogen from sources governed primarily through international law of at least 50 tons per day in calendar year 2010.

(C) AIR QUALITY-RELATED HEALTH EFFECTS.—As of the date of designation, the area meets or exceeds the national average per capita incidence of asthma.

(D) ECONOMIC IMPACT.—As of the date of designation, the area experiences unemployment rates higher than the national average.

(E) MATCHING FUNDS.—The air pollution control district or other local governmental entity submitting the strategic plan under paragraph (2) for the area agrees that it will make available (directly or through contributions from the State or other public or private entities) non-Federal contributions toward the activities to be carried out under the strategic plan in an amount equal to \$1 for each \$1 of Federal funds provided for such activities. Such non-Federal matching funds may be in cash or in-kind, fairly evaluated, including plant, equipment, or services.

(4) PERIOD OF DESIGNATION.—A designation under paragraph (1) shall remain in effect during the period beginning on the date of the designation and ending on the earlier of—

(A) the last day of the tenth calendar year ending after the date of the designation; or

(B) the date on which the Administrator revokes the designation.

(5) REVOCATION OF DESIGNATION.—The Administrator may revoke the designation under paragraph (1) of an area if the Administrator determines that—

(A) the area is in attainment with the national ambient air quality standards for PM_{2.5} and ozone; or

(B) the air pollution control district or other local governmental entity submitting the strategic plan under paragraph (2) for the area is not complying substantially with, or fails to make progress in achieving the goals of, such strategic plan.

(b) GRANTS FOR AIR AND HEALTH QUALITY EMPOWERMENT ZONES.—

(1) IN GENERAL.—For the purpose described in paragraph (2), the Administrator may award one or more grants to the air pollution control district or local governmental entity submitting the application under subsection (a)(2) on behalf of each air and health

quality empowerment zone designated under subsection (a)(1).

(2) USE OF GRANTS.—A recipient of a grant under paragraph (1) shall use the grant solely for the purpose of carrying out the strategic plan submitted by the recipient under subsection (a)(2).

(3) AMOUNT OF GRANTS.—The amount awarded under this subsection with respect to a designated air and health quality empowerment zone shall be determined by the Administrator based upon a review of—

(A) the information contained in the application for the zone under subsection (a)(2); and

(B) the needs set forth in the application for those anticipated to benefit from the strategic plan submitted for the zone.

(4) TIMING OF GRANTS.—To the extent and in the amount of appropriations made available in advance, the Administrator shall—

(A) award a grant under this subsection with respect to each air and health quality empowerment zone on the date of designation of the zone under subsection (a)(1); and

(B) make the grant funds available to the grantee on the first day of the first fiscal year that begins after the date of such designation.

(c) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) PM_{2.5}.—The term “PM_{2.5}” means particulate matter with a diameter that does not exceed 2.5 micrometers.

SEC. 3. REPORT TO CONGRESS.

Not later than 5 years after the date of the enactment of this Act, the Administrator of the Environmental Protection Agency—

(1) shall submit a report to the Congress on the impact of this Act; and

(2) may include in such report a description of the impact of this Act in regard to—

(A) the reduction of particulate matter and nitrogen oxides emissions;

(B) the reduction of asthma rates and other health indicators; and

(C) economic indicators.

Amend the title so as to read: “A bill to provide for the designation of, and the award of grant with respect to, air and health quality empowerment zones.”

The Acting CHAIR. Pursuant to House Resolution 451, the gentleman from California (Mr. McNERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. McNERNEY. Mr. Chair, I yield myself such time as I may consume.

Mr. Chairman, H.R. 806 does have a couple of provisions that would be helpful to the air district in my region to avoid economic sanctions for failing to meet certain standards when very specific criteria are met. However, the underlying bill, as a whole, is completely unacceptable and has been called the most irresponsible attack on the Clean Air Act health standards ever introduced.

The Clean Air Act works. It saves lives. It has improved the environment. I am privileged to represent a portion of the San Joaquin Valley which, as was pointed out in the prior amendment, has extreme ozone problems.

We produce more than half of the Nation's fruits, nuts, and vegetables. Unfortunately, the valley has recently been rebounding from an economic

downturn and is continually hurt by poor air quality. Action is needed.

This amendment seeks to address the serious health issues that are a direct result of the poor air quality in the San Joaquin Valley and other regions that are most at risk. The amendment provides a grant program for areas that are in nonattainment of PM 2.5, extreme nonattainment of ambient air quality standards, and those with high rates of asthma and unemployment. It requires a dollar-for-dollar matching from the districts receiving the grant.

California has 7 of the top 10 most polluted metropolitan areas and 11 of the worst 25 nationwide. There are millions of people at risk in the valley and south coast due to high levels of PM 2.5 and ozone, including children, seniors, and those with chronic illnesses. San Joaquin Valley counties received F grades for their air quality by the American Lung Association.

Our kids deserve to be healthy, attend school, and live in a clean air environment. Studies have shown that high-quality air standards would prevent thousands of premature deaths in the valley and that it would work to prevent heart attacks, emergency room visits, and missed school- and work-days.

One study estimated that in the Los Angeles-Long Beach-Glendale area, about 2.9 million people missed work or schooldays and were otherwise negatively affected from conducting normal activities due to poor air quality.

Valley children miss hundreds of thousands of days of school each year, and about one in five living in the valley has asthma. Illnesses related to poor air quality cost the valley billions, annually.

H.R. 806 will be a step backward. That is why I have offered this substitute amendment that would allow the EPA to target and work with our Nation's most affected regions, like those in the valley and the south coast. This is about addressing our environment, the air we breathe, and helping those most at risk.

At the same time, California has been cleaning the air. Its economy has continued to grow. In 2016, California's nonfarm employment increased by 2.6 percent, compared to 1.7 percent nationwide. In 2009, California's clean energy industry created \$2.7 billion and employed 123,000 people. By 2020, we expect it to grow to over \$140 billion with 345,000 employed. California's success is proof that H.R. 806 is unnecessary.

I urge adoption of my amendment, and I reserve the balance of my time.

Mr. SHIMKUS. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Chairman, I would like to thank my colleague for his impassioned discussion, especially of his area. We all have a lot of friends here. It is hard for the public to believe I am on both sides of the aisle, so it

saddens me to have to speak in opposition to this amendment.

This is doing, similarly, what I had to address with Congressman POLIS in that it is taking a bill in which we are trying to streamline the processes and then somehow creating a grant program out of the money. I don't know where this money is coming from, whether it is coming from the supposed savings from nonimplementation.

But as my colleague from Texas mentioned, the process, as you followed through the committee, is to say: How do you force people who are just told how to comply with 2008 standards, how do you then turn around and give them 2015 standards when they were just told how to comply 3 months prior?

And so what we have tried to do in this piece of legislation is to say let's allow people to move forward on 2008 while making sure that the 2015 standards occur with a deadline of 2025. That is the basic premise.

And it also addresses the issue of, and I know, there are parts of the country where they can do all that they can do and they are not going to meet the standards because of what is being imported from other regions, maybe, in your case, from Asia or from San Francisco or those areas. So how do you end up punishing an area when they are doing everything that they humanly can do?

There is some great, obviously, statistics that you have shared of the success in that region, although they are still stressed under the current standards.

□ 1630

So your amendment would eliminate the widely supported reforms in this bill. And I read, and we will have submitted for the RECORD, the 145-plus organizations that support it, plus the five or ten that we addressed earlier from the markup, and then really kind of apply only to a few parts of the country versus the entire country as a whole.

Across the Nation, States and communities struggle to implement these standards, and we are trying to streamline that process. This amendment would deprive communities across the Nation of the benefits of H.R. 806. It would reduce red tape, relief from the sanctions and penalties for emissions that are outside their control, as I said earlier, and streamline the implementation of the standards.

Mr. Chair, I appreciate my friend and colleague. I know it is a tough environment we are trying to address, especially some of those concerns.

Mr. Chair, I still urge my colleagues to vote "no," and I reserve the balance of my time.

Mr. MCNERNEY. Mr. Chair, how much time is remaining?

The Acting CHAIR. The gentleman from California has 1½ minutes remaining.

Mr. MCNERNEY. Mr. Chair, clearly everybody wants clean air, and I don't

doubt that for a second, and I appreciate the effort that is being made to streamline the implementation of clean air. But my questions are: Is this going to be a message bill? Or is this something we are actually going to get signed into law?

And my answer rhetorically is that if you want to get something signed into law, you really have to work on both sides of the aisle.

Now, there are a couple provisions in the bill that I think are completely objectionable. There may be room for compromise. The 10-year extension seems out of bounds to me. Technology moves much faster than 10 years. The idea that technical achievability can be taken into account really does lose sight of the important aspect of the Clean Air Act, which is that we want to protect people's health.

So among other things, if you want to actually get something done, if you want to actually work across the aisle and get something that we may get signed into law, work with us. Otherwise, I am going to have to put forward this amendment that replaces the ozone 805 and replaces it with something that actually works.

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

Mr. SHIMKUS. Mr. Chairman, I agree with my colleague that this doesn't rise to the standard of the other bills that we will be bringing in a bipartisan manner, and we kind of raised that initially at the beginning. And it is, I think, to both of our losses.

But having said that, my colleague, Congressman OLSON, the author of the bill, did get a couple Democrats to sponsor the primary piece of legislation, and there is a Senate companion bill, S. 263, which we hope will be passed by the Senate. So we are a little more optimistic that this can get over the finish line than Mr. MCNERNEY might be, but, again, we will continue to work together where we can work together, and respectfully disagree when we have disagreements.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. MCNERNEY).

The amendment was rejected.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 115-229 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. CASTOR of Florida.

Amendment No. 2 by Mr. TONKO of New York.

Amendment No. 3 by Mr. BEYER of Virginia.

Amendment No. 4 by Mr. POLIS of Colorado.

Amendment No. 5 by Mr. MCNERNEY of California.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MS. CASTOR OF FLORIDA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Florida (Ms. CASTOR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 15-minute vote.

The vote was taken by electronic device, and there were—ayes 194, noes 232, not voting 7, as follows:

[Roll No. 385]

AYES—194

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

Velázquez
Visclosky
Walz

Wasserman
Schultz
Waters, Maxine
Watson Coleman

NOES—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
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs

Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Norman

Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Posey
Reed
Renacci
Rice (SC)
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
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

NOT VOTING—7

Cummings
Granger
Labrador

Napolitano
Pelosi
Ratcliffe

□ 1704

Messrs. MARSHALL, PERRY, PALMER, MOONEY of West Virginia, Mrs. McMORRIS RODGERS, and Mr. DUFFY changed their vote from “aye” to “no.”

Welch
Wilson (FL)
Yarmuth

Messrs. BUTTERFIELD, SCHRAEDER, POLIS, and HOYER changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. TONKO

The Acting CHAIR (Mr. HULTGREN). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. TONKO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 241, not voting 10, as follows:

[Roll No. 386]

AYES—182

Adams
Agullar
Barragán
Bass
Bera
Beyer
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Cárbañal
Cárdenas
Carlson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Eshoo
Españat
Esty (CT)
Evans
Faso
Foster
Frankel (FL)
Fudge

Gabbard
Gallego
Garamendi
Gomez
Green, Al
Grijalva
Gutiérrez
Hanabusa
Hannabuss
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
Loeb sack
Lofgren
Lowenthal
Lowe y
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Mast
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Neal
Nolan

Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Scott (VA)
Scott, David
Serrano
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—241

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

Goodlatte
Gosar
Gottheimer
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (FL)
Murphy (PA)
Newhouse
Noem
Norman

Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Reed
Reichert
Renacci
Rice (SC)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schneider
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
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

NOT VOTING—10

Beatty
Cummings
DesJarlais
Granger

Kaptur
Labrador
Napolitano
Pelosi

Ratcliffe
Scalise

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1708

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. BEYER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. BEYER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 191, noes 235, not voting 7, as follows:

[Roll No. 387]

AYES—191

Adams	Gabbard	Nolan
Aguilar	Gallego	Norcross
Barragan	Garamendi	O'Rourke
Bass	Gomez	Pallone
Bera	Gonzalez (TX)	Panetta
Beyer	Gottheimer	Pascrell
Bishop (GA)	Green, Al	Payne
Blumenauer	Grijalva	Pelosi
Blunt Rochester	Gutiérrez	Perlmutter
Bonamici	Hanabusa	Peters
Boyle, Brendan	Hastings	Pingree
F.	Heck	Pocan
Brady (PA)	Higgins (NY)	Polis
Brown (MD)	Himes	Price (NC)
Brownley (CA)	Hoyer	Quigley
Bustos	Huffman	Raskin
Butterfield	Jackson Lee	Rice (NY)
Capuano	Jayapal	Richmond
Carbajal	Jeffries	Ros-Lehtinen
Cárdenas	Johnson (GA)	Rosen
Carson (IN)	Johnson, E. B.	Roybal-Allard
Cartwright	Kaptur	Ruiz
Castor (FL)	Keating	Ruppersberger
Castro (TX)	Kelly (IL)	Rush
Chu, Judy	Kennedy	Ryan (OH)
Ciциlline	Khanna	Sánchez
Clark (MA)	Kihuen	Sarbanes
Clarke (NY)	Kildee	Schakowsky
Clay	Kilmer	Schiff
Cleaver	Kind	Schneider
Clyburn	Krishnamoorthi	Schrader
Cohen	Kuster (NH)	Scott (VA)
Connolly	Langevin	Scott, David
Conyers	Larsen (WA)	Serrano
Cooper	Larson (CT)	Sewell (AL)
Correa	Lawrence	Shea-Porter
Courtney	Lawson (FL)	Sherman
Crist	Lee	Sires
Crowley	Levin	Slaughter
Cuellar	Lewis (GA)	Soto
Curbelo (FL)	Lieu, Ted	Speier
Davis (CA)	Lipinski	Stefanik
Davis, Danny	Loeb sack	Suo zzi
DeFazio	Lofgren	Swalwell (CA)
DeGette	Lowenthal	Takano
Delaney	Lowe y	Thompson (CA)
DeLauro	Lujan Grisham,	Thompson (MS)
DeBene	M.	Titus
Demings	Luján, Ben Ray	Lynch
Dent	Lynch	Tonko
DeSaulnier	Maloney,	Torres
Deutch	Carolyn B.	Tsongas
Dingell	Maloney, Sean	Vargas
Doggett	Mast	Veasey
Doyle, Michael	Doyle, Michael	F.
F.	F.	Ellison
Ellison	F.	Engel
Engel	F.	Eshoo
Eshoo	F.	Espallat
Espallat	F.	Esty (CT)
Esty (CT)	F.	Evans
Evans	F.	Fitzpatrick
Fitzpatrick	F.	Foster
Foster	F.	Frankel (FL)
Frankel (FL)	F.	Fudge
Fudge	F.	

Abraham	Gosar	O'Halleran
Aderholt	Govdy	Olson
Allen	Graves (GA)	Palazzo
Amash	Graves (LA)	Palmer
Amodei	Graves (MO)	Paulsen
Arrington	Green, Gene	Pearce
Babin	Griffith	Perry
Bacon	Grothman	Peterson
Banks (IN)	Guthrie	Pittenger
Barletta	Handel	Poe (TX)
Barr	Harper	Poliquin
Barton	Harris	Posey
Bergman	Hartzler	Ratcliffe
Biggs	Hensarling	Reed
Bilirakis	Herrera Beutler	Reichert
Bishop (MI)	Hice, Jody B.	Renacci
Bishop (UT)	Higgins (LA)	Rice (SC)
Black	Hill	Roby
Blackburn	Holding	Roe (TN)
Blum	Hollingsworth	Rogers (AL)
Bost	Hudson	Rogers (KY)
Brady (TX)	Huizenga	Rohrabacher
Brat	Hultgren	Rokita
Bridenstine	Hunter	Rooney, Francis
Brooks (AL)	Hurd	Rooney, Thomas
Brooks (IN)	Issa	J.
Buchanan	Jenkins (KS)	Roskam
Buck	Jenkins (WV)	Ross
Bucshon	Johnson (LA)	Rothfus
Budd	Johnson (OH)	Rouzer
Burgess	Johnson, Sam	Royce (CA)
Byrne	Jones	Russell
Calvert	Jordan	Rutherford
Carter (GA)	Joyce (OH)	Sanford
Carter (TX)	Katko	Schweikert
Chabot	Kelly (MS)	Scott, Austin
Cheney	Kelly (PA)	Sensenbrenner
Coffman	King (IA)	Sessions
Cole	King (NY)	Shimkus
Coleman	Kinzinger	Shuster
Collins (GA)	Knight	Simpson
Collins (NY)	Kustoff (TN)	Sinema
Comer	LaHood	Smith (MO)
Comstock	LaMalfa	Smith (NE)
Conaway	Lamborn	Smith (NJ)
Cook	Lance	Smith (TX)
Costa	Latta	Smucker
Costello (PA)	Lewis (MN)	Stewart
Cramer	LoBiondo	Stivers
Crawford	Long	Taylor
Culberson	Loudermilk	Tenney
Davidson	Love	Thompson (PA)
Davis, Rodney	Lucas	Thornberry
Denham	Luetkemeyer	Tiberi
DeSantis	MacArthur	Tipton
DesJarlais	Marchant	Trott
Diaz-Balart	Marino	Turner
Donovan	Marshall	Upton
Duffy	Massie	Valadao
Duncan (SC)	McCarthy	Waladao
Duncan (TN)	McCaul	Walberg
Dunn	McClintock	Walden
Emmer	McHenry	Walker
Estes (KS)	McKinley	Walorski
Farenthold	McMorris	Walters, Mimi
Faso	Rodgers	Weber (TX)
Ferguson	McSally	Webster (FL)
Fleischmann	Meadows	Wenstrup
Flores	Meehan	Westerman
Flores	Messer	Williams
Fortenberry	Mitchell	Wilson (SC)
Fox	Moolenaar	Wittman
Franks (AZ)	Mooney (WV)	Womack
Frelinghuysen	Mullin	Woodall
Gaetz	Murphy (PA)	Yoder
Gallagher	Newhouse	Yoho
Garrett	Noem	Young (AK)
Gianforte	Norman	Young (IA)
Gibbs	Nunes	Zeldin
Gohmert		
Goodlatte		

NOT VOTING—7

Beatty	Labrador	Smith (WA)
Cummings	Napolitano	
Granger	Scalise	

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1712

So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. POLIS
The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 242, not voting 5, as follows:

[Roll No. 388]

AYES—186

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

NOES—242

Abraham	Babin	Bergman
Aderholt	Bacon	Biggs
Allen	Banks (IN)	Bilirakis
Amash	Barletta	Bishop (MI)
Amodei	Barr	Bishop (UT)
Arrington	Barton	Black

Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Cuellar
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Gonzalez (TX)
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guthrie
Handel

Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry

Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Veasey
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

on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 190, noes 236, not voting 7, as follows:

[Roll No. 389]

AYES—190

Adams
Agular
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamico
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
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Españillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
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
Loeb sack
Lofgren
Lowenthal
Lowe
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Ros-Lehtinen
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Cuellar
Culberson
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guthrie
Handel
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin

NOT VOTING—7

Cummings
Granger
Joyce (OH)
Labrador
Napolitano
Pelosi
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
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

NOT VOTING—5

Cummings
Granger
Labrador
Napolitano
Scalise

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1716

So the amendment was rejected. The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. MCNERNEY
The Acting CHAIR (Mr. WOMACK). The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. MCNERNEY) on which further proceedings were postponed and

NOES—236

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1720

So the amendment was rejected. The result of the vote was announced as above recorded.

The Acting CHAIR. The question is on the amendment in the nature of a substitute.

The amendment was agreed to. The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Mr. WOMACK, Acting Chair of the Committee of the Whole House on the state

of the Union, reported that that Committee, having had under consideration the bill (H.R. 806) to facilitate efficient State implementation of ground-level ozone standards, and for other purposes, and, pursuant to House Resolution 451, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment in the nature of a substitute.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. CARTWRIGHT. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CARTWRIGHT. I am opposed.

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

The Clerk read as follows:

Mr. Cartwright moves to recommit the bill H.R. 806 to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith, with the following amendment:

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

SEC. 7. LIMITATION.

This Act and the amendments made by this Act shall not apply if the Clean Air Scientific Advisory Committee, in consultation with the Director of the Congressional Budget Office, finds that application of this Act and the amendments made by this Act could increase, with respect to Americans without access to affordable, comprehensive health insurance, any of the following health impacts:

- (1) Asthma attacks.
- (2) Hospitalizations or emergency room visits for those with respiratory or cardiovascular disease.
- (3) The risk of preterm birth, babies born with low birth weight, or impaired fetal growth.
- (4) The risk of heart attacks, stroke, or premature death.
- (5) Reproductive, developmental, or other serious harms to human health.

Mr. CARTWRIGHT (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. CARTWRIGHT. Mr. Speaker, the Ozone Act, or perhaps more accurately, the "Smoggy Skies Act," will put our communities at risk and dangerously harm public health. The delays and exemptions in this act are unprecedented. They will cut critical portions of the Clean Air Act to the detriment of our Nation and our people's health.

This motion to recommit is simple. If the Clean Air Scientific Advisory Com-

mittee, which is an independent group of nationally recognized experts, if they believe that this act will increase asthma attacks, increase emergency room visits, increase pre-term births, increase impaired fetal growth, lead to an increased risk of heart attack, stroke, premature death, then the act will not go into effect.

Now I ask, what is more important or fundamental as the representatives of the people than to ensure that our actions do not bring harm to the American people? How can we go home to our constituents and look a mother in the eye and say we voted for something that could make her child sick? How can we visit a school if we voted for something that could spike rates of asthma?

We originally passed the bipartisan Clean Air Act to protect the health of our people. As we vote to partially dismantle it today, at least we should ensure scientists certify that we are doing no harm to the American people.

Some of my colleagues may vote against this motion to recommit because they already know this act will have a devastating impact on the American people's health. Plain and simple, ozone is a pollutant. It is the leading component of smog. It causes chest pain, shortness of breath, respiratory infections, asthma attacks, acute bronchitis, and even premature death.

Smog is linked to 16,000 preterm births per year. Exposure to ozone in the womb and in childhood causes permanent lung damage. The new ozone standards could prevent 230,000 childhood asthma attacks per year. Delaying implementation of the new ozone standards will only sentence more and more children to lifelong lung disease.

When setting the new ozone standards, the EPA used the best available science and reviewed hundreds of studies on the negative health effects of ozone. One conclusion was clear: the current standards do not protect the American people.

My Republican colleagues here recently passed legislation that would have taken healthcare away from 22 million people. Now we are considering a bill that would make our Nation sicker, a bill that would hurt our most vulnerable: babies, infants, school-children, the elderly.

For good reasons, this bill is opposed by the American Academy of Pediatrics, the American Heart Association, the American Lung Association, the American Public Health Association, the National Association of County and City Health Officials, and many, many more. These experts know that this bill is nothing more than a recipe for increased sickness and more suffering.

We know that people are being harmed by ozone. We have a duty to our citizens to raise the bar and protect their health. This is the people's House. We are here to protect the people. We are here to fight for the most vulnerable among us and not to rep-

resent special interests. We need to be the body to promote health, not take away healthcare. We need to fight for kids, not make them sick. We need to clean our air, not protect polluters.

Mr. Speaker, support this amendment and make sure this bill is not the health catastrophe all the experts know that it is.

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

Mr. SHIMKUS. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, to my colleagues and friends, I appreciate the debate. Those who followed it here, just a couple of points.

The question is: Why are we here today?

In 2008, the EPA established ozone standards, and then it took the EPA 7 years to tell communities how to comply with those 2008 standards. It is the truth. I am just telling you the truth.

Three months later, after they told the communities how to comply, they said: Now we are going to give you 2015 standards.

That is why we are here. We are just here trying to say that if the EPA is going to establish standards, then they ought to say: We are going to give you the guidelines on how to comply now, not 7 years later.

So what this bill does is allow communities to meet the 2008 standards. It doesn't roll back any standards. It says meet the 2008 standards. In fact, we don't even say roll back the 2015 standards. We just say, give the communities time to comply with the 2015 standards.

This motion is a distraction. Let's reject it, and move to pass the bill.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 191, noes 235, not voting 7, as follows:

[Roll No. 390]

AYES—191

Adams	Beatty	Blum
Aguilar	Bera	Blumenauer
Barragan	Beyer	Blunt Rochester
Bass	Bishop (GA)	Bonamici

Boyle, Brendan F.
 Brady (PA)
 Brown (MD)
 Brownley (CA)
 Bustos
 Butterfield
 Capuano
 Carbal
 Cárdenas
 Carson (IN)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chu, Judy
 Cicilline
 Clark (MA)
 Clarke (NY)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connolly
 Conyers
 Cooper
 Correa
 Costa
 Courtney
 Crist
 Crowley
 Cuellar
 Davis (CA)
 Davis, Danny
 DeFazio
 DeGette
 Delaney
 DeLauro
 DelBene
 Demings
 DeSaulnier
 Deutch
 Dingell
 Doggett
 Doyle, Michael F.
 Ellison
 Engel
 Eshoo
 Espallat
 Esty (CT)
 Evans
 Foster
 Frankel (FL)
 Fudge
 Gabbard
 Gallego
 Garamendi
 Gomez
 Gonzalez (TX)
 Gottheimer
 Green, Al
 Green, Gene

NOES—235

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
 Kinstler
 Krishnamoorthi
 Kuster (NH)
 Langevin
 Larsen (WA)
 Larson (CT)
 Lawrence
 Lawson (FL)
 Lee
 Levin
 Lewis (GA)
 Lieu, Ted
 Lipinski
 Loeb
 Lofgren
 Lowenthal
 Lowey
 Lujan Grisham,
 M.
 Luján, Ben Ray
 Lynch
 Maloney,
 Carolyn B.
 Maloney, Sean
 Matsui
 McCollum
 McEachin
 McGovern
 McNeerney
 Meeks
 Meng
 Moore
 Moulton
 Murphy (FL)
 Nadler
 Neal
 Nolan
 Norcross
 O'Halleran

O'Rourke
 Pallone
 Panetta
 Pascrell
 Payne
 Pelosi
 Perlmutter
 Peters
 Pingree
 Pocan
 Polis
 Price (NC)
 Quigley
 Raskin
 Rice (NY)
 Richmond
 Rosen
 Roybal-Allard
 Ruiz
 Rush
 Ryan (OH)
 Sánchez
 Sarbanes
 Schakowsky
 Schiff
 Schneider
 Schrader
 Scott (VA)
 Scott, David
 Serrano
 Sewell (AL)
 Shea-Porter
 Sherman
 Sinema
 Sires
 Slaughter
 Smith (WA)
 Soto
 Speier
 Suozzi
 Swalwell (CA)
 Takano
 Thompson (CA)
 Thompson (MS)
 Titus
 Tonko
 Torres
 Tsongas
 Vargas
 Veasey
 Vela
 Velázquez
 Vislosky
 Walz
 Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Wilson (FL)
 Yarmuth

Jenkins (KS)
 Jenkins (WV)
 Johnson (LA)
 Johnson (OH)
 Johnson, Sam
 Jordan
 Joyce (OH)
 Katko
 Kelly (MS)
 Kelly (PA)
 King (IA)
 King (NY)
 Kinzinger
 Knight
 Kustoff (TN)
 LaHood
 LaMalfa
 Lamborn
 Lance
 Latta
 Lewis (MN)
 LoBiondo
 Long
 Loudermilk
 Love
 Lucas
 Luetkemeyer
 MacArthur
 Marchant
 Marino
 Marshall
 Massie
 Mast
 McCarthy
 McCaul
 McClintock
 McHenry
 McKinley
 McMorris
 Rodgers
 McSally
 Meadows
 Meehan
 Messer

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1736

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. TONKO. 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 229, noes 199, not voting 5, as follows:

[Roll No. 391]
 AYES—229

Abraham
 Aderholt
 Allen
 Amash
 Amodei
 Arrington
 Barton
 Bergman
 Biggs
 Bilirakis
 Bishop (MI)
 Bishop (UT)
 Black
 Blackburn
 Bost
 Brady (TX)
 Brat
 Bridenstine
 Brooks (AL)
 Brooks (IN)
 Buchanan
 Buck
 Bucshon
 Budd
 Burgess
 Byrne
 Calvert
 Carter (GA)
 Carter (TX)
 Chabot

Cook
 Costa
 Costello (PA)
 Cramer
 Crawford
 Cuellar
 Culberson
 Davidson
 Davis, Rodney
 Denham
 Dent
 DeSantis
 DesJarlais
 Diaz-Balart
 Donovan
 Duffy
 Duncan (SC)
 Duncan (TN)
 Dunn
 Emmer
 Estes (KS)
 Farenthold
 Ferguson
 Fleischmann
 Flores
 Fortenberry
 Foy
 Franks (AZ)
 Frelinghuysen
 Gaetz
 Gallagher
 Garrett
 Gianforte
 Gibbs
 Gohmert
 Goodlatte
 Gosar
 Gowdy
 Graves (GA)
 Graves (LA)
 Graves (MO)
 Griffith
 Grothman
 Guthrie
 Handel
 Harper
 Harris
 Hartzler
 Hensarling
 Herrera Beutler
 Hice, Jody B.
 Higgins (LA)
 Hill
 Holding
 Hollingsworth
 Hudson
 Huizenga
 Hultgren
 Hunter
 Hurd
 Issa
 Jenkins (KS)

NOT VOTING—7
 Napolitano
 Welch
 Ruppberger
 Scalise

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

NOES—199

Correa
 Courtney
 Crist
 Crowley
 Curbelo (FL)
 Davis (CA)
 Davis, Danny
 DeFazio
 DeGette
 Delaney
 DeLauro
 DelBene
 Demings
 DeSaulnier
 Deutch
 Dingell
 Doggett
 Doyle, Michael F.
 Ellison
 Engel
 Eshoo
 Espallat
 Esty (CT)
 Evans
 Faso
 Fitzpatrick
 Foster
 Frankel (FL)
 Fudge
 Gabbard
 Gallego
 Garamendi
 Gomez
 Gonzalez (TX)
 Gottheimer
 Green, Al
 Green, Gene
 Grijalva
 Gutiérrez
 Hanabusa
 Hastings
 Heck
 Higgins (NY)
 Himes
 Hoyer
 Huffman
 Jackson Lee
 Jayapal
 Jeffries
 Johnson (GA)
 Johnson, E. B.
 Kaptur
 Keating
 Kelly (IL)
 Kennedy
 Khanna
 Kihuen
 Kildee
 Kilmer
 Kind
 Krishnamoorthi
 Kuster (NH)
 Langevin
 Larsen (WA)
 Larson (CA)
 Lawrence
 Lawson (FL)
 Lee
 Levin

Lewis (GA)	Panetta	Sewell (AL)
Lieu, Ted	Pascarell	Shea-Porter
Lipinski	Payne	Sherman
LoBiondo	Pelosi	Sinema
Loebsack	Perlmutter	Sires
Lofgren	Peters	Slaughter
Lowenthal	Pingree	Smith (NJ)
Lowey	Pocan	Smith (WA)
Lujan Grisham,	Poliquin	Soto
M.	Polis	Speier
Lujan, Ben Ray	Price (NC)	Stefanik
Lynch	Quigley	Suozi
Maloney,	Raskin	Swalwell (CA)
Carolyn B.	Reichert	Takano
Maloney, Sean	Rice (NY)	Thompson (CA)
Mast	Richmond	Thompson (MS)
Matsui	Ros-Lehtinen	Titus
McCollum	Rosen	Tonko
McEachin	Roybal-Allard	Torres
McGovern	Ruiz	Tsongas
McNerney	Ruppersberger	Vargas
Meeks	Rush	Veasey
Meng	Ryan (OH)	Vela
Moore	Sánchez	Velázquez
Moulton	Sanford	Visclosky
Murphy (FL)	Sarbanes	Walz
Nadler	Schakowsky	Wasserman
Neal	Schiff	Schultz
Nolan	Schneider	Waters, Maxine
Norcross	Schrader	Watson Coleman
O'Halleran	Scott (VA)	Welch
O'Rourke	Scott, David	Wilson (FL)
Pallone	Serrano	Yarmuth

NOT VOTING—5

Cummings	Labrador	Scalise
Granger	Napolitano	

1743

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall votes No. 385, No. 386, No. 387, No. 388, No. 389, No. 390, and No. 391 due to my spouses's health situation in California. Had I been present, I would have voted "yea" on the Castor Amendment. I would have also voted "yea" on the Tonko Amendment. I would have also voted "yea" on the Beyer Amendment. I would have also voted "yea" on the Polis Amendment. I would have also voted "yea" on the McNerney Amendment 5. I would have also voted "yea" on the Democratic Motion to Recommit H.R. 806. I would have also voted "nay" on the Final Passage of H.R. 806—Ozone Standards Implementation Act of 2017.

REPORT ON H.R. 3280, FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2018

Mr. GRAVES of Louisiana, from the Committee on Appropriations, submitted a privileged report (Rept. No. 115-234) on the bill (H.R. 3280) making appropriations for financial services and general government for the fiscal year ending September 30, 2018, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore (Mr. BANKS of Indiana). Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

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

Ms. CHENEY, from the Committee on Rules, submitted a privileged report (Rept. No. 115-235) on the resolution (H. Res. 454) providing for consideration of the bill (H.R. 2910) to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes; providing for consideration of the bill (H.R. 2883) to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity; providing for consideration of the bill (H.R. 218) to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay; and for other purposes, which was referred to the House Calendar and ordered to be printed.

MOMENT OF SILENCE HONORING OFFICER MIOSOTIS FAMILIA AND STATE TROOPER JOEL DAVIS

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

Mr. ESPAILLAT. Mr. Speaker, it is with both sadness and pride that I rise today to honor the memory of a leader, a hard worker, and an outstanding member of our community, Police Officer Miosotis Familia.

Officer Familia served in the New York City Police Department for 12 years. She grew up in Washington Heights, a neighborhood that I represent in Manhattan. On the Fourth of July, her life was tragically taken in an act of violence.

Her mother, Adriana, was one of her best friends, and the two constantly spent time together. Officer Familia had three children of her own, Genesis, Delilah, and Peter. She gave them all the love her mother had given her in the past.

Today, Officer Familia's legacy lives on through her family, the police officers of the 42nd precinct, and all her loved ones, including all New Yorkers.

My New York colleagues and I stand here on the House floor to salute the memory and the legacy of Officer Miosotis Familia, as well as other officers who have been killed in the line of duty—including State Trooper Joel Davis, who, about a week ago, was also tragically killed in upstate New York.

I now invite my colleagues to join me in a moment of silence in their honor.

RECOGNIZING SCOTT WALDRUP

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize Mr. Scott Waldrup who was a victim of violent crime during the Fourth of July festivities in Savannah, Georgia.

A Cary, North Carolina, native, Mr. Waldrup came to Savannah in 2011 to join the city's booming food service industry. He tirelessly worked in the industry until he became the general manager at one of Savannah's most popular restaurants, The Grey.

Mr. Waldrup certainly never knew a stranger. His family and friends described him as being adventurous and bold, yet caring and selfless.

During the violence in Savannah that night, Mr. Waldrup selflessly helped others to safety until he was hit by the gunman's car during a police chase to apprehend the criminal. By all accounts, Mr. Waldrup was a hero.

I wish his family, his friends, and his coworkers the best during this very, very difficult time. I will certainly be thinking about all of them.

I encourage others to learn from Mr. Waldrup's example and hope his life serves as a reminder of the tragedies involved in violent crime and deter others from acting violently and recklessly.

RECOGNIZING BINGHAMTON RUMBLE PONIES

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

Ms. TENNEY. Mr. Speaker, I rise today to recognize the Binghamton Rumble Ponies, the Double-A affiliate of the New York Mets, who recently invited me to throw out the first pitch at their Fourth of July celebration.

Previously known as the Binghamton Mets, this is the first season that the Rumble Ponies have galloped onto the field at NYSEG Stadium with their new name.

Binghamton, New York, has the unique distinction of being the carousel capital of the world. While there are fewer than 170 antique carousels in the United States and Canada, 6 of them are in Binghamton and the surrounding region. It is this proud local distinction to which the Rumble Ponies owe their name.

I also had the pleasure of watching the game with Jeff Wilpon, the owner of the New York Mets. I know I speak for everyone in the Southern Tier when I say that it is time to "Saddle up for Funn."

THANKING SHARON LOLLIO

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

Mr. BISHOP of Michigan. Mr. Speaker, I rise today to pay tribute to an inspirational constituent and friend in my district, Sharon Lollo. Sharon is working tirelessly to plan a Michigan Law Enforcement Officers Memorial Monument in our capital city of Lansing.

This is important because Michigan remains one of the last States to have a law enforcement memorial, and Sharon is making it her mission to see that this important project does not fall by the wayside by raising awareness to the issue of violence against law enforcement and the importance of honoring the fallen through a permanent memorial in Michigan's Eighth District.

Once constructed, the memorial will be a place of quiet refuge for Michigan residents to reflect on the ultimate sacrifice made by the men and women who keep us safe.

We have lost many Michigan officers in the line of duty over the last few years, and we owe it to them, their families and friends, and the entire law enforcement community to honor them with this special tribute.

Mr. Speaker, I commend Sharon Lollo for her hard work raising the funds and awareness for the Michigan Law Enforcement Officers Memorial Monument. I thank Sharon for her enduring commitment to our men and women in blue and their loved ones.

I am grateful to all those who put their lives on the line to protect our community.

HONORING CARRIE MEEK

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to honor the inspiring work of former Congresswoman Carrie Meek.

Hailing from my home State of Florida, Carrie grew up in a family where giving back to the community was a top priority. Throughout her many years of dedicated work, Carrie served as special assistant to the vice president of my alma mater, Miami Dade College, where she was instrumental in the desegregation of the school.

In 1982, Carrie became the first African American elected to the floor of the senate, and my husband, Dexter, and I were proud to work alongside her on behalf of our community. Carrie and I later carried our bipartisan efforts to the marbled Halls of Congress.

As a Congresswoman, Carrie's coveted seat on the Appropriations Committee allowed her to fight for much-needed aid to south Florida after the devastating impact of Hurricane Andrew.

Following her retirement from Congress, Carrie established the Carrie

Meek Foundation, promoting programs in housing, education, health, and economic development to improve the quality of life for the most vulnerable members of our society.

At the age of 91, Carrie continues to demonstrate her affection for selfless public service. She is an example to be followed.

Congratulations to Carrie Meek.

FAMILY VALUES

The SPEAKER pro tempore. 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, it has been a most interesting day here in Washington, D.C., this last week in which we have seen the battle royal over the repeal of the Affordable Care Act. I want to really speak about the Affordable Care Act, what it has managed to do for Americans.

Much of the conversation over these last several days has been on the other side of it: how it could be repealed and how, somehow, that would be good for Americans.

But the Congressional Budget Office has made it clear that the bill that passed the House of Representatives some time ago, about a month and a half ago, was bad news for Americans. Some 18 million people would lose their health insurance in very short order within a year or so, and some 24 million would lose their health insurance over the next 5 to 7 years. That is a terrible situation.

When you take a look at what has happened in the recent period since 2014 when the Affordable Care Act was actually in full force, we have found many millions of Americans with insurance.

In my own State of California, we now have over 5 million Californians with insurance that they previously did not have. About 1.5 million of those Californians are in the exchange—the California exchange, which we call Covered California—and another 3.5 million are covered in the expanded Medicaid program. That is good news.

It is also good news that people who previously were unable to take care of their medical issues found coverage.

I remember a woman, actually, my wife's beautician, who came to her as the Affordable Care Act was implemented in California and told her: At last I can get insurance. My husband and I are going to have a baby—or we want to have a baby. We couldn't afford it before. But now I have insurance. I am on the exchange. I have the subsidy, and I can afford it—family values.

In the last 6 months, as the new administration has taken hold and as the repeal of the Affordable Care Act has become the talk of the Nation, in a more recent visit, she said: We have delayed getting pregnant because we are

not sure if I can have insurance. If they repeal, if they kill ObamaCare, I won't have insurance, and we won't have a baby.

□ 1800

Family values. I want to talk about values: family values and others.

I used this last week, and I am going to use it over and over again, because this is a statement of values. This is from Franklin Delano Roosevelt in the midst of the Great Depression.

President Roosevelt said this: "The test of our progress is not whether we add more to the abundance of those who have much; it is whether we provide enough for those who have too little."

That is a statement of values. That is a statement of purpose. That is the reason why he and the Democrats, during the Great Depression, took the actions like, for example, Social Security. For those who have little, Social Security.

Then, again, in the sixties, for those who have little, this same statement of value came into place. During Lyndon Johnson's Presidency, the Democrats created Medicare for seniors—men and women over 65. All you needed to do to get health insurance was to live until you were 65 years of age. They also added Medicaid for the poor—principally, children and mothers.

It is a statement of values. It is a statement of purpose. It is a statement of where their heart lies and what they thought was important.

Today, we are working on the Affordable Care Act, sometimes, often derisively, called ObamaCare. But many of us proudly call it ObamaCare, where 5 million Californians have health insurance. Across this Nation, there are 20 million in all States, although some States chose not to extend the method of buying insurance on the exchanges. And so the Federal exchange exists.

This House went the opposite direction. So what did it mean? The uninsured rate in America declined down to the lowest number ever in our history, as men, women, and families were able to get health insurance.

I think of a farmer, a single woman in my district, who never had insurance, never could get health insurance, couldn't afford it until the Affordable Care Act, ObamaCare, came along. She was able to get insurance. She was able to get cancer treatment. If she didn't have insurance, she surely would have died. We have countless examples.

When I was the insurance commissioner in California, we would always fight the insurance companies over their denial of insurance. They used to call it preexisting conditions. Since the Affordable Care Act went into place in 2011 and 2012, preexisting conditions were no longer preal as a mechanism for denying insurance in the United States of America. Insurance companies could not rate people on preexisting conditions.

I remember those lists. It was two pages. As insurance commissioner, people would come to me and say: Why do

I have to fill out this form of everything I have ever done in my life? A broken leg playing football in high school had to be listed—asthma, coughs, contagious diseases. Even mundane things like: Are you a pilot; are you into dirt bikes and dirt bike racing?

These were all reasons why insurance would be denied. But with the Affordable Care Act, no more. That history was gone.

So, today, the President of the United States, perhaps proudly, stood before the American people and said: I will let it die. I will let it die. I will let the Affordable Care Act fail.

What is the message to the American public? What is the message that the President of the United States, Mr. Speaker, has said to the American public?

Mr. Speaker, he has said: I will work to deny the American people health insurance.

Mr. Speaker, the President of the United States has, in so many words, said that he will take action to deny the American people health insurance—not all of them, just 20 million. You proactively take specific actions.

And what are those actions? To tell the IRS to not enforce the mandate so that people will be able to go without insurance until they have an accident or sickness and wind up in the emergency room so that everybody else can pay for their care.

He will not allow the payment of the cross-subsidies for those insurance companies that have enrolled an excessive amount of very sick people and other insurance companies that have enrolled a healthy population. That cross-subsidy is critical.

He will create more uncertainty so that the insurance companies do not know how to price their insurance. He has already removed the ability for the Federal and State exchanges to advertise. There is no insurance company, I can tell you from my own experience, that can survive without advertising. They have got to talk about what it is they are offering. They have to sign up people, and they have to have a cross subsidization of healthy, sick, and not so sick people in their pool of risk. But he set up a system so that those exchanges that are in existence in the States and the Federal exchanges will not have the money to advertise.

California is a big State. We can get along without President Trump. So we have set up our own mechanism of providing money for advertising Covered California. A couple of other States have been able to do the same, but not every State.

There has been discussion that the market is collapsing. I want to read to you an analysis done by the Kaiser Family Foundation that just came out a week ago that would counter the arguments that this is a collapsing market. I am going to read this. It is a little long, but I think it is worth understanding.

“Early results from 2017 suggest the individual market is stabilizing and insurers in this market are regaining profitability. Insurer financial results show no sign of a market collapse.”

Perhaps I should read that again and perhaps the President might also want to read, although I understand he doesn't. Perhaps if he did, he would read the Kaiser Family Foundation report coming out July 2017.

“Insurer financial results show no sign of a market collapse. First quarter premium and claims data from 2017 support the notion that 2017 premium increases were necessary as a one-time market correction to adjust for a sicker-than-expected risk pool.”

I am going to come back to that after finishing reading this.

“Although individual market enrollees appear on average to be sicker than the market pre-ACA, data on hospitalizations in this market suggest that the risk pool is stable on average and not getting progressively sicker as of early 2017. Some insurers have exited the market in recent years, but others have been successful and expanded their footprints, as would be expected in a competitive marketplace.

“While the market on average is stabilizing, there remain some areas of the country that are more fragile. In addition, policy uncertainty has the potential to destabilize the individual market generally. Mixed signals from the administration and Congress as to whether cost sharing subsidy payments will continue or whether the individual mandate will be enforced have led to some insurers to leave the market or request larger premium increases than they would otherwise. A few parts of the country may now be at risk of having no insurer on exchange, though new entrants or expanding insurers have moved in to cover most areas previously thought to be at risk of being bare.”

Not my words, but rather the words of the Kaiser Family Foundation.

So, Mr. Speaker, the President apparently intends to destroy the Affordable Care Act by saying that it doesn't work. In fact, his actions may make it a situation in which it would not work.

I suppose if he has his way, we are going to see, in 2018, the number of uninsured rise back to where it was before the Affordable Care Act. That is about 22 million Americans without insurance.

Well done, Mr. President. Well done. If that is what you want, I want to know what your values are. What are your values?

Mr. Speaker, I would ask the President: What are your values, Mr. President? You have been supporting the Republican legislation to repeal and replace. It happens to do much for those who have much.

The largest single tax break for the wealthy ever in this Nation's history was in the legislation that passed the House of Representatives with the repeal and replace legislation, so much

so that Mr. Trump's Cabinet, made up of the wealthiest Cabinet perhaps ever in America's history, would receive huge tax breaks of well over \$4 million a year, and quite possibly a much higher number.

Those are not the values of the Democratic Party, those are not the values of Franklin Delano Roosevelt, and those are clearly not the values of Americans who care about each other, who are concerned about those who have little.

Ask the American public if they want to do away with Social Security. Ask the American public if they want to do away with Medicaid. Do away with Medicaid? Yes, 60 percent of the Medicaid money supports seniors in nursing homes. You want to do away with that? I don't think so. But that is what it would do.

The Affordable Care Act does need to be improved, and the Democrats have been trying to do that for some time. How can we do it? Many ideas have been proposed.

When the legislation was heard in committees here, the Democrats proposed several amendments to improve the Affordable Care Act. The first amendment was to do away with the repeal, but, of course, that didn't pass in committee and certainly wasn't on the floor.

□ 1815

So how do you deal with improving the Affordable Care Act?

Let's start with drugs. We know that for the Medicare system, that the Federal Government cannot negotiate the price of drugs. And for the exchanges—the Federal exchanges, we cannot negotiate the price of drugs. It was a law that was written with Medicare part D back in 2002 and 2003.

So why can't we negotiate the price of drugs?

We ought to be able to do that. You want to reduce one of the cost factors, let's negotiate the price of drugs.

How about another one? How about consumer services? Increasing the risk pool, increasing the number of men and women that are in the pool by advertising?

I talked earlier about the President removing the money for advertising on the Federal exchanges and State exchanges.

You want to improve it, improve the risk pool. A broad risk pool is a fundamental fact of any insurance program that is successful. But to take overt action, to diminish the risk pool, and to put into the risk pool less healthy people, and to keep people who are healthy out of the risk pool—please keep in mind that any of us at any particular day may find ourselves in need of very serious medical attention, perhaps a car accident, perhaps a contagious disease, Zika, who knows what it might be, or a pregnancy. So expand the risk pool by advertising, by enforcing the mandate, which is the third element that could be done.

The President has already taken action to tell the IRS not to enforce the mandate. So the young healthy invincibles shirk the law knowing that they don't ever have to pay a penalty because the IRS is not looking.

Okay, if that is what you want to do. However, if you want to improve the healthcare of America, if you want to hold premiums stable and perhaps even declining, expand that risk pool.

How about a few other things?

When the Affordable Care Act passed the House of Representatives in 2009, there was a public option in it. Unfortunately, the Senate wouldn't stand for a public option. But bring the public option back so that there would be a national public option insurance company available to everybody. Bring that back. That is another idea that ought to be the improvement of it.

Another thing: States can and have successfully modified the Medicaid programs in their State. Expand the ability of States to experiment with different ways of providing services under the Medicaid program. Not by eliminating it, as the Republicans would do—that is, eliminating the expansion, as the Republicans would do in their repeal and in TrumpCare—but, rather, allow the States to experiment with different ways of providing the medical services in the Medicaid program. And there are some great ideas out there.

We know that many of the people in Medicaid have long illnesses, high blood pressure; perhaps they have other illnesses that require constant care. We know that there are examples of programs that provide ongoing services so that these illnesses are constantly being able to be monitored and dealt with.

You want to deal with blood pressure, take a couple of cheap pills and you keep the blood pressure down and you avoid stroke and diabetes and the like. Those programs should be existing in most States, in most Medicaid programs. So we ought to provide the opportunity for the States to experiment with different ways of keeping down the cost of medical services.

There are many other things that we can do with regard to the delivery systems. California has been a leader in creating various delivery systems that do keep down the cost of care—comprehensive delivery system, preexisting conditions being taken care of. So we can do this with a variety of ways.

All of these should be on the floor of the House of Representatives and the Senate and presented to the President as we have the Affordable Care Act in place and we have ideas on how it can be improved.

Programs such as mandatory care, all of those can be taken into consideration. But, no, we are not going to do that. We are just going to let the Affordable Care Act die, so says our President.

It is unbelievable that you sign on, presumably to provide more opportunity for Americans, to provide better

medical care for Americans. But, no, that is not what is going to happen here. The President of the United States said he is going to let it die, let it collapse. How cruel, how harsh, and how unlike previous Presidents. I pray future Presidents who say: My job as President of the United States is to carry out, yeah, the preamble to the Constitution, to form a better union.

But apparently that is not the case with this President.

So the Affordable Care Act is the law of the land, and it is the responsibility of the President to carry out the laws of the land, and that includes things that he thinks may be discretionary, such as the IRS mandate, such as the advertising, the cross-subsidization for those insurance companies that have higher risk pools than other insurance companies.

We live in a very important moment where at risk are 22, 23, 24 million American lives. Thankfully, four senators stood strong and courageous and said, no, they were not going to support the repeal of the Affordable Care Act.

It is not over. This fight is going to go on for some time, and as it goes on, I would hope the American people understand what is at risk. It is the well-being of their neighbors, it is the health of their communities, and, indeed, in some cases, it may be their own life. We will see.

But today, a good thing happened—actually it was yesterday a good thing happened. The Senate was unable to pass a repeal of the Affordable Care Act and a replacement that was in every way a terrible blow to Americans. So we are thankful, and we look to the future and we look to the fight ahead.

I can tell you this: My colleagues on the Democratic side are absolutely determined that the Affordable Care Act be improved and that it continue to be the law of the land. And the millions upon millions of Americans that have had the opportunity to purchase health insurance, to be covered in health exchanges, to be covered under the expansion of the Medicaid program, we are there for them and we are going to fight this. And we will succeed because Americans know what is at risk in the legislation that passed the House of Representatives with the repeal of the Affordable Care Act and the legislation that almost passed the Senate. This isn't over. Our determination to stay the line remains.

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

POLICIES THAT ARE HARMFUL TO AMERICA

The SPEAKER pro tempore (Mr. BERGMAN). Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Texas (Mr. CASTRO) for 30 minutes.

Mr. CASTRO of Texas. Mr. Speaker, every day, millions of Americans from every corner of our Nation get up early

in the morning, leave their families, go off to work. They work hard to support themselves and their families. Many of them work two or more jobs at a time. Some come home very late, miss seeing their kids go to bed. These are folks, again, in every part of the Nation who don't ask much from their government. The only thing that they ask is that we live in a country where there is opportunity to pursue their American Dreams.

That means different things for different people. Some kids dream of growing up and being a teacher, an engineer, a lawyer, a firefighter, many things. As parents, we want to see our kids succeed, to live in a nation that remains the preeminent Nation of opportunity around the world.

Unfortunately, over the last 6 months, the policies pursued by this administration are endangering the United States' infrastructure of opportunity, endangering our position in the world. Today we are going to have an opportunity to talk about some of those policies that are harmful to America now and America in the future.

President Trump's proposals on the budget, for example, would hurt the creation of jobs, the ability of people to get healthcare, would be bad for the environment, would do so much harm in so many ways. So I am honored tonight to be with three of my colleagues, all of us from different parts of the country: Myself from Texas, the congresswoman from Wisconsin (Ms. MOORE), the congresswoman from Washington State (Ms. JAYAPAL), and the congresswoman from Florida (Ms. WASSERMAN SCHULTZ).

First I yield to the gentlewoman from Wisconsin, Congresswoman GWEN MOORE, because I know that she has some very strong opinions and perspectives on healthcare.

Ms. MOORE. Mr. Speaker, I thank the gentleman for yielding. I just want to tell you how grateful I am that my colleagues want to have this dialogue, this colloquy with me.

I have been so disturbed by the false information that is being given to Americans about the Affordable Care Act, the whole notion that it is somehow in this death spiral, that somehow the Affordable Care Act is dead. And I think that the President and our illustrious Speaker, and the majority are promoting this point of view because they want the public to believe that the things that they are doing to destroy the Affordable Care Act and, ultimately, Medicaid are the causes for them not having health insurance, the causes for their premiums rising, the causes for insurers fleeing the market in rural areas. And I just want to spend some time this evening sharing the truth with you all this evening.

The majority, they now have both houses of Congress: the Senate and the House of Representatives. They have the White House. And their message that ObamaCare or the Affordable Care

Act is dead sort of covers up the fact that they owe the insurance industry \$8 billion that we, in the Affordable Care Act, promised to give to the insurance companies while they sort of figured out how much premiums would cost in this new market.

They have sued the Federal Government because they say that the subsidies that we are paying for poor people are unconstitutional. And, of course, insurers, not knowing whether or not we are actually going to appropriate the money for the Affordable Care Act because they don't know whether we are going to do it or not, that causes destabilization in the market.

They are threatening in their bill to eliminate the individual mandate, which, of course, the individual mandate is a great source of revenue.

□ 1830

They are gutting the taxes on the wealthiest people in the Affordable Care Act to pay for some of the cost-sharing expenses. And, of course, insurance companies have no idea. In order to set appropriate rates and in order to stay in the market, insurance companies need some certainty. So if, in fact, ObamaCare is dead, it is because they have killed it.

Mr. CASTRO of Texas. This week, I thought it was astounding, in the course of less than 24 hours, the Senate was unable to pass a healthcare bill. The President had promised for months that there would be a new healthcare bill to replace so-called ObamaCare. That failed in the Senate. And then the strategy after that became: Well, we are just going to repeal this, and we are going to give ourselves 2 years to come up with a replacement.

That failed today, and I think it failed for good reasons, because that would be disastrous for the American people; 32 million people would be dropped from the healthcare rolls if all you did was repeal.

So what were you hearing in this whole debate in Wisconsin from your constituents and your voters up there?

Mr. Speaker, I yield to the gentlewoman from Wisconsin.

Ms. MOORE. Well, I am glad you asked that question, because there are a couple of things that have happened. They ran into so much trouble in the Senate from those Senators who were concerned about them block-granting the Medicaid program, killing basically Medicaid. This was aside from the Affordable Care Act. To reduce Medicaid funding by one-third was one of the most egregious portions of the bills that have come out of the House and the proposals in the Senate.

What people need to understand is that, especially in States like Alaska, West Virginia, we have got 70 percent of people in nursing homes depending on Medicaid. We are not talking about able-bodied working people who have been able to benefit from the expansion of Medicaid.

Mr. CASTRO of Texas. Sixty-four percent of long-term nursing home stays are paid for by Medicaid.

Ms. MOORE. Exactly.

Ms. WASSERMAN SCHULTZ. Will the gentleman yield?

Mr. CASTRO of Texas. I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. I represent the State of Florida. I want to thank my colleagues for bringing up this extremely important conversation about the, at least, 23 million people who would have lost healthcare coverage if the "Not Very Affordable Care Act" that the Republicans envisioned would have passed.

If I were the President of the United States, I might want to revise my definition of winning, because I think that we have a leader in the White House who repeatedly said that America would get so tired of winning, once he became President, that we wouldn't know what to do with ourselves.

Well, if killing their horrific healthcare bill and making sure that we can maintain healthcare as a right and not return it to the privilege that it once was for only people who could afford it, then I will take that kind of winning, because we did win on behalf of the American people, but we know that this is not the last trick up their sleeve.

The gentlewoman from Wisconsin mentioned the huge cuts to Medicaid in this terrible piece of legislation, and the gentleman from Texas mentioned the 64 percent of seniors in nursing homes who are there because they are on Medicaid.

I represent the State of Florida, Mr. Speaker, and in the State of Florida, we have the highest percentage of senior citizens as a proportion of our population in the country. This is just one example of a very vulnerable population, and this is an example of a population that our friends on the other side of the aisle were willing to just write off and leave twisting in the wind.

What would happen if this bill became law is we would go back to the days before Medicare and before Medicaid, in which you had families go bankrupt trying to take care of the ever-increasing healthcare needs of their most elderly family members, and it is just absolutely unacceptable.

Mr. CASTRO of Texas. And, Congresswoman WASSERMAN SCHULTZ, in the 1990s, my grandmother was in her eighties. In 1993, she went into a nursing home and stayed there for about 3 years until she passed away. My grandmother suffered most of her life from type 2 diabetes, and before the end of her life, she had to have one of her legs amputated, and finally succumbed to congenital heart failure, but there is no way that my family, my mom, would have been able to afford to pay for 3 years of a nursing home stay but for the effect of this program.

Ms. WASSERMAN SCHULTZ. I, too, had a very similar experience. My

mother-in-law suddenly had a stroke when she was 58 years old, and she was cut down in her prime, also suffered from diabetes, and spent 3 years really in a very debilitated condition. She had to spend down essentially all of her assets to be able to qualify for Medicaid, because the only way that she could get care in a nursing home and be able to afford to get quality care in a nursing home was through Medicaid. She did also eventually die after 3 years in a nursing home, but I can't even imagine having to try to find a way to pay for her care if it were not for Medicaid.

Ms. JAYAPAL. Would the gentleman yield?

Mr. CASTRO of Texas. I yield to the gentlewoman from Washington.

Ms. JAYAPAL. I just wanted to go back to this question of Medicaid, because I think you have raised such an important program that is really a mainstay for the American people. A lot of people don't understand exactly how much it covers. You have mentioned 62 percent of seniors in nursing homes.

One in four births in this country is covered through Medicaid. I was just talking to our good colleague, Mr. YARMUTH of Kentucky. Over half of the births in Kentucky are covered through Medicaid.

Then if you look at kids with disabilities, Medicaid covers 60 percent of kids with disabilities.

So when you talk about cutting \$1.5 trillion from Medicaid, as was the case between TrumpCare and what was proposed in the budget, which I know our good friend from Florida is going to talk about, you actually had \$1.5 trillion in cuts to a program that serves 72 million Americans. So it really is a travesty when you think about how much this program supports.

Mr. CASTRO of Texas. Mr. Speaker, I yield to the gentlewoman from Wisconsin.

Ms. MOORE. Mr. Speaker, that is right, because the narrative is that Medicaid only covers these ne'er-do-well, able-bodied people who the Medicaid expansion dealt with. But the reason why the Senate, to answer your question, couldn't live with the bill that was there is because not only did it repeal the Affordable Care Act, so-called ObamaCare, but it also undermined Medicaid, which is so vital.

And just think about this: cutting Medicaid by one-third would lead to people in nursing homes competing with disabled children, disabled children competing with other disabled adults, and with hospitals and nursing homes fighting for the crumbs that fall from the master's table.

Mr. CASTRO of Texas. And, by the way, Congresswoman MOORE, that is why a lot of people were referring to these cuts as cruel. I mean, it really is cruel.

Ms. MOORE. It is mean.

Ms. WASSERMAN SCHULTZ. "Mean" was the exact word that the President used.

Mr. CASTRO of Texas. That is right. You bring up a great point, and then I want to talk real quick about the budget.

There is this underlying tone from the President and from other politicians that some of the folks who are on Medicaid are somehow undeserving, that they are somehow freeloading, and that is just not the case. It is a complete misunderstanding of who these Americans are.

We talk about how healthcare failed. It seems like the President promised healthcare, but it didn't happen.

One of the things that they wanted to do before healthcare, which hasn't happened either, was tax reform. That is going to be very difficult, especially when one of the foundations of your new tax plan is giving a tax cut to the wealthiest folks, literally who need it the least, but it raises a question of the budget and what the budget does for the American people.

Ms. MOORE. Will the gentlewoman from Florida explain kind of the budget reconciliation, where they are going to get these tax cuts?

Mr. CASTRO of Texas. I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. I would be happy to. I am a member of the Budget Committee, and we are actually going to mark up the Republicans' budget tomorrow in that committee. Really, with all due respect, Mr. Speaker, to the "Commander in Tweet," President Trump's budget that he proposed in May certainly did not put either families or taxpayers first—far from it.

In fact, the budget that both he proposed and that we will mark up tomorrow put Americans and taxpayers dead last, right behind polluters, industry lobbyists, and climate change deniers. And like too many of our Republican colleagues' spending priorities, this budget, this Republican budget, is actually a brutal attack on America's families.

We all know that it fails to deliver on investments in jobs, in infrastructure, and in education, but, my friends, nowhere is the damage to American families as stark as when it comes to our environment.

The Trump budget, the Republican budget that we will mark up tomorrow, will irreparably damage our air, our water, and our climate. The President has already managed to undermine America's position as a global leader in clean energy frontiers by withdrawing America from the Paris climate accord, for example. And like many of his tweets, President Trump's climate science policies are a rejection of reality, and a cynical embrace of falsehood and fantasy.

Ms. JAYAPAL represents a State that is on a coast, I represent a State that is on a coast, Ms. MOORE represents a State that is on the Great Lakes. Sea levels are rising. Our water levels are rising, Mr. Speaker. Property appraisers and insurance companies in south

Florida are already factoring this reality into their home value assessments. King tides are bringing fish into the streets of south Florida.

President Trump's climate change solution is not the Paris climate accord, it is not making sure that we make investments in alternative energy. Let me show you what President Trump's solution to sea level rise and climate change is. His solution is to throw people a life vest, and they can sink or swim. Folks like the people in my district, who have invested most of their savings, like so many people, into their home, a life vest and being told that they can just deal with it is unacceptable.

We have to come together and come up with solutions to make sure that we can fight sea level rise and climate change, to make sure we can keep our drinking water clean, to make sure we make the kinds of investments so that we can protect the air we breathe. We have cities like Flint, Michigan, that have dealt with lead in their water and children being poisoned for years.

To my colleagues, this is something that is an existential threat, that if we don't make the kinds of investments that we must, then we are going to be in a world of hurt, and it is not at some distant point in the future. There was an article in the Miami Herald yesterday, Mr. Speaker, that referenced that my children's generation may not be able to live in my own district. That is absolutely unbelievable.

I am actually thinking of sponsoring an appropriation. Rather than making sure that we can invest in moving away from fossil fuels, maybe we will just invest in more life vests, President Trump's solution to global warming and climate change and sea level rise, and just issue everybody one of these, and we are good to go.

Mr. CASTRO of Texas. Congresswoman, you bring up a great point, and you focused on the environment there and how the President's budget proposal and the majority's budget proposal is damaging to the environment.

I think about a series that I saw yesterday in Texas. The Texas Tribune is an online publication, but it is kind of like the State newspaper, and they did a series called "A Pass to Poison." And in the series, they noted that in 2016, I believe, there were about 3,700 incidents of air pollution in Texas, and the regulating agency in Texas, which is TCEQ, only gave out fines for 20 of those incidents.

So you talk about breathing harmful air. I can't help but think what will happen if these cuts that are being proposed under this budgetary situation go through, are we going to have 5,000 incidents now, and you are still only going to fine 20 people?

Ms. WASSERMAN SCHULTZ. Will the gentleman yield?

Mr. CASTRO of Texas. I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. I just came from the Appropriations Com-

mittee markup on the Interior legislation, and a large part of that committee's work relates to the environment.

In my district, which is ground zero for sea level rise, Broward County recently ordered the drawing of new flood maps because of anticipated higher water levels. The city of Fort Lauderdale has already increased the height requirement for seawalls and raised the elevation of home sites. Miami Beach's climate plan involves building elevated roads and installing pumps to keep out saltwater.

□ 1845

So the President's and the Republican's—our colleagues on the other side of the aisle—solution for sea level rise is basically sink or swim. Here is the President's coastal flood mitigation plan. We have got the sea level rise plan and the coastal flood mitigation plan. Take your pick. At some point, we are probably going to have to give people both because we literally have to slosh around in galoshes when you are walking down the street in south Florida because of how bad the king tides are and how bad the streets flood in a normal rain.

But, God forbid, we should invest in infrastructure. And I know the gentlewoman from Washington (Ms. JAYAPAL), when she was in the State senate, was a significant leader on investing in infrastructure, which is absolutely critical to making sure that we can keep people safe and that we can make sure that we can create jobs. That is something that this President and the Republicans have talked a whole lot about.

We are 178 days into this President's term, and we haven't passed a single piece of legislation related to infrastructure investment. And I think he actually promised to think big, because supposedly Democrats weren't thinking big enough; and that he was going to propose a \$1 trillion infrastructure plan. I am hearing crickets. I am still waiting for that plan.

Mr. CASTRO of Texas. Mr. Speaker, when Americans think about their main concerns—I have a bread and butter district where people are thinking foremost about their work. They want to make sure that they can support themselves and their family members, but there hasn't been much in the way of anything from the White House to create jobs.

Mr. Speaker, I yield to the gentlewoman from Washington (Ms. JAYAPAL).

Ms. JAYAPAL. Mr. Speaker, I thank the gentleman for yielding.

There really hasn't. And I want to say that, if you look at the budget, you really get a sense of where the priorities are. They are not investing in climate. They are cutting healthcare dramatically. They are not investing in jobs and infrastructure.

Now, as the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) said, when I was in the State senate—it was

actually a Republican-controlled senate—together, we worked on a package and we invested \$16 billion into infrastructure because we knew that that was good for Republicans and for Democrats.

If you look at what this President has to say, this was a tweet that he just put out:

“Really great numbers on jobs and the economy. Things are starting to kick in now. . . .”

But the thing is that, this week, the White House is calling this “Made in America Week.” Well, maybe somebody should let the President know that everything should be made in America, because I happen to take a look at some of the products of the Trump Organization—and I am talking about Ivanka Trump’s products and all of the President’s organizations’ products—and here is what I found:

Here is one of the products of Donald J. Trump’s signature collection, made in Mexico.

Here is another one from Ivanka Trump, made in China.

So if the President is so incredibly committed to making things in America, I have a proposal—and perhaps we should have an amendment to this effect—that he should start with the Trump Organization. In fact, much of the steel that was put into buildings that were built by the Trump Organization was not steel that was made here in America.

I actually have one of the largest steel manufacturing plants in my district in Washington State. Nobody ever thinks about it that way, but we do have steel being manufactured in Seattle. And we are in a situation now where this President and this Republican-controlled Congress has yet to introduce a single bill that would actually invest in jobs or infrastructure.

In fact, the budget takes money away from job training. It takes more money out of infrastructure investment than it puts into infrastructure investment. And when you think about the Federal Government’s role in infrastructure—of course, we all want public-private partnerships, where possible—the Federal Government has a very strong role in making sure that we are investing in all of our infrastructure, not only our roads and our bridges, but also all of our water sources, and making sure that we are investing in transit. These are all ways to put Americans back to work.

Yet, for a President who ran a campaign based on jobs and infrastructure and a Republican-controlled House, we have yet to see a single job emerge. And even the jobs that he says he has created, recently reports that he had created 45,000 coal mining jobs, but, unfortunately, Mr. Speaker, what we have seen is the numbers show only 800 jobs created in the coal mines.

Ms. WASSERMAN SCHULTZ. Will the gentleman yield?

Mr. CASTRO of Texas. I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. Would the gentlewoman be surprised that last night in the Appropriations Committee, we marked up the T-HUD bill—the Transportation, Housing and Urban Development bill? And for all the talk about making it in America and investing in infrastructure and transportation and making sure that we can create jobs through those vehicles, will the gentlewoman be surprised that the Republican majority actually zeroed out TIGER grants?

Those are the transportation grants that go directly to projects in communities across this country, to help move people around through people movers and investments in roads and bridges.

In my district, a TIGER grant was granted last year for complete streets because we have the highest number of pedestrians and bicyclists killed in the country, unfortunately, in Broward County.

So would the gentlewoman be surprised to learn the so-called big commitment to creating jobs and investing in infrastructure actually resulted in massive cuts in the very legislation where we would be investing those resources and infrastructure?

Ms. JAYAPAL. Will the gentleman yield?

Mr. CASTRO of Texas. I yield to the gentlewoman from Washington.

Ms. JAYAPAL. I thank the gentlewoman for raising that because this elimination of TIGER grants affects cities across the country—red States, blue States, Republican, and urban. We have a lot of those TIGER grants that have paid for our roads, rails, transit, ports, and new transportation projects.

Perhaps I will turn it back to the gentlewoman from Wisconsin. Would you be surprised to know that the budget actually slashes job training programs for distressed workers by 65 percent?

Ms. MOORE. Will the gentleman yield?

Mr. CASTRO of Texas. I yield to the gentlewoman from Wisconsin.

Ms. MOORE. I would be stunned to think that any party or any President would do that.

Infrastructure has been the bread and butter, and it has been one of the most bipartisan things that we have.

When you talk about the need to expand our economy, expand the gross domestic product, one of the sure-fire ways to do that is through infrastructure projects. Not just building roads, but we need water treatment plants, our new energy economy, we have bio technology, and a number of other ways.

But I hail from Milwaukee, Wisconsin, which is still very reliant on the manufacturing industry. But I am wondering if my colleagues would be surprised to know that healthcare is one-sixth of our economy, and that if we were to repeal the Affordable Care Act and then slash the growth of Medicaid by one-third over the next decade,

that there will literally be millions of jobs that are lost?

I mean, everybody depends on the healthcare system, whether you are the brain surgeon or you are the guy that is mopping up the ICU; whether you are the person who is dispensing pharmaceuticals at CVS or whether you are the receptionist at the community health center.

And by destroying the Affordable Care Act, we are going to cost shift a lot to our States. Just over the next decade, it is \$68 billion of unfunded mandates shifted to the States so that they won’t be able to fund things.

And I just want to point something out before I finish. There are a lot of people who think that this just doesn’t matter to me. Those 24 million, 22 million, whatever number people agree upon that the CBO says that will lose health insurance if the Affordable Care Act ends—those people who are in nursing homes—that doesn’t matter to me. Forty-nine percent of the folks in this country receive their healthcare through their employer and your premiums will go sky high, unlike what President Trump says, because you will have to pay for all of the uncompensated care that this country will see after we destroy Medicaid in the Affordable Care Act.

Mr. CASTRO of Texas. I hear you. I wanted to give Congresswoman WASSERMAN SCHULTZ the last word.

Mr. Speaker, I yield to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. I just wanted to, again, place these items on the table and demonstrate the grave impact that will take its toll on the American people if the cuts that have been proposed by the Trump administration and the Republican majority go through. And we will stand together fighting every step of the way to make sure that—instead of galoshes, a life vest, and a surgical mask that we see so many citizens of other countries have to walk around their streets using because their air quality is so poor, we will stand together to continue to fight to make the kind of investments that will help improve, not detract, from people’s quality of life.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CUMMINGS (at the request of Ms. PELOSI) for July 11 through July 20.

ADJOURNMENT

Mr. CASTRO of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o’clock and 55 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 19, 2017, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first and second quarters of 2017, pursuant to Public Law 95-384, are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JEFFREY DRESSLER, EXPENDED BETWEEN MAY 26 AND JUNE 5, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Jeffrey Dressler	5/28	5/29	South Korea		367.00		(³)				367.00
	5/29	5/30	Japan		496.90		(³)				496.90
	5/30	6/2	Vietnam		692.00		(³)				692.00
	6/2	6/4	Singapore		811.99		(³)				811.99
Committee total					2,367.89						2,367.89

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

JEFFREY DRESSLER, July 5, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO MALTA, EXPENDED BETWEEN MAY 30 AND JUNE 4, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Mario Diaz-Balart	6/1	6/4	Malta		1,062.00		12,433.00				13,495.00
Hon. Jim Costa	5/30	6/3	Malta		708.00		12,908.00				13,616.00
Hon. Sheila Jackson Lee	6/1	6/4	Malta		1,062.00		9,433.00				10,495.00
Hon. Gregory Meeks	6/1	6/4	Malta		1,062.00		9,471.00				10,533.00
Hon. Mike Turner	6/1	6/4	Malta		1,062.00		7,688.00				8,750.00
Hon. Ted Poe	6/1	6/4	Malta		1,062.00		13,196.00				14,258.00
Hon. Erik Paulsen	6/1	6/3	Malta		708.00		8,448.00				9,156.00
Hon. Kurt Schrader	6/1	6/5	Malta		1,062.00		7,601.00				8,663.00
Hon. Andy Harris	6/1	6/3	Malta		708.00		11,431.00				12,139.00
Hon. Dan Donovan	6/1	6/3	Malta		708.00		11,567.00				12,275.00
Hon. French Hill	6/1	6/4	Malta		1,062.00		8,291.00				9,353.00
Janice Robinson	5/30	6/4	Malta		1,770.00		6,152.00				7,922.00
Angela Ellard	6/1	6/3	Malta		708.00		11,418.00				12,126.00
Sarah Blocher	6/1	6/4	Malta		1,062.00		11,416.00				12,478.00
Kyle Parker	6/1	6/4	Malta		1,062.00		11,416.00				12,478.00
Phil Bednarczyk	6/1	6/4	Malta		1,062.00		11,416.00				12,478.00
Committee total					15,930.00		164,285.00				180,215.00

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MARIO DIAZ-BALART, June 29, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO MEXICO, EXPENDED BETWEEN JUNE 4 AND JUNE 6, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Michael McCaul	6/4	6/6	Mexico		784.00		552.00				1,336.00
Hon. Linda Sanchez	6/4	6/6	Mexico		784.00		805.00				1,589.00
Hon. Gene Green	6/4	6/6	Mexico		784.00		597.00				1,381.00
Hon. Zoe Lofgren	6/4	6/6	Mexico		784.00		595.00				1,379.00
Hon. Steve Pearce	6/4	6/6	Mexico		784.00		1,006.00				1,790.00
Hon. Jared Polis	6/4	6/6	Mexico		784.00		1,506.00				2,290.00
Hon. David Valadao	6/4	6/6	Mexico		784.00		743.00				1,527.00
Hon. William Hurd	6/3	6/6	Mexico		784.00		656.00				1,440.00
Hon. Keith Rothfus	6/4	6/6	Mexico		784.00		809.00				1,593.00
Hon. Martha McSally	6/4	6/6	Mexico		784.00		828.00				1,612.00
Hon. Norma Torres	6/4	6/6	Mexico		784.00		536.00				1,320.00
Leah Campos	6/4	6/6	Mexico		784.00		601.00				1,385.00
Eric Jacobstein	6/4	6/6	Mexico		784.00		601.00				1,385.00
Elizabeth Cunningham	6/3	6/6	Mexico		1,176.00		634.00				1,810.00
Renn Osborne	6/4	6/6	Mexico		784.00		633.00				1,417.00
Committee total					12,153.00		11,102.00				23,254.00

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MICHAEL T. MCCAUL, June 29, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. VIRGINIA FOXX, Chairman, July 10, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON NATURAL RESOURCES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. ROB BISHOP, Chairman, July 5, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON RULES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Lale Morrison	2/18	2/19	Italy		139.00		(³)				139.00
	2/19	2/20	Jordan		141.00		(³)				141.00
	2/20	2/22	Israel		276.00		(³)				276.00
	2/22	2/25	Austria		345.00		(³)				345.00
James McGovern	2/19	2/23	Cuba		444.00		1,127.00				1,571.00
Cindy Buhl	2/19	2/23	Cuba		444.00		1,127.00				1,571.00
Committee total					1,789.00		2,254.00				4,043.00

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

³ Military air transportation.

HON. PETE SESSIONS, Chairman, June 29, 2017.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JOINT COMMITTEE ON TAXATION, EXPENDED BETWEEN APR. 1 AND JUNE 30, 2017

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. KEVIN BRADY, Chairman, July 6, 2017.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2007. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Frank C. Pandolfe, United States Navy, and his advancement to the grade of vice admiral on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

2008. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Oklahoma: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2016-0344; FRL-9962-39-Region 6] received July 12, 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.

2009. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing; Flame Attenuation Lines [EPA-HQ-OAR-2010-1042; FRL-9964-89-OAR] received July 12, 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.

2010. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Louisiana: Final Authorization of State Hazardous Waste Man-

agement Program Revision [EPA-R06-RCRA-2016-0558; FRL-9962-37-Region 6] received July 12, 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.

2011. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; NC; Open Burning and Miscellaneous Revisions [EPA-R04-OAR-2007-0085; FRL-9965-02-Region 4] received July 12, 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.

2012. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plans; Puerto Rico; Attainment Demonstration for the Arecibo Area for the 2008 Lead National Ambient Air Quality Standards [EPA-R02-OAR-2016-0559; FRL-9964-87-Region 2] received July 12, 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.

2013. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Removal of Clean Air Interstate Rule Program Regulations (CAIR) and Reference to CAIR, and Amendments to Continuous Emission Monitor (CEM) Reference [EPA-R03-OAR-2016-0514; FRL-9964-79-Region 3] received July 12, 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.

2014. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Maine; Motor Vehicle Fuel Requirements [EPA-R01-OAR-2015-0648; A-1-FRL-9964-80-Region 1] received July 12, 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.

2015. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Maine; Decommissioning of Stage II Vapor Recovery Systems [EPA-R01-OAR-2016-0296; A-1-FRL-9964-81-Region 1] received July 12, 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.

2016. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Address and Agency Name Changes for Region 4 State and Local Agencies; Technical Correction [Region 4; FRL-9964-36-Region 4] received July 12, 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.

2017. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Illinois; NAAQS Updates [EPA-R05-OAR-2016-0512; EPA-R05-OAR-2016-0522; EPA-R05-OAR-2017-0322; FRL-9964-97-Region 5] received July 14, 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.

2018. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-99, "Fiscal Year 2018 Local Budget Act of 2017", pursuant to Public Law 93-

198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

2019. A letter from the Board of Trustees, Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds, transmitting the 2017 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds, pursuant to 42 U.S.C. 401(c)(2); Aug. 14, 1935, ch. 531, title II, Sec. 201 (as amended by Public Law 100-647, Sec. 8005(a)); (102 Stat. 3781) (H. Doc. No. 115-54); to the Committee on Ways and Means and ordered to be printed.

2020. A letter from the Boards of Trustees, Federal Hospital Insurance and Supplementary Medical Insurance Trust Funds, transmitting the 2017 Annual Report Of The Boards Of Trustees Of The Federal Hospital Insurance And Federal Supplementary Medical Insurance Trust Funds, pursuant to 42 U.S.C. 1395t(b)(2); Aug. 14, 1935, ch. 531, title XVIII, Sec. 1841(b)(2) (as amended by Public Law 108-173, Sec. 801(d)(2)); (117 Stat. 2166) and 42 U.S.C. 1395i(b)(2); Aug. 14, 1935, ch. 531, title XVIII, Sec. 1817(b)(2) (as amended by Public Law 108-173, Sec. 801(d)(1)); (117 (H. Doc. No. 115-53); jointly to the Committees on Ways and Means and Energy and Commerce, and ordered to be printed.

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. HENSARLING: Committee on Financial Services. H.R. 2875. A bill to make administrative reforms to the National Flood Insurance Program to increase fairness and accuracy and protect the taxpayer from program fraud and abuse, and for other purposes (Rept. 115-233). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAVES of Georgia: Committee on Appropriations. H.R. 3280. A bill to making appropriations for financial services and general government for the fiscal year ending September 30, 2018, and for other purposes (Rept. 115-234). Referred to the Committee of the Whole House on the state of the Union.

Ms. CHENEY: Committee on Rules. House Resolution 454. A resolution providing for consideration of the bill (H.R. 2910) to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes; providing for consideration of the bill (H.R. 2883) to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity; providing for consideration of the bill (H.R. 218) to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay; and for other purposes (Rept. 115-235). 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. BIGGS (for himself, Mr. GOSAR, Mr. GARRETT, Mr. FRANKS of Arizona, Mr. GAETZ, Mr. JODY B. HICE of Georgia, Mr. MASSIE, and Mr. GOHMERT):

H.R. 3276. A bill to repeal the Patient Protection and Affordable Care Act and the Health Care and Education Reconciliation Act of 2010; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, Natural Resources, the Judiciary, House Administration, Rules, and Appropriations, 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. BIGGS (for himself and Mr. GOHMERT):

H.R. 3277. A bill to amend the Internal Revenue Code of 1986 to allow an above-the-line deduction for health insurance premiums; to the Committee on Ways and Means.

By Mr. BIGGS:

H.R. 3278. A bill to amend the Public Health Service Act to provide for cooperative governing of individual health insurance coverage; to the Committee on Energy and Commerce.

By Mr. COOK:

H.R. 3279. A bill to amend the Mineral Leasing Act to provide that extraction of helium from gas produced under a Federal mineral lease shall maintain the lease as if the helium were oil and gas; to the Committee on Natural Resources.

By Mr. LAMBORN:

H.R. 3281. A bill to authorize the Secretary of the Interior to facilitate the transfer to non-Federal ownership of appropriate reclamation projects or facilities, and for other purposes; to the Committee on Natural Resources.

By Mr. BABIN:

H.R. 3282. A bill to amend title 49, United States Code, with respect to electronic logging devices, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. DONOVAN:

H.R. 3283. A bill to restrict the mailability of tableting machines, encapsulating machines, and controlled substance counterfeiting materials, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FITZPATRICK (for himself, Mrs. MURPHY of Florida, and Mr. DONOVAN):

H.R. 3284. A bill to amend the Homeland Security Act of 2002 to establish a Joint Counterterrorism Awareness Workshop Series, and for other purposes; to the Committee on Homeland Security.

By Mr. HIGGINS of Louisiana (for himself, Mr. JOHNSON of Louisiana, Mr. PALLONE, Mr. PASCRELL, Mr. SIRES, Mrs. WATSON COLEMAN, Mr. HARPER, Mr. PALAZZO, and Mr. PAYNE):

H.R. 3285. A bill to reauthorize the National Flood Insurance Program, and for other purposes; to the Committee on Financial Services, 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. HUFFMAN:

H.R. 3286. A bill to direct the Secretary of Energy to issue regulations regarding disclosure of oil data, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HUFFMAN:

H.R. 3287. A bill to require the Director of the Congressional Budget Office to calculate a carbon score for each bill or resolution; to

the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. KUSTER of New Hampshire (for herself, Mr. WELCH, Ms. PINGREE, Ms. SHEA-PORTER, Ms. STEFANIK, Mr. KATKO, and Ms. TENNEY):

H.R. 3288. A bill to amend title 40, United States Code, to promote regional economic and infrastructure development, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATTA:

H.R. 3289. A bill to amend the Communications Act of 1934 to require identification and description on the website of the Federal Communications Commission of items to be decided on authority delegated by the Commission; to the Committee on Energy and Commerce.

By Mr. MCNERNEY (for himself and Mr. LATTA):

H.R. 3290. A bill to require the Secretary of Energy to initiate the development of voluntary model pathways for modernizing the electric grid, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RYAN of Ohio (for himself and Mr. BEN RAY LUJÁN of New Mexico):

H.R. 3291. A bill to amend title XIX of the Social Security Act to provide for a State option to provide for maternal, infant, and early childhood home visiting programs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SMITH of Missouri (for himself, Mr. WILLIAMS, Ms. JENKINS of Kansas, and Mr. BLUMENAUER):

H.R. 3292. A bill to amend the Internal Revenue Code of 1986 to impose a mileage-based user fee for mobile mounted concrete boom pumps in lieu of the tax on taxable fuels, and for other purposes; to the Committee on Ways and Means.

By Ms. TENNEY (for herself and Mr. LIPINSKI):

H.R. 3293. A bill to amend section 2533a of title 10, United States Code, to add stainless steel flatware to the list of covered items in such section; to the Committee on Armed Services.

By Mr. CROWLEY:

H. Res. 453. A resolution electing a Member to certain standing committees of the House of Representatives; considered and agreed to, considered and agreed to.

By Mr. LEWIS of Georgia (for himself, Mrs. BEATTY, Mr. BISHOP of Georgia, Mr. CONNOLLY, Mr. CONYERS, Mr. DONOVAN, Mr. ESPAILLAT, Mr. EVANS, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS, Ms. JACKSON LEE, Ms. JAYAPAL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. KHANNA, Ms. LEE, Mr. MCGOVERN, Ms. NORTON, Ms. PLASKETT, Mr. SMITH of Washington, Ms. MAXINE WATERS of California, Mrs. WATSON COLEMAN, and Mr. COHEN):

H. Res. 455. A resolution expressing the sense of the House of Representatives on Nelson Mandela International Day; to the Committee on Foreign Affairs.

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. BIGGS:

H.R. 3276.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. BIGGS:

H.R. 3277.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. BIGGS:

H.R. 3278.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. COOK:

H.R. 3279.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, clause 2 and Article I, Section 8, clause 18

By Mr. GRAVES of Georgia:

H.R. 3280.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. LAMBORN:

H.R. 3281.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 18 and Article IV, section 3, clause 2

By Mr. BABIN:

H.R. 3282.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. DONOVAN:

H.R. 3283.

Congress has the power to enact this legislation pursuant to the following:

United States Constitution Article I, Section 8

By Mr. FITZPATRICK:

H.R. 3284.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—"To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. HIGGINS of Louisiana:

H.R. 3285.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. Art. I, Sec. 8. cl. 18

By Mr. HUFFMAN:

H.R. 3286.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. HUFFMAN:

H.R. 3287.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7: No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law, and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Ms. KUSTER of New Hampshire:

H.R. 3288.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18—To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LATTA:

H.R. 3289.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: Congress shall have the Power . . . "to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes."

By Mr. MCNERNEY:

H.R. 3290.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution.

By Mr. RYAN of Ohio:

H.R. 3291.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SMITH of Missouri:

H.R. 3292.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1 provides Congress the power to "lay and collect Taxes, Duties, Imposts and Excises."

By Ms. TENNEY:

H.R. 3293.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress "to provide for the common defense," as enumerated in Article I, Section 8 of the U.S. Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 15: Mr. GOTTHEIMER.

H.R. 60: Mr. DUFFY, Ms. STEFANIK, Mr. CLAY, and Mr. EVANS.

H.R. 140: Mr. CARTER of Georgia.

H.R. 216: Mrs. COMSTOCK.

H.R. 233: Mr. BISHOP of Michigan.

H.R. 346: Mr. ROKITA.

H.R. 422: Mr. WITTMAN and Mr. ROSKAM.

H.R. 425: Mr. WILSON of South Carolina.

H.R. 435: Mr. ROSS.

H.R. 480: Mr. KUSTOFF of Tennessee.

H.R. 490: Mr. BARR, Mr. WOMACK, and Mr. BOST.

H.R. 517: Mr. CAPUANO.

H.R. 548: Mr. BABIN.

H.R. 632: Mr. BRADY of Pennsylvania.

H.R. 671: Mr. GENE GREEN of Texas, Mr. JEFFRIES, and Mr. CLAY.

H.R. 712: Mr. SCHNEIDER.

H.R. 713: Mr. LIPINSKI and Mr. SCHNEIDER.

H.R. 719: Mr. DESJARLAIS.

H.R. 747: Mr. TAYLOR.

H.R. 754: Mr. CONAWAY, Mr. THOMAS J. ROONEY of Florida, Mr. HARRIS, Mr. DIAZ-BALART, Mr. CARTER of Texas, Mr. TURNER, Mr. LOWENTHAL, Mr. ROYCE of California, and Mr. DEUTCH.

H.R. 820: Mr. COOK, Mrs. TORRES, Mr. NADLER, Mr. NEWHOUSE, Mr. AGUILAR, and Mr. ESPALLAT.

H.R. 825: Mr. VALADAO.

H.R. 828: Mr. MULLIN.

H.R. 849: Mr. POLIQUIN, Mr. RUTHERFORD, and Mrs. HANDEL.

H.R. 850: Mr. DESJARLAIS and Mr. MEADOWS.

H.R. 908: Mr. BLUMENAUER and Mr. RENACCI.

H.R. 911: Mr. BRADY of Pennsylvania.

H.R. 930: Mrs. TORRES, Mr. POLIS, Mr. SCHWEIKERT, Ms. ROYBAL-ALLARD, Mr. FARENTHOLD, Mr. COLE, Mr. HURD, Mr. GROTHMAN, and Mr. KING of New York.

H.R. 949: Mr. THOMPSON of Pennsylvania.

H.R. 976: Mr. THOMPSON of Pennsylvania.

H.R. 1014: Mr. DEUTCH.

H.R. 1037: Mr. KIND.

H.R. 1038: Mr. THOMPSON of Pennsylvania.

H.R. 1050: Ms. ROSEN.

H.R. 1057: Ms. FUDGE.

H.R. 1058: Mr. CURBELO of Florida.

H.R. 1116: Mr. COLLINS of New York and Mr. WOMACK.

H.R. 1141: Mr. DEFAZIO.

H.R. 1148: Mr. FERGUSON.

H.R. 1156: Mr. LOUDERMILK and Mr. SMITH of Texas.

H.R. 1196: Mr. WILSON of South Carolina.

H.R. 1266: Mr. MOULTON.

H.R. 1267: Mr. SEAN PATRICK MALONEY of New York.

H.R. 1284: Mr. GAETZ.

H.R. 1298: Mr. CARTER of Georgia, Mr. ROGERS of Alabama, Ms. MCCOLLUM, and Mr. SCHNEIDER.

H.R. 1300: Mr. SOTO.

H.R. 1317: Mrs. HARTZLER.

H.R. 1406: Mr. MURPHY of Pennsylvania, Mr. CONYERS, and Mrs. CAROLYN B. MALONEY of New York.

H.R. 1421: Mr. AMODEI, Mr. SMUCKER, and Ms. STEFANIK.

H.R. 1451: Mr. ELLISON.

H.R. 1528: Mr. GOSAR.

H.R. 1606: Mr. COLE and Mr. RUSH.

H.R. 1651: Mr. PETERS.

H.R. 1697: Ms. HANABUSA, Mr. PAULSEN, Mr. MOOLENAAR, Mr. GALLAGHER, Ms. TITUS, Mr. DENHAM, and Mr. MULLIN.

H.R. 1722: Mr. ROKITA.

H.R. 1748: Ms. TSONGAS.

H.R. 1828: Mr. GAETZ and Mr. YOUNG of Iowa.

H.R. 1838: Mr. PALAZZO.

H.R. 1928: Ms. STEFANIK, Mr. JOHNSON of Georgia, and Mr. NOLAN.

H.R. 2040: Mr. NOLAN.

H.R. 2077: Mr. SMITH of New Jersey.

H.R. 2121: Mr. ROSS.

H.R. 2125: Mr. SANFORD.

H.R. 2149: Mr. FRANCIS ROONEY of Florida.

H.R. 2181: Mr. PASCRELL.

H.R. 2224: Mr. JODY B. HICE of Georgia.

- H.R. 2285: Mr. LANCE.
H.R. 2287: Mr. BISHOP of Utah and Mr. GOSAR.
H.R. 2295: Mr. KHANNA.
H.R. 2309: Mr. WELCH.
H.R. 2315: Ms. STEFANIK, Mr. ROSKAM, and Mr. DEFAZIO.
H.R. 2359: Mr. LUCAS.
H.R. 2432: Mr. THOMPSON of Pennsylvania.
H.R. 2482: Mr. BROWN of Maryland.
H.R. 2505: Mr. FORTENBERRY, Mr. KING of New York, and Mr. THOMPSON of Pennsylvania.
H.R. 2519: Mr. TURNER, Mrs. LOVE, Mr. TAYLOR, Ms. SPEIER, Mr. DESAULNIER, Mr. SMITH of Washington, Mr. ISSA, Mr. WOMACK, Mr. LOBIONDO, Mr. CONNOLLY, Mr. FRELINGHUYSEN, and Mr. WITTMAN.
H.R. 2526: Mr. SOTO.
H.R. 2591: Mr. RUTHERFORD.
H.R. 2603: Mr. LAMALFA and Mr. LAMBORN.
H.R. 2617: Mr. SENSENBRENNER.
H.R. 2651: Mr. FASO and Mr. BUCHANAN.
H.R. 2663: Mr. SIRES and Mr. THOMPSON of Pennsylvania.
H.R. 2670: Mr. SUOZZI.
H.R. 2690: Mr. SWALWELL of California, Mr. YARMUTH, Ms. JACKSON LEE, Mr. COHEN, Mr. SCHRADER, Mr. HUFFMAN, Mr. DEUTCH, Ms. VELÁZQUEZ, Mr. TAKANO, and Mr. CORREA.
H.R. 2712: Mr. GOHMERT.
H.R. 2713: Mr. ROKITA.
H.R. 2723: Mr. WALKER, Mr. RATCLIFFE, Mr. HUNTER, and Mrs. WALORSKI.
H.R. 2740: Mr. KRISHNAMOORTHY, Mr. KUSTOFF of Tennessee, Mr. WILSON of South Carolina, Mr. MESSER, Mr. SCHIFF, Ms. ADAMS, Mr. GALLEGO, and Mr. RICHMOND.
H.R. 2779: Mr. COOK and Mr. ROYCE of California.
H.R. 2790: Mr. SCHRADER, Mr. POLIS, Ms. BROWNLEY of California, Mr. O'ROURKE, Ms. DELBENE, Ms. ADAMS, Ms. JUDY CHU of California, Mr. SEAN PATRICK MALONEY of New York, and Ms. ROSEN.
H.R. 2796: Mr. GOHMERT and Mr. GROTHMAN.
H.R. 2797: Mr. YOUNG of Iowa.
H.R. 2820: Mr. POE of Texas.
H.R. 2832: Mr. DESJARLAIS and Mr. RATCLIFFE.
H.R. 2840: Mr. SOTO and Mr. WALZ.
H.R. 2851: Mr. TURNER.
H.R. 2856: Mr. MOOLENAAR, Mr. GALLAGHER, Mr. MCKINLEY, and Mr. BRAT.
H.R. 2859: Mr. NOLAN.
H.R. 2871: Mr. GOSAR.
H.R. 2885: Mrs. BROOKS of Indiana.
H.R. 2898: Mr. GRIJALVA.
H.R. 2901: Ms. WASSERMAN SCHULTZ.
H.R. 2902: Mr. WELCH, Mr. COHEN, and Ms. KUSTER of New Hampshire.
H.R. 2908: Mr. DEFAZIO and Ms. JAYAPAL.
H.R. 2909: Mr. BISHOP of Michigan.
H.R. 2938: Mr. CLAY.
H.R. 2943: Ms. TSONGAS, Mr. COSTELLO of Pennsylvania, and Mr. MEEHAN.
H.R. 2960: Mr. SWALWELL of California and Mr. NOLAN.
H.R. 2961: Mr. NOLAN.
H.R. 2976: Mr. POLIS.
H.R. 3030: Mr. HULTGREN.
H.R. 3048: Mr. SCHNEIDER.
H.R. 3071: Mr. MEADOWS.
H.R. 3088: Mrs. BROOKS of Indiana.
H.R. 3110: Mr. ELLISON.
H.R. 3131: Mr. LUETKEMEYER.
H.R. 3174: Miss RICE of New York, Mr. SEAN PATRICK MALONEY of New York, Mr. SOTO, Mr. BEYER, Mr. CICILLINE, and Mr. DELANEY.
H.R. 3191: Ms. HANABUSA, Ms. SCHAKOWSKY, and Mrs. TORRES.
H.R. 3218: Mr. WITTMAN, Mr. POLIS, Mr. CARSON of Indiana, Mr. O'HALLERAN, Mr. VARGAS, Mr. PASCRELL, Mr. SHERMAN, Ms. JAYAPAL, Mr. BRADY of Pennsylvania, Mrs. BUSTOS, Ms. DEGETTE, Mr. SUOZZI, and Ms. TSONGAS.
H.R. 3223: Mr. MEADOWS.
H.R. 3230: Mr. NOLAN.
H.R. 3255: Mr. MCGOVERN, Mr. CARSON of Indiana, and Mr. ELLISON.
H.R. 3258: Ms. SCHAKOWSKY, Ms. SEWELL of Alabama, Ms. HANABUSA, Mr. GRIJALVA, Mr. DEFAZIO, Mr. MCEACHIN, Mr. GARAMENDI, Mr. PERLMUTTER, Mr. JOHNSON of Georgia, Mr. KIHUEN, Mr. CARBAJAL, Mr. LOWENTHAL, Mr. DANNY K. DAVIS of Illinois, Mr. RICHMOND, Mr. CLYBURN, Mrs. NAPOLITANO, Mrs. TORRES, Mr. GALLEGO, Ms. JACKSON LEE, Mr. GENE GREEN of Texas, Mr. KENNEDY, and Mr. BUTTERFIELD.
H.R. 3273: Mr. POLIS and Mr. WALZ.
H.R. 3274: Ms. STEFANIK.
H.J. Res. 51: Mr. POLIQUIN and Mr. RUTHERFORD.
H.J. Res. 93: Mr. CHABOT.
H.J. Res. 107: Mr. GOTTHEIMER.
H. Con. Res. 13: Mr. CORREA, Mrs. BUSTOS, Mr. EVANS, Mr. CUMMINGS, Mr. WILLIAMS, Mr. MOULTON, and Mr. KNIGHT.
H. Con. Res. 20: Ms. SLAUGHTER.
H. Con. Res. 60: Mr. KHANNA.
H. Res. 30: Mr. DESAULNIER.
H. Res. 188: Mr. DUNCAN of South Carolina and Mr. DONOVAN.
H. Res. 279: Mr. FLEISCHMANN.
H. Res. 349: Ms. ESHOO.
H. Res. 359: Mr. GOHMERT.
H. Res. 393: Mr. SHERMAN.
H. Res. 401: Mr. PALLONE, Ms. WASSERMAN SCHULTZ, Ms. DELBENE, Ms. WILSON of Florida, Mr. PAYNE, Mr. GONZALEZ of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. CAROLYN B. MALONEY of New York, Mr. FASO, Mr. SOTO, Mr. LOBIONDO, Mr. DESAULNIER, and Mr. POLIS.
H. Res. 407: Mr. FRANKS of Arizona.
H. Res. 433: Mr. POE of Texas.
H. Res. 441: Mr. MOULTON.
H. Res. 445: Mr. FRANKS of Arizona, Mr. ELLISON, and Mr. COOK.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative TSONGAS (MA), or a designee, to H.R. 218, the King Cove Road Land Exchange Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The amendment to be offered by me, Congressman DON YOUNG (AK), or a designee, to H.R. 218 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

The amendment to be offered by Representative ENGEL (NY), or a designee, to H.R. 2883, the Promoting Cross-Border Energy Infrastructure Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.



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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The PRESIDENT pro tempore. Today's opening prayer will be offered by Dr. Hance Dilbeck, senior pastor of Quail Springs Baptist Church, Oklahoma City, OK.

We are very happy to welcome him here.

The guest Chaplain offered the following prayer:

Let us pray.

O Lord, You made Heaven and Earth and all that dwell therein. We praise You as our Creator. You rule above men and nations as the King of Glory, and we praise You as our King.

Father, we bow before You humbly because we believe that You judge men and nations, and we praise You as our judge, and we delight this morning that Jesus teaches us to call You our Father.

And, Father, we give You thanks for the freedom that we have in this Nation. We thank You for those who fight and serve to protect those freedoms. We thank You for the men and women who serve here in this Chamber. We ask that You give them wisdom, that You guide their decisions.

We pray, Father, that You give us grace as a nation and that You give the men and women in this Senate grace to seek justice and love mercy and to walk humbly with You.

In Christ's Name we pray. 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.

HEALTHCARE

Mr. MCCONNELL. Mr. President, one of the Senate's very first acts this Congress was to pass the legislative tools necessary to repeal ObamaCare. We did so because the American people, who had suffered for years under the failures of ObamaCare, were calling out for relief.

Everyone knows about ObamaCare's skyrocketing costs and its plummeting choices. Too often, however, this discussion seems to veer into the abstract. These are not just numbers on a page. These are the lives of real people. These are the men and women we represent, Americans who are hurting, middle-class families who deserve better than ObamaCare's failures. We worked hard to provide them with a better way. We did so in the knowledge that this task would not be easy. We understood it would not come quickly. But we knew it was the right thing to do, so we pushed forward anyway. I believe we must continue to push forward now.

I regret that the effort to repeal and immediately replace the failures of ObamaCare will not be successful. That doesn't mean we should give up. We will now try a different way to bring the American people relief from ObamaCare. I think we owe them at least that much.

In the coming days, the Senate will take up and vote on a repeal of ObamaCare combined with a stable 2-year transition period as we work toward patient-centered healthcare. A majority of the Senate voted to pass the same repeal legislation back in 2015. President Obama vetoed it then; President Trump will sign it now.

I imagine many Democrats were celebrating last night. I hope they consider

what they are celebrating. The American people are hurting, they need relief, and it is regretful that our Democratic colleagues decided early on that they did not want to engage with us seriously in the process to deliver that relief.

But this doesn't have to be the end of the story. Passing the repeal legislation will allow us to accomplish what we need to do on behalf of our people. Our Democratic friends have spoken a lot recently about wanting bipartisan solutions. Passing this legislation will provide the opportunity for Senators of all parties to engage with a fresh start and a new beginning for the American people.

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. 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.

HEALTHCARE

Mr. SCHUMER. Mr. President, last night we learned that the current Republican healthcare bill lacks enough support to even reach the floor of the Senate. After numerous delays, false starts, false predictions, and two pulled votes, it should be crystal clear to everyone on the other side of the aisle that the core of the bill is unworkable.

It is time to move on. It is time to start over. Rather than repeating the same failed partisan process yet again, Republicans should work with Democrats on a bill that lowers premiums,

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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provides long-term stability to the markets, and improves our healthcare system.

I heard the Republican leader this morning say that Democrats “decided early on that they did not want to engage seriously” on healthcare. In the same speech, the Republican leader also admitted that the very first thing the Republican majority did this Congress was to pass reconciliation so they could pass healthcare on a party-line vote—50 needed, no Democrats needed. Early on, the majority leader told Democrats: We don’t need you. We don’t want you.

Respectfully, I take issue with the idea that Democrats didn’t want to engage on healthcare. The majority leader admitted that he decided the matter for us when he locked Democrats out of the process at the outset. At the very beginning of this Congress, President Trump and Leader MCCONNELL said: Don’t come knocking on our door on healthcare. We don’t need you.

Now that their one-party effort has largely failed, we hope they will change their tune.

It seems like many Republicans are ready for a truly bipartisan effort on healthcare, indeed. My friend Senator MCCAIN has urged it quite strongly saying: “The Congress must now return to regular order, hold hearings, [and] receive input from members of both parties.” He said that while recuperating in Arizona. So that is how strongly he feels about it.

Other Republican Senators have made similar comments, but the Republican leader still plans to ignore their advice and instead plans on holding a proxy vote on a straight repeal of our healthcare law first.

Make no mistake about it. Passing repeal without a replacement would be a disaster. Our healthcare system would implode. Millions would lose coverage. Coverage for millions more would be diminished. Our healthcare system would be in such a deep hole that repair would be nearly impossible.

In fact, passing repeal and having it go into effect 2 years later is, in many ways, worse than the Republican healthcare bill that was just rejected by my Republican colleagues. It is as if our healthcare system were a patient who came in and needed some medicine and the Republicans propose surgery. The operation was a failure. Now Republicans are proposing a second surgery that will surely kill the patient. Medicine is needed—bipartisan medicine, not a second surgery.

We urge our Republican colleagues to change their tune. Passing repeal now is not a door to bipartisan solutions, as the majority leader suggested this morning. Rather, it is a disaster. The door to bipartisanship is open right now, not with repeal but with an effort to improve the existing system. The door is open right now. Republican leadership only needs to walk through it, as many Republican Members are urging.

The door is to accept the progress we have made in our healthcare system and work to improve it. The Affordable Care Act isn’t perfect, but repealing all of the good things about the law will create such chaos that there will hardly be anything left to repair.

Republicans don’t need to wreak havoc on our healthcare system first in order to get Democrats to the table. We are ready to sit down right now, if Republicans abandon cuts to Medicaid, abandon huge tax breaks for the wealthy, and agree to go through the regular order—through the committees, with hearings, and onto the floor with time for amendments. That is how we perfect legislation here. That is how it has been done for 200 years.

Almost inevitably, when you try to draft something behind closed doors and do not vet it with the public, it becomes a failure—in this case, a disaster. So again our Republican colleagues don’t need to wreak havoc on our healthcare system first in order to get Democrats to the table. We are ready to sit down right now, again, if Republicans abandon cuts to Medicaid, abandon tax breaks for the wealthy, and agree to go through the regular order. The door to bipartisanship is open right now. Republicans only need to walk through it.

I would remind my Republican friends that the CBO has already scored the idea of a clean repeal bill, and it would be a catastrophe. Listen to what the nonpartisan CBO said. The head of CBO is appointed by the Republican leader of the Senate and the Republican leader of the House. Here is what CBO said about repeal: It would cause 32 million Americans to lose their insurance. Premiums would double, while cutting taxes for households with incomes over a million dollars by over \$50,000 a year. It would end Medicaid expansion with no grace period or option for States that like their Medicaid expansion and want to keep it. In many ways, it is just as cruel, if not crueler, to Medicaid as the TrumpCare bill, but in a different way.

So I would expect that the same Senators who are concerned about the TrumpCare bill’s Medicaid cuts will be equally concerned about what repeal and delay would do to Medicaid. Many of my Republican friends rejected roundly the idea of repeal and delay several months ago at the beginning of the year when President Trump first proposed it and it seemed like that was really what Republicans would do. Here are just some of the names back then who said repeal and then replace later doesn’t work: CASSIDY, ALEXANDER, COLLINS, CORKER, COTTON, HATCH, ISAKSON, MORAN, MCCAIN, MURKOWSKI, PAUL.

Well, I would tell those colleagues and all of the others: The idea hasn’t magically gotten better with age. It is still nothing more than a cut-and-run approach to healthcare that will leave millions of Americans out in the cold and will raise costs on everyone—the

young, the old, the sick, the healthy, working Americans, and middle-class families. Everyone will be hurt but the very, very wealthy.

Every day that Republicans spend on trying to pass their now failed partisan TrumpCare bill, every day they spend cooking up new tricks to bully their Members to get on a healthcare bill is another day wasted, another day that could have been spent working on real improvements to our healthcare system.

Democrats want to work with our colleagues on the Republican side to stabilize the marketplaces and improve the cost and quality of care, and we want to do it via regular order, a process this body has used time and again to produce consensus, bipartisan, historic legislation.

The majority leader said in 2014, in a speech entitled “Restoring the Senate,” “When the Senate is allowed to work the way it was designed to, it arrives at a result acceptable to people all along the political spectrum.” But if it is “an assembly line for one party’s partisan legislative agenda,” it creates “instability and strife” rather than “good stable law.”

I want to repeat that. These are the words of Leader MITCH MCCONNELL. I hope Leader MCCONNELL is listening and remembers these words. He hasn’t for the last 6 months, and it has only led to trouble for him and his Republican colleagues in the Senate. Let me read it again, the 2014 speech, “Restoring the Senate” by MITCH MCCONNELL. “When the Senate is allowed to work the way it was designed to, it arrives at a result acceptable to people all along the political spectrum. But if it’s “an assembly line for one party’s partisan legislative agenda,” it creates “instability and strife” rather than “good stable law.”

Leader MCCONNELL, I couldn’t agree more. It is time to start over on healthcare, abandon the idea of cutting Medicaid to give a tax break to the wealthy, abandon this new repeal and run, and use the regular order to arrive “at a result acceptable to people all along the political spectrum,” as Leader MCCONNELL once said. I dare say it would create a much better result for the American people as well.

Thank you.

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

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the Shanahan nomination, which the clerk will report.

The legislative clerk read the nomination of Patrick M. Shanahan, of Washington, to be Deputy Secretary of Defense.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from New Hampshire.

HEALTHCARE

Mrs. SHAHEEN. Mr. President, the majority leader says that he will move forward this week with a vote on a straight repeal of the Affordable Care Act in its entirety. I don't believe that a majority of Senators are willing to support a reckless leap in the dark, which that vote would mean. It is a vote that would end protections for people with preexisting conditions. It would take healthcare coverage away from tens of millions of Americans and tens of thousands in New Hampshire. It would terminate the Medicaid expansion that has been critical to fighting the opioid epidemic in my State and so many States across this country.

According to the nonpartisan Congressional Budget Office, a straight repeal of the Affordable Care Act would result in more than 32 million people losing their insurance coverage by 2026. Premiums would roughly double in the individual marketplaces. I urge my Republican friends not to go forward with this misguided approach.

The idea that they can repeal the healthcare bill now and give us a new bill in 2 years or whatever period of time is in the bill just doesn't pass the smell test. If we haven't seen an alternative to the Affordable Care Act in the last 7 years, there is no reason to believe that our Republican colleagues are going to be able to produce a bill in 2 years when there is chaos in the marketplaces.

There is a better way forward for the Senate and for our country. During the Fourth of July recess, Majority Leader MCCONNELL said that if he can't secure the votes to repeal the Affordable Care Act, he is prepared to work in a bipartisan way with Democrats on legislation to repair and strengthen the law.

I believe that bipartisanship is the best way to get something done. That is what I tried to do when I was Governor of New Hampshire. I worked closely with our Republican legislature, and we got things done. It should not be a last resort for what we are doing; it should be the first resort. It should be what we do to build a foundation for policy in this country.

I am hopeful that following the floor consideration of whatever the majority leader decides to do on healthcare—and, hopefully, it is going to get defeated—we will move forward with the majority leader's fallback plan, which I

believe should be the starting position. We need to start fresh with regular order to craft bipartisan legislation that builds on the strengths of the Affordable Care Act, that builds on what is working and fixes what is not working. As we have been hearing at town-halls and in countless messages from our constituents, this is exactly what the American people want us to do.

There is remarkable consensus in this country that the Republican leaders' bill is the wrong approach. An ABC/Washington Post poll on Sunday found that by a more than 2-to-1 margin, Americans prefer the Affordable Care Act to the Republican leaders' bill. Their bill is strongly opposed by hospital associations, by healthcare providers, by the health insurance industry, and by nearly every patient advocacy group, including the American Cancer Society and the American Heart Association. There is no reason to think that just repealing the Affordable Care Act is going to make that any better.

On Saturday, the New Hampshire Hospital Association, the New Hampshire Medical Society—our physicians—and the New Hampshire AARP joined together in opposition to the bill. They noted that more than 118,000 Granite Staters—nearly 1 in 10 people in New Hampshire—would lose healthcare coverage under the Republican bill, and that number is even greater if we just repeal the Affordable Care Act. Their joint statement urges Senators “to start over and create a new version of legislation that protects coverage for those who have it and provides coverage for those who need it most.”

Mr. President, I ask unanimous consent that the joint statement by these groups be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Concord Monitor, July 15, 2017]

OUR TURN: PROTECTING PATIENTS MUST BE THE FIRST GOAL OF HEALTH CARE LEGISLATION

(By Todd C. Fahey, Stephen Ahnen and James Potter)

The New Hampshire Hospital Association, New Hampshire Medical Society and AARP New Hampshire have joined in opposition to the Better Care Reconciliation Act currently under consideration in the U.S. Senate.

Our three organizations oppose the BCRA because it would erode health protections for millions of Americans and expose them to increased costs and health risks. We believe that any health care legislation should have the goal of protecting patients first.

We are concerned that the BCRA would reduce funding for Medicare by cutting nearly \$59 billion over 10 years from the Hospital Insurance trust fund, which would hasten Medicare's insolvency and diminish the program's ability to pay for services in the future. This would affect hospitals, doctors and consumers by reducing revenue and making it more difficult to provide services to Medicare patients. To put a sharper point on the issue, New Hampshire hospitals are projected to receive approximately \$1.5 billion less in Medicare reimbursements over the next dec-

ade, reductions that were enacted as part of the Affordable Care Act to help pay for the coverage expansions that have occurred. To maintain those spending reductions while millions of people lose health insurance coverage is simply not feasible.

The BCRA threatens protection for people with employer-sponsored health coverage by weakening consumer protections that ban insurance companies from capping how much they will cover annually or over a person's lifetime—leaving people vulnerable to costs that could be financially catastrophic for them.

In addition, the bill cuts more than \$700 billion from Medicaid by creating a capped financing structure in the Medicaid program. This could lead to cuts in provider payments, program eligibility, covered services or all three, ultimately harming some of our nation's most vulnerable citizens and dramatically impacting providers' ability to serve patients and communities who depend on them every day. It has been estimated that this would result in over \$1.4 billion in reduced federal spending on Medicaid in New Hampshire over the next decade. Where would New Hampshire turn to find the resources necessary to care for our most vulnerable citizens?

According to the CBO, the BCRA will leave 22 million more people uninsured, including more than 118,000 Granite State residents who were able to secure vital health coverage through the Affordable Care Act, making it more difficult for our most vulnerable to receive the services they need to stay in their homes. Without health coverage for, and therefore access to, critical health services, patients will seek care in emergency rooms, ultimately raising uncompensated care costs for hospitals throughout New Hampshire and increasing cost-shifting to New Hampshire businesses.

We believe that the Better Care Reconciliation Act needs to be viewed through the eyes of patients and the caregivers who take care of them, and should make protecting health care coverage for our most vulnerable citizens a higher priority. We remain opposed to the BCRA and urge the Senate to start over and create a new version of legislation that protects coverage for those who have it and provides coverage for those who need it most.

We appreciate the efforts of both of our senators to protect access to affordable health care for all Granite Staters, and we urge them to continue to work toward bipartisan solutions that will cover more people, not less, and reduce health care costs, including insurance premiums and the high cost of prescription drugs.

Mrs. SHAHEEN. Mr. President, I strongly agree with these New Hampshire groups. After spending 6 months trying to pass the deeply unpopular, deeply flawed bill to repeal the law, shouldn't we welcome a bipartisan effort to improve the law? I believe the answer to that is yes, and the place to begin is by taking urgent action on a matter where most of us agree, and that is providing certainty to health insurance markets in order to hold down premium increases. In their 2018 rate request filings, insurers say that large increases are necessary because of the uncertainty surrounding the repeal of the Affordable Care Act and because the Trump administration refuses to commit to making cost-sharing reduction payments—those payments that go to insurance companies so they can help their consumers with

the cost of health insurance, making sure that more people can get health insurance. Well, we now have an opportunity to end this uncertainty by putting the repeal behind us and authorizing a simple bill to authorize regular appropriations for the cost-sharing reduction payments.

The current instability in the ACA marketplaces is a manufactured crisis, and Congress can put a stop to it very quickly. That is why I have introduced the Marketplace Certainty Act, which is a bill to permanently appropriate funds to expand the funds for and to expand the cost-sharing repayments. It does two things: It guarantees that these payments are coming, and it is going to cover more people to help. I am pleased to be joined by 26 Senators who have already cosponsored this bill. We can end this artificial crisis. We can immediately restore certainty and stability to the insurance markets, and, in turn, we can get the time we need in order to come together in a bipartisan way to improve this law to build on what is working and to fix what is not.

We have a number of these commonsense measures, and this is one that has been embraced, not just by Democrats but by key Republican leaders, including Chairman LAMAR ALEXANDER and House Ways and Means Chairman KEVIN BRADY, who have urged that these payments be continued. As Chairman BRADY put it, the payments are needed “to help stabilize the [health] insurance market and help lower premiums for Americans.” He added: “Insurers have made clear the lack of certainty is causing 2018 proposed premiums to rise significantly.”

We have heard from our constituents at home. We have heard from doctors, nurses, hospitals, particularly rural hospitals, nursing homes, patient advocates, insurers, and those constituents who were in the statement I asked to be printed in the RECORD. They are pleading with us to set aside our partisan differences and work together to repair the Affordable Care Act.

Again, we know what we can do. It is not just the Marketplace Certainty Act; there are other bills that have been introduced that can fix the uncertainty in the markets and allow us to address other issues with the law.

Bipartisanship should be the Senate's first resort, not the last resort. An excellent place to start is by coming together right now to permanently appropriate funds for the cost-sharing reduction payments that keep health coverage affordable and to look at some of the other commonsense measures that are going to be talked about by my colleagues, like Senator KLOBUCHAR, who will be coming to the floor. She has legislation that would help us deal with the high cost of prescription drugs, which is one of the things that is driving the increasing costs of healthcare. We need to pass these commonsense measures, and we need to do it now.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I want to thank Senator SHAHEEN for her leadership, and I am proud to be one of the cosponsors of her bill with her commonsense approach—which I believe is the one that will rule the day—to work together on changes to the Affordable Care Act that will help the American people.

I join my colleagues on the floor in sharing the concerns I have heard from so many people in my State and across the country about the bill that has been introduced by our colleagues. I also heard their desire to have us work together to bring down the costs of healthcare and to make fixes to the Affordable Care Act.

Healthcare leaders in my State have come out strongly against the bill released last week because it would be devastating to the people of our State, especially in our rural areas—rural hospitals—and especially to our seniors who rely on Medicaid funding for nursing homes and assisted living.

Last night we heard that we will not be proceeding to that bill, and, instead, the majority leader wants to bring up repealing big parts of the Affordable Care Act without a replacement. I just want to remind my colleagues that the Congressional Budget Office has already looked at this repeal without a replacement, and it is just as bad. Instead of 22 million people losing their insurance by 2026, the CBO has estimated that about 32 million would lose insurance under the repeal approach, and premiums would double. So this repeal effort doesn't help the host of Minnesotans who, according to the Minnesota Medical Association, would be harmed by what they call draconian Medicaid cuts.

It doesn't help our children's hospitals. I met with several last week, and they were very concerned that Medicaid cuts would wreck their ability to provide healthcare to our kids. This was something, by the way, that I heard repeatedly on the Fourth of July. During the parades, people would come out of the blue, out from the sides of the streets, mixed in with the hot dogs and American flags, and there were these families—predominantly families with kids with disabilities—and they would bring children over to meet me and would say how important this Medicaid funding is for their entire family. I remember that once, when the mom brought her child over with Down syndrome, all of the people on the parade route, on that block, cheered for that family.

We know that we are all in this together, and we know that what happens to one family could, next year, happen to another family. You can have a child with a disability. You can suddenly have a disease that could be debilitating to your family's finances. Basically, we never know what is going

to happen to our health or to the health of our family members. That is why we have health insurance, and we must make sure that it is affordable.

In addition to that, we have had the CEOs of our healthcare system stand up and say that these approaches would lead to major job losses in our State. As I mentioned before, for seniors, AARP has said that, in my State, nearly half of all of the adults who receive tax credits under the Affordable Care Act are 50- to 64-year-olds and these subsidies would be eliminated under the repeal bill. This could make healthcare unaffordable, especially for the more than 350,000 people in my State who are aged 50 to 64 who have preexisting conditions.

Now, it does not have to be this way, as Senator SHAHEEN has so articulately pointed out. I know that several of my Republican colleagues have said that they cannot support legislation that would take away insurance for tens of millions of Americans, and I agree. Instead of making these kinds of draconian cuts and moving backward, I think we have to move forward to actually help make healthcare in America better and more affordable.

We can and we should make changes to the Affordable Care Act. The day it passed, I said this is the beginning and not the end. You simply cannot have a major piece of legislation like that and go for years without any significant changes. That is just not how it has worked with major legislation in the past, but every time we have tried to make changes, we have heard back that we have to repeal it. Maybe the result of all of this chaos in the last month has been that people have finally come to realize what the American people want, as Senator SHAHEEN has pointed out, as well as what is the best policy, and that is to make changes.

I support Senator SHAHEEN's Marketplace Certainty Act because it would stabilize the individual market and protect and expand the vital program that reduces out-of-pocket healthcare costs for consumers. I also support the bill of Senator KAINE of Virginia, who is here with us today, and Senator CARPER, which is the Individual Health Insurance Marketplace Improvement Act, which reestablishes a Federal reinsurance program. By the way, this idea of reinsurance is something that our Republican legislature in Minnesota just passed on a State basis and is supportive of. So I see these as not just some pie-in-the-sky ideas. I see these ideas as things that we can work on across the aisle.

I just want to end by talking about some of my ideas, many of which have bipartisan support. Again, I throw them in a package of things that we could be working on. I have a bill that would harness the negotiating power of 41 million seniors who are on Medicare in order to bring drug prices down. Right now, by law, Medicare is banned from negotiating prices with all of

those seniors. Think of the better bargain that those seniors could get if their marketing power were unleashed.

Senator MCCAIN, the Presiding Officer's colleague, and I have a bill to allow Americans to bring in safe, less expensive drugs from Canada, which is, by the way, very similar to the American market. As I have often noted, we can see Canada from our porch in Minnesota. We see right across the border the kinds of prices they are able to get. Senator MCCAIN and I and several Republicans voted for a similar measure, and we think we should be allowed to bring in less expensive drugs from Canada and, perhaps, from other countries. You could also tie to it a trigger, if there is no competition or if prices have ballooned like they have for 4 of the top 10 selling drugs in this country.

Senator LEE and I have a bill that would allow for the importation of safe drugs from other countries when there is not healthy competition.

Senator GRASSLEY and I have a bill to stop something called "pay for delay," which is when big pharmaceutical companies pay off generics in order to keep their products off the market. It would be \$3 billion in savings for the U.S. Government by just passing that, and I would challenge my colleagues to vote against something as simple as that.

Lastly is the CREATES Act, and Senators GRASSLEY, LEAHY, FEINSTEIN, LEE, and I have that bill, which makes sure that we get the samples so that we can get generics on the market, create more competition, and bring prices down.

This debate is about the patients of a nurse practitioner who provides psychiatric care in my State.

She wrote to me:

Please, please, do all you can to prevent these people from losing the health insurance coverage for medical and mental healthcare that is so vital to their lives.

In Minnesota, one-third—32 percent—of the funding for our State's mental health agencies comes from Medicaid, and across the country, Medicaid expansion has helped 1.3 million people receive treatment for mental health and substance abuse issues.

This debate is about the mom in Minnesota who has private insurance and who has colon cancer. She is working full time, raising two school-age boys and going to chemo every single week. She said she fears she will not be able to afford the care she needs to stay alive.

This debate is about the rural constituents whom I noted come up to me at parades, like the Fourth of July, at nearly every other block, and tell me their stories of how they are concerned about their kids with disabilities and how they are concerned for their rural hospitals.

We have things we can do to make this better, and now is the time when we must get them done. We have bipartisan support for these changes to the Affordable Care Act. Let's work to-

gether on them across the aisle, and let's remember that this is about one team, one country. We can get this done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINÉ. Mr. President, I also take to the floor to talk about healthcare. I appreciate my colleagues who are here, earnestly pleading with all of our colleagues to be about a process—Democrats and Republicans and the committee process that we have in the Senate—that does the work that we are supposed to be doing, which is listening to the American public and improving our healthcare system.

Let me tell you about my first meeting of the day. It was an amazing one. I had a mom, Rebecca, and her 5-year-old daughter, Charlie, in my office. They had asked for the opportunity to meet with me to talk about healthcare. Here is their story.

Charlie is just about 5 years old. She starts kindergarten in the Charlottesville public schools in September. She was born at 26 weeks, or about 14 weeks early. She weighed 1 pound and 11 ounces at birth. She went through the NICU and had great care. When she was released to go home, the doctors thought she would be fine, but within a couple of months, it was pretty clear that she had some significant challenges as she has the diagnosis of cerebral palsy, and she gets 80 percent of her food through a feeding tube. This family has many, many needs.

Charlie, from a cognitive standpoint, is very, very sharp and is excited about starting school, but she has significant needs. Her mother Rebecca said that Charlie is like the case study for why a repeal of the ACA would be a disaster. Charlie has a preexisting condition because of the CP and her challenges. Charlie has already hit all of the lifetime caps that would have rendered her unable to get insurance pre-ACA.

In the hospital, because of her dramatically low birth weight, Charlie was the recipient of Medicaid funds that would be cut under the current bill. Charlie is currently the recipient of a Medicaid waiver, which will help her afford supplies for her feeding tube. When she starts kindergarten in the Charlottesville public schools, Charlie will be given an individualized education plan under the Individuals with Disabilities Education Act, and some of those expenses are being compensated by Medicaid.

The preexisting condition, lifetime caps, and Medicaid cuts all affect this dynamic, young 5-year-old, who is as entitled as any of us to try to be all she can be. If we persist on the path that we are on now with regard to the bill that is being proposed, we will hurt families like these, and we do not need to do that. Instead, we can help them.

Before the passage of the Affordable Care Act, we know that Americans, like Charlie, who had preexisting conditions faced unfair barriers to access-

ing health coverage. There are challenges that we need to fix, but let's celebrate a few things. Since 2010, the rate of uninsured Americans has declined to a historic low. More than 20 million people have gained access and have healthcare coverage—many for the first time in their lives. Another statistic that is interesting is that the number of bankruptcies in our Nation has been cut in half. Pre-ACA, medical costs had driven up bankruptcies, but the ACA has brought the bankruptcy rate down. We have to move forward to make healthcare stronger, not to destroy it.

The Republican bill that is being discussed right now, because of its reductions of coverage, slashing Medicaid, and increases to premiums for seniors, would make the matter worse. The proposed amendment by the Senators from Texas and Utah has led insurance companies to come out and say that this will create a two-tiered system that will punish those with preexisting conditions. The latest plan, which was discussed this morning by the majority leader, would just be a straight repeal of the Affordable Care Act with a promise that we would fix it in a couple of years. It has been scored by the CBO, and the CBO says that it would cause 32 million Americans to lose their coverage and would dramatically increase premiums. Yet we do need to find improvements, and we should be working on that together.

There have been some actions taken by this administration that have compounded challenges. In January, the President signed an Executive order that directed relevant agencies not to enforce key elements of the Affordable Care Act. They terminated components of outreach and enrollment spending. The administration has also threatened to end cost-sharing reduction payments. These actions and additional inactions have created such uncertainty in the individual marketplace that rates have been unstable, and, in some areas, companies are not writing individual policies. The amendment I discussed earlier, from the Senators from Texas and Utah, would make these problems even worse.

There is a better way. There is a way forward, and I am here to just briefly reference a bill that Senator CARPER and I have put on the table that we think will do a good job and should have strong bipartisan support. It is the Individual Health Insurance Marketplace Improvement Act.

One of the ways to address uncertainty in the individual market is to establish a permanent reinsurance program that will stabilize premiums and will give insurance companies some stability so that they can stay in markets, but it will also enable those companies to write premiums at an average level and not have to take into account the high-cost claims. We think it could reduce premiums dramatically all over the country.

Now, the idea of reinsurance should not be controversial. We use it in other

programs—flood insurance, crop insurance, and Medicare Part D. A key part of Medicare that was achieved under the Bush administration includes a reinsurance provision. The Affordable Care Act had a reinsurance in its first 3 years, but it expired. That reinsurance helped to maintain stable premiums. This is an idea that is not a Democratic idea. It is an idea that is tested.

Senator CARPER and I introduced the bill to the Senators on the Finance Committee. I am on the HELP Committee. We are just waiting for the opportunity to be able to present it and get a hearing for it. We ought to be able to work together on reinsurance, on the cost-sharing guarantees that Senator SHAHEEN has proposed, and on a variety of other ideas. Senators CASSIDY and COLLINS have a bill in that uses auto enrollment, which is an interesting concept that we should be tackling.

I am just going to conclude and tell you how naive I am.

I was a mayor and a Governor before I got here to the Senate. When you are a mayor and a Governor, what you know is education and healthcare. We have a Governor here and a Governor here and a Governor here. We have four former Governors who are sitting on the floor. What you know is education, which was your biggest line item, and your second biggest line item is Medicaid—healthcare. I tried to get on the committee when I got to the Senate, and I was not put on the committee. I was very disappointed. For 4 years I tried to get on the HELP Committee. I got on it on January 3. I was so excited. Finally, I am working on something that I know about.

I got a group together of 13 Democratic Senators. Within 48 hours of getting on that committee, on January 5, I wrote a letter to my committee chair, Senator ALEXANDER, a great committee chair, as well as to the Finance chair, Senator HATCH, and to the majority leader, Senator MCCONNELL: If you want to fix healthcare, we are here to sit down with you right now and fix it. I was naive enough to think that, because I was on the HELP Committee, I might be included in a discussion about healthcare. We have had hearings in our committee—many hearings—on nominees, on pensions, on higher ed, on the FDA, but there has been one taboo topic on the HELP Committee since I got on it in January. We are not allowed to have a hearing about healthcare. We haven't had a hearing about the House bill. We haven't had a hearing about Senate proposals. We are being told that we are not going to have a hearing, that we are just going to rush whatever we do to the floor either on a House proposal, a Senate proposal, or a Senate repeal. We are going to completely skip the committee.

Now, you know a little bit about this committee. We have a doctor on the committee, Senator CASSIDY from Lou-

isiana. Our chair of the committee, Senator ALEXANDER, was a Governor. He had a Medicaid Program. He was the president of the University of Tennessee. He had a hospital. He had a medical school. He had physician practice groups. There are people on the HELP Committee who know something about healthcare. There are people on the Finance Committee, which covers Medicaid and Medicare, who know something about healthcare, but we have not been allowed to have a hearing about this. When you have a hearing, you bring people up to the witness table, patients like Charlie, who was in my office this morning, and doctors and hospitals. You ask them what works, what doesn't work, and what can be fixed. We haven't had the opportunity to hear from folks.

So why wouldn't we do exactly what Senator MCCAIN said yesterday? Senator MCCAIN said: We have gone about this the wrong way. We should be the U.S. Senate. We should take advantage of the Senate procedures and the expertise on the Senate committees, including staff expertise, and we should assign these various bills to the relevant committees and have hearings and then come forward with a proposal that will actually improve healthcare for this country.

I am completely confident that if we let the committees do the work they are supposed to do, we will find improvements that can get bipartisan support and that will help Virginians and help Americans. That doesn't seem too much to ask. I hope my colleagues will consider that, and I hope we will be engaged in those discussions soon.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I want to preface my remarks today by asking that you convey to your wingman, Senator JOHN MCCAIN, our colleague, our best wishes and our hope that he is on his way to a speedy recovery and will be back here because we need him. We need his wisdom.

I want to thank TIM KAINE for the leadership that he and Senator SHAHEEN are showing to help us try to stabilize the marketplaces. Senator HASSAN and I have talked a lot about this.

What do we do now? I think this is an opportunity. This is an opportunity here. I realize there is a fair amount of confusion as to which path to take and which way to go. I hope we don't waste this opportunity.

I sent a message to the new chairman of the National Governors Association and to the new vice chairman of the National Governors Association. Brian Sandoval from Nevada is the new chair and the Governor from Nevada, previously the vice chair, and Steve Bullock from Montana is the vice chair. One is a Republican, and the other is a Democrat. I sent them a message this morning saying that it would be good to hear from the Governors. They have been working on a bipartisan letter—

they have been working on it for a while—and this is really the time it could make a positive impact.

We have three people sitting here—four of us—who used to be part of the National Governors Association. I loved it, and I am sure Senator KAINE, Senator HASSAN, and Senator SHAHEEN loved it as well. Here is what I suggested that the Governors may want to consider in their message:

No. 1, urge us to hit the pause button. Hit the pause button. Let's just stop in place for a moment.

No. 2, pivot soon—not in September, not in August, but now, like this week, pivot to stabilizing the exchanges.

No. 3, return to regular order. Senator KAINE has already mentioned this. When I talked with Senator MCCAIN last week a couple of times briefly, we both talked about the need for regular order. People have good ideas on healthcare; introduce them. Committees with jurisdiction, hold hearings. Witnesses, including Governors, should come before the committees of jurisdiction—a couple of committees in the House and in the Senate—and let's hear from the experts, and let's certainly hear from the Governors, who have to run these Medicaid Programs and have a lot of expertise in this area to offer us.

Then I would say, after the August recess, if we can actually do something real in stabilizing the exchanges, what a confidence builder that would be among us and, I think, around the country. It would be a great confidence builder.

The other thing I would mention is that when we come back after the August recess, don't just muck around and wonder what we are going to do; we should pull together in a bipartisan way—something we talked about doing a lot, but we don't often do it—to really do maybe a couple of things.

Let's figure out what we need to fix in the Affordable Care Act. Republicans believe that Democrats feel it is perfect and nothing should be changed. Well, I don't feel that way. My guess is that most of our Democrats don't, either. No bill I have ever worked on was perfect. It can always be done better. The same is true with big programs like Medicare and Social Security, veterans programs, and so on. They can all be done better, and this is certainly the case as well. Let's fix the parts of the ACA that need to be fixed, and let's preserve the parts that ought to be preserved.

I would reiterate, speaking on behalf of some recovering Governors, including me, the Governors need to be heavily involved in this. I suspect that all of the former Governors who are on the floor with me today, when we were part of the NGA, we weren't on the floor—actually, I was on this floor any number of times because Governors had access to the floor—but we had many opportunities, many invitations to testify before Senate committees and House committees on a wide range of

issues. I think we brought value, and we need to hear from them today.

I want to go back and talk about how we go about stabilizing the exchanges. The first thing that would help would be for the administration to stop destabilizing them. That would be a big help.

Senator KAINE has led on legislation—and he has mentioned it, and I want to drill down on it just a little bit—that would provide reinsurance, much as we do in other ways in terms of the Medicare Part D drug program. Using reinsurance is a very common tool, and we can use it to help stabilize the exchanges.

How would it be used in our proposal? If this lady standing right in front of me were getting healthcare and her healthcare needs were expensive, under our reinsurance plan starting in 2018, 2019, 2020, the first \$50,000 in her healthcare that she used in year one, 2018, the Federal Government—well, the insurance companies themselves actually would be on the hook for the first \$50,000 of care she got. Between \$50,000 and \$500,000, under our proposal, the Federal Government would pay for 80 percent of that cost—80 percent of that cost. Between \$50,000 and \$500,000 would be on the Federal Government. Anything above \$500,000 would be back on the insurance company. That is what we would do for the next 3 years.

Starting in 2021 and going forward, the first \$100,000 would be on the insurance company for the costs borne—created by an individual, and then between \$100,000 and \$500,000, 80 percent of that would be on the Federal Government, and after that, the rest of it is back again on the insurance company to pay for.

That is our proposal. We have a bunch of cosponsors on it, and we need some Republican cosponsors as well. It is not a Democratic idea. It is not a Republican idea. It is just a good idea that deserves bipartisan support.

Another thing we ought to do to stabilize the exchanges is what Senator SHAHEEN has proposed; that is, we have these CSRs, cost-sharing reductions. I think of them as subsidies to help subsidize people whose income is under a certain level; I think it is 250 percent of poverty. Folks who are in the exchanges getting healthcare coverage and whose income is under 250 percent of poverty currently receive some subsidies to help buy down and reduce the cost of their copays and their deductibles. It is not really clear whether that is authorized. It is not really clear whether that is being funded, but it has been done for a number of years.

The current administration has been saying: Well, we don't know if we are going to continue to do that.

There have been some States that want to go to court and say: You can't do that.

We need to pass a law and say that we are going to have these cost-sharing reductions and that the subsidies will continue to be offered.

The last thing we need to do is to make clear that the individual mandate or something as good as or at least as effective as the individual mandate is going to be around. For the administration to say: Well, we don't know if we are going to enforce the individual mandate—it just encourages young, healthy people not to get coverage.

We have to make it clear that the individual mandate or something as good as—it could be a proxy for it or maybe several things that work together that could be as effective as the individual mandate. If they don't work, maybe we could just have a default position that would be the individual mandate again.

We ought to have hearings on these kinds of things and discuss them and hear from all kinds of folks.

The other thing I want to mention is just that when I go around my State, my Lord, I have never heard people so interested in encouraging us. I think I am regarded in my State—along with Senator COONS and our Congresswoman, LISA BLUNT ROCHESTER—I think we are regarded as bipartisan people. We are Democrats and proud to be Democrats. We would like to work with Republicans, too, and I think that is part of being a recovering Governor. But on this subject, on healthcare reform, going forward, the people in my State don't want a Democratic victory. They don't want a Republican victory. Frankly, they don't want a Trump victory. They want a victory for our country. That is what they want. They want a victory for our country. And so do I, and I think so do most Democrats in this Chamber and most Republicans.

So let me say again, if I could make this suggestion, let's hit the pause button. Let's stop in place for right now. Let's pivot and figure out how we can stabilize the exchanges. Let's return to regular order. Let's hold bipartisan hearings, have expert witnesses, including folks from all walks of life who know about healthcare coverage, who know a lot about healthcare. After the August recess, let's launch a real, bipartisan effort to fix the things in the ACA that need to be fixed and retain, preserve those aspects that should be retained. As I said before, we need Governors at the table, not just recovering Governors. We need Governors at the table and a bunch of other folks as well who have a lot to contribute.

If we do those things, we will, in the words of—paraphrasing Mark Twain—Mark Twain used to say: When in doubt, tell the truth. You will confound your enemies and delight your friends. I think that is what he used to say. In this case, I would just say, paraphrasing Mark Twain, when in doubt, do what is right. When in doubt, do what is right. We will confound our enemies and delight our friends.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I am honored to join my colleagues here

today. I thank Senator CARPER for his excellent suggestions and leadership in terms of reaching out to both the current and former Governors as we proceed on this issue. I am very grateful to my colleague Senator KAINE for his leadership on the HELP Committee and what he brings as a former mayor and Governor.

I rise today to join my colleague from New Hampshire in supporting her efforts to help lower healthcare premiums for middle-class Americans and to stabilize the insurance marketplace.

The Trump administration has been working to sabotage the individual market by playing games with cost-sharing reductions. Those cost-sharing reductions help lower out-of-pocket expenses, such as deductibles and copays, for individuals with health insurance plans in the marketplace. This legislation from Senator SHAHEEN is a commonsense measure that would work to prevent the instability and chaos being pushed by the administration.

I also join my colleagues in making clear that we are ready and willing to work across the aisle on priorities that will improve and build on the Affordable Care Act and bring down costs for people in New Hampshire and across the country.

Over the course of the last several months, we have seen that the partisan process Republican leadership has pushed with TrumpCare simply won't work. It is going to take a bipartisan approach in order to make progress, not a senseless repeal bill that would pull the rug out from millions of Americans.

I have seen firsthand that it is possible for Democrats and Republicans to come together in order to improve our healthcare system. As Governor of New Hampshire, I worked across party lines to pass a bipartisan Medicaid expansion plan that delivered quality, affordable insurance to over 50,000 hardworking Granite Staters. Expansion has truly made a difference for communities across my State, particularly for people impacted by the heroin, fentanyl, and opioid crisis.

Just last week, I visited Goodwin Community Health in Somersworth and heard from a woman named Elizabeth. At one point in her life, as a result of a substance use disorder, Elizabeth was homeless, and she lost custody of her son. But Elizabeth is now in recovery, and she works at the SOS Recovery Community Organization in Rochester, helping others get the support they need. She said she owes her recovery to the insurance she has received through the Medicaid expansion and the Affordable Care Act.

Elizabeth's story is a great example of the power of what is possible when we come together on bipartisan solutions to help improve the health of our people. This is the same approach we need to take in the Senate, and I believe there are areas for bipartisan cooperation that we should be working on in order to improve the Affordable Care Act.

In addition to Senator SHAHEEN's legislation to stabilize the individual market and in addition to the legislation we have heard discussed by Senator KAINE and Senator CARPER, there are other things we can do.

I believe it is critical that we take on Big Pharma and bring down the cost of prescription drug prices, including allowing importing safe and affordable drugs and allowing Medicare to negotiate drug prices, and I believe we should eliminate the existing income cliff in the Affordable Care Act which blocks many middle-class individuals from receiving premium assistance.

These are commonsense measures we should be taking now. People across our Nation have made clear, they don't want Congress to do a wholesale repeal of the Affordable Care Act because it would have devastating impacts for them and their families.

I urge my colleagues to put the partisan gamesmanship aside. I join Senator KAINE, as a member of the HELP Committee, in asking for a hearing at the very committee which is supposed to set healthcare policy in this body so we can listen to the voices of constituents, of providers, of other stakeholders. We need to come to the table ready to work on bipartisan solutions in order to improve our healthcare system. All of our people deserve to have access to quality, affordable care so they can be healthy. That makes our country healthy, productive, and strong too.

The PRESIDING OFFICER. The Senator from New Hampshire.

UNANIMOUS CONSENT REQUEST—S. 1462

Mrs. SHAHEEN. Mr. President, I am really pleased to have been joined by my colleagues to talk about the importance of addressing healthcare for all Americans, especially my colleague from New Hampshire. She and I have been touring the State for months now, talking with people in hospitals, with patients, with physicians, with providers, with people with substance use disorders, with providers who are providing treatment for people with substance use disorders, with people all over New Hampshire about what we can do to make sure people get healthcare when they need it.

That should be the goal of this body. It should not be throwing people off their healthcare, which a repeal of the Affordable Care Act would do. It would throw 32 million people off their healthcare.

We can address the instability in the marketplaces. We can do that pretty quickly. Senators KAINE and CARPER talked about reinsurance, something which has worked very well for the first 3 years of the Affordable Care Act, and the reason it doesn't work now is because they have stopped. That is why we are seeing some of these rate increases.

We can address the uncertainty by being clear that we are not going to repeal the Affordable Care Act, by addressing those cost-sharing reduction

payments. The ACA already stipulates that CSR—those payments which reduce the costs of copays and deductibles—are to be made pursuant to 31 U.S.C. 1324.

My bill provides for payments to be made jointly from a permanent appropriation rather than subject to the year-to-year whims of the annual appropriations process. The Marketplace Certainty Act removes all bases for any further questions about what is already clear from a fair reading of the Affordable Care Act as a whole; that both those CSR payments and the advanced premium tax credit subsidies are to be funded from the same permanent appropriation.

I see my colleague from Texas on the floor, and I am sure he is going to object to the unanimous consent request I am going to be proposing in a couple of minutes. He objected last Thursday when I asked for unanimous consent to pass the Marketplace Certainty Act, and he justified the objection by asserting that the cost-sharing reduction payments are—I think he called it a bailout of the insurance companies. That is an inflammatory term, and I think we ought to be careful with how we use it because the truth is, the cost-sharing reduction payments are in no way, shape, or form a bailout. They are orderly payments built into the law to go directly to keep premiums, copays, and deductibles affordable for lower income Americans. In fact, those same payments were included in the bill Majority Leader MCCONNELL just said he is not going to go forward with, the Republican bill. It included those very same cost-sharing reduction payments. I think they were included because there was a recognition that these are important to help address the cost of healthcare for all Americans.

As I said earlier, we have had statements by the chairman of the Health, Education, Labor, and Pensions Committee, LAMAR ALEXANDER, talking about that these payments should be continued. We have heard from House Ways and Means Chairman KEVIN BRADY, who said we need to continue these payments to help stabilize the insurance market. It is the uncertainty that is causing the current problem, and we could address that today—this week—if people were willing to work together.

As Democrats, we have come to the floor to say we want to work together. We think we can address the challenges we face with the Affordable Care Act. We can do it in a bipartisan way. I know we can because TIM SCOTT and I have done it. We passed a bill several years ago by unanimous consent, which basically gave States the ability to control group size for people and for companies in the marketplaces so I know it can be done, and I know we could do it today if there were a willingness on the part of all of our colleagues to work together. That is what the American people want. They don't want 32 million people thrown off their

health insurance. We don't want rural hospitals to close in New Hampshire. We don't want nursing homes to close. We don't want people to be thrown out of their nursing homes.

I was up in northern New Hampshire at a nursing home over the weekend, where I talked to a group of women in their eighties and older. One woman said to me: You know, I worked my whole life. I paid my taxes. I did everything I was supposed to do. I sold my house so I could get into this nursing home so I could qualify under Medicaid. I got rid of all my assets. Now they are telling me I am going to get thrown out? She said: What would I do? I have no place to go. I have no family to help me.

People don't want that. What they want is for us to work together, to help fix healthcare so people can get what they need when they need it.

Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of S. 1462; that the Senate proceed to its immediate consideration; that the bill be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CORNYN. Mr. President, reserving the right to object.

The Senator from New Hampshire has acknowledged that she had made this previous request last week. The Kaiser Family Foundation, among other publications, has clearly stated that the cost-sharing reductions she is asking for are paid directly by the Federal Government to insurance companies. Thus, when I call this an insurance company bailout, I believe that is literally true.

The Congressional Budget Office estimates the cost of these payments at \$7 billion in 2017, \$10 billion in 2018, and \$16 billion by 2027.

So what my friend, the Senator from New Hampshire, is proposing is an insurance company bailout in the tens of billions of dollars with no reform, throwing more money at a broken Affordable Care Act, which has been in existence 7 years now.

I know they would like to blame this on President Trump, who has been in office just a short time—about a half a year—but this is built into the very structure of the Affordable Care Act, and it isn't working.

I, personally, will not be part of any bailout of insurance companies without reforms. That is why we were trying to structure something under the Better Care Act, which unfortunately we haven't been successful with so far. We are going to keep on trying, but this is not the answer.

I object.

The PRESIDING OFFICER. Objection is heard.

Mrs. SHAHEEN. Mr. President, I am disappointed but not surprised that my colleague has objected. I don't believe he objected because of the effort to help pay these subsidies, which are passthroughs to insurance companies.

Reforming how we do those, I am certainly happy to sit down and talk about that, but the fact is, that is not the issue right now. The issue is, this is a way we could address the current uncertainty in the marketplaces in a way that will be good for maintaining stability of healthcare for all Americans. I am disappointed there isn't a willingness to work together to do that.

I hope, as this debate continues, we will finally see people come together to get something done to address, not just healthcare for Americans but to address the one-sixth of the economy that depends on the healthcare industry.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I rise to discuss the nomination of Mr. Patrick Shanahan to serve as the 33rd Deputy Secretary of Defense. The Senate Armed Services Committee held a hearing on his nomination on June 20, and he was voted out of committee by voice vote.

Mr. Shanahan was born and raised in the State of Washington. He received his undergraduate degree from the University of Washington and then a master's degree and MBA from the Massachusetts Institute of Technology. Mr. Shanahan then embarked on a 30-year career at the Boeing Company, where he rose to the most senior echelons of management, working on both the company's defense and commercial programs. Most recently, Mr. Shanahan served as the senior vice president for supply chain & operations.

The Deputy Secretary of Defense is one of the most important positions within the entire national security system. The Deputy serves as the number 2 official at the Department of Defense, as well as the Department's Chief Management Officer. As the second in command to the Secretary of Defense, the Deputy oftentimes is assigned a broad spectrum of responsibilities which require strong management skills.

The Department currently faces challenges on multiple fronts. For more than 16 years, our military has been consumed by two prolonged wars against violent extremist groups like ISIS. As a result, the military has faced a generational fight which has sapped readiness and precluded our military personnel from training for full spectrum operations. However, violent extremist groups are only one of the many challenges facing our country.

The past several years have seen the rise of near-peer competitors, most notably Russia and China. Russia has been a resurgent force bent on disrupting Europe and undercutting our

own Nation and our Presidential election process. China continues its saber-rattling in the Asia-Pacific region by undermining the freedom of navigation and using economic coercion of its smaller, more vulnerable neighbors. When we factor in the destabilizing actions of North Korea and the long shadow of Iran, it becomes urgently clear that we need strong leadership at the Department of Defense. If Mr. Shanahan is confirmed, he will need to contend with all these challenges. It will not be easy and hard decisions on policy and strategy will need to be made.

Perhaps one of the hardest decisions facing the Deputy Secretary of Defense is the allocation of budget resources within the Department. In an ideal world, a cogent defense strategy that takes into consideration the multitude of concerns facing our Nation would inform how the Department invests resources in weapons platforms and advanced technologies to confront these challenges. However, the reality is that the spending caps imposed by the Budget Control Act determine the level of funding for most of these budget decisions.

The current budgetary crisis is compounded by the fact that the President's most recent budget request adds much needed funding to defense activities, but it shortchanges nondefense spending accounts in order to increase spending for our military. Furthermore, the budget request fails to recognize that the BCA budget caps are law. If these spending levels are enacted, the President's budget request would trigger sequestration, effectively wiping out increased defense spending with mandatory across-the-board cuts.

This would be the worst of all worlds. Not only would we be giving the money on the one hand and taking it back with the other hand, but it would not be in any systematic way. We would be making cuts to readiness. We would be making cuts to personnel. We would make cuts to all sorts of things which are much more valuable than some programs which would receive an additional cut.

Unless we resolve ourselves to act—which is going to take a bipartisan effort to repeal the BCA—we can't effectively fund not only the Department of Defense but every other Federal department. That is one of the great challenges Mr. Shanahan will face. Indeed, these multiple challenges will require strong leadership and the ability to make tough decisions. Mr. Shanahan has developed a strong reputation during his tenure at Boeing as someone capable of taking on challenging programs, fixing problems, and turning them into successes.

When I met with Mr. Shanahan to discuss his nomination, he emphasized that the public sector needed to work closer with the private sector to get more cost-effective results while ensuring our warfighters have the best equipment at their disposal. It is that

kind of leadership that the Department of Defense needs as our Nation faces as diverse an array of threats and challenges to our national security as at any point in our history.

Based on Mr. Shanahan's qualifications and experience, as well as his testimony before the Senate Armed Services Committee, I believe he is fully qualified for the job. Therefore, I will vote in favor of his nomination to be the next Deputy Secretary of Defense, and I trust he will do his best to lead the men and women who ably and courageously serve this Nation.

On a final note, if confirmed, Mr. Shanahan will be relieving Bob Work, who has served this Nation ably and selflessly for most of his life. Bob Work served in the U.S. Marine Corps for 27 years, rising to the rank of colonel. In 2009, he was confirmed as Undersecretary of the Navy, where he shepherded the service through many challenges for the next 4 years.

He tried to return to the private sector, but in 2014 he was then nominated and confirmed as Deputy Secretary of Defense. Bob Work was the continuity in the Defense Department through three Secretaries of Defense. He stayed more than 6 months into the new administration in order to aid Secretary Mattis. There is no task, no matter how difficult or how big or small, that Bob Work would not devote all of his energy to until it was resolved. Bob Work personifies his name. He works, tirelessly. Our Nation owes him a great debt of gratitude, and I hope he takes some well-deserved vacation time and enjoys the company of his wife and daughter.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CRUZ). The clerk will call the roll.

The bill 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. Without objection, it is so ordered.

Under the previous order, all time has expired.

The question is, Will the Senate advise and consent to the Shanahan nomination?

Mr. ALEXANDER. 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 bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

Further, if present and voting, the Senator from Arizona (Mr. MCCAIN) would have voted "yea".

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 7, as follows:

[Rollcall Vote No. 162 Ex.]

YEAS—92

Alexander	Flake	Nelson
Baldwin	Franken	Paul
Barrasso	Gardner	Perdue
Bennet	Graham	Peters
Blumenthal	Grassley	Portman
Blunt	Hassan	Reed
Boozman	Hatch	Risch
Brown	Heinrich	Roberts
Burr	Heitkamp	Rounds
Cantwell	Heller	Rubio
Capito	Hirono	Sasse
Cardin	Hoeven	Schatz
Carper	Inhofe	Schumer
Casey	Isakson	Scott
Cassidy	Johnson	Scott
Cochran	Kaine	Shaheen
Collins	Kennedy	Shelby
Coons	King	Stabenow
Corker	Klobuchar	Strange
Cornyn	Lankford	Sullivan
Cortez Masto	Leahy	Tester
Cotton	Lee	Thune
Crapo	Manchin	Tillis
Cruz	McCaskill	Toomey
Daines	McConnell	Udall
Donnelly	Menendez	Van Hollen
Durbin	Merkley	Warner
Enzi	Moran	Whitehouse
Ernst	Murkowski	Wicker
Feinstein	Murphy	Wyden
Fischer	Murray	Young

NAYS—7

Booker	Harris	Warren
Duckworth	Markey	
Gillibrand	Sanders	

NOT VOTING—1

McCain

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the Bush nomination, which the clerk will report.

The bill clerk read the nomination of John Kenneth Bush, of Kentucky, to be United States Circuit Judge for the Sixth Circuit.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:48 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. FLAKE).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER (Mr. PORTMAN). The President pro tempore is recognized.

HEALTHCARE

Mr. HATCH. Mr. President, the final pieces of ObamaCare were signed into law a little over 7 years ago. Since that time, Republicans—not just in Congress but throughout the country—have been united in their opposition to the law and our commitment to repeal it. This hasn't been simply a political or partisan endeavor. We are not just

trying to take a notch out of President Obama's "win" column. The simple truth is that ObamaCare is not working.

The law was poorly written, and the system it created was poorly designed. Even a number of ObamaCare supporters have come to acknowledge that it hasn't been working the way it was promised to work. As a result, millions of Americans have suffered astronomical increases in their health insurance premiums and fewer and fewer insurance options to choose from. That is ObamaCare's great irony: The law requires people to buy health insurance while also making it impossible to do so.

For 7½ years, Republicans have fought to expose the failures of ObamaCare and have pledged time and time again to repeal it. Every single Republican Member of the Senate has expressed support for repealing ObamaCare. Most of us have made promises to our constituents to do just that. And those promises, coupled with the obvious failures of ObamaCare, are a big reason why we now find ourselves in control of both Chambers of Congress and the Presidency.

For the last 6 months, Republicans have worked in good faith to find a path forward to both repeal and replace ObamaCare. The released discussion drafts attempted to bridge the divide between our more conservative and moderate Members, so the products were never going to be perfect. Such is the inherent nature of compromise. The draft released last week included additions to address Member priorities and was likely the best chance we had at a compromise bill to repeal and replace ObamaCare with significant entitlement reform. But last night a handful of our Members announced they would not support the compromise bill, even though it would have repealed ObamaCare's taxes, reformed Medicaid by putting it on a sustainable path for future generations, and included the largest pro-life protections on Federal spending I have ever seen.

This was the opportunity we had been working toward. All we had to do was come together and compromise, and 7½ years of promises would have been much, much closer to being fulfilled. But last night we blinked. And, frankly, I think the Members who opted to scuttle the compromise bill will eventually have to explain to their constituents why they left so many ObamaCare fixes on the table and walked away from this historic opportunity.

So where does that leave us? The majority leader has announced his intention to shelve the effort to repeal and replace ObamaCare with a single piece of legislation. Instead, the Senate will move forward to vote on legislation to simply repeal ObamaCare, with a 2-year delay. So, long story short, we have one more chance to do what we have all said we wanted to do.

I am aware that some Members have already expressed their skepticism, if

not their opposition, to this approach. I hope they will take the time to reconsider. As Senators contemplate this path, they should keep in mind that the upcoming vote is not about the next 2 years, nor is it about the past 6 months. We are not going to be voting to approve a specific process for drafting and enacting an ObamaCare replacement, and we are not voting to approve the way this effort has moved forward during this Congress.

I know some of our colleagues have doubts about the path forward. Others have complaints about the path that got us here. But this vote, in my view, will simply be about whether we intend to live up to our promises. Do we want to repeal ObamaCare, or are we fine with leaving it in place? That is the question we have to ask ourselves.

Keep in mind, the vast majority of Republican Senators are already on record having voted 2 years ago in favor of a full ObamaCare repeal with a 2-year delay. Of course, in 2015, we knew that the President would veto that legislation, and we now know that the current occupant of the White House would surely sign it. That is really the only difference between then and now. Was the vote in 2015 just a political stunt? Was it just pure partisanship? I know some of our Democratic colleagues claim that was the case. Were they right? I sure hope not. On the contrary, I sincerely hope that any Member of the Senate who voted for the 2015 bill and who has spent the last 7½ years pledging to repeal ObamaCare hasn't suddenly decided to change his or her position now that the vote has a chance to actually matter.

If we vote to pass a full repeal, will we be solving all of our healthcare problems with a single vote? Certainly not. But that was never going to be the case. Anyone who thought repealing and replacing ObamaCare would be easy once we had the votes was likely not paying attention to the problems plaguing our healthcare system. However, if we act now to pass the full repeal, we will be taking significant steps toward accomplishing our goal and keeping our promises.

If we pass up yet another opportunity, if we can't muster the votes to pass something we have already passed, I have a hard time believing we will get another shot to fulfill our promise and repeal this unworkable law anytime soon. What does that mean? Among other things, it means a congressional bailout of failing insurance markets, probably before the end of 2017. Frankly, that ship may have sailed on that one after last night's developments. We are probably looking at an insurance bailout one way or another. Those who will be interested in moving an insurance bailout later this year should be ready to explain how they want to pay for it.

Failure would also mean premiums will continue to skyrocket and people will be left with few, if any, available insurance options, even though they

will still face penalties if they don't make a purchase. It would mean that the ObamaCare taxes and mandates remain in place, and it would keep Medicaid expansion on the books indefinitely, most certainly creating a scenario for Governors to advocate for the Federal Government to continue paying close to 100 percent of the share for able-bodied adults.

We already know what happens if we leave ObamaCare in place. That scenario is playing out before our very eyes. That downward spiral of broken promises—the one the American people have to deal with every day—is the reason we have all committed to repealing ObamaCare.

Don't get me wrong. I wish the path that got us to this point had been easier, with less melodrama and acrimony. To be honest, I wish we had simply moved to this full repeal strategy at the outset because, as I noted several times earlier in this year, it is probably the most feasible path forward if we want to achieve our goals.

It would be nice if things had gone differently. But this is where we are, with only 52 Republicans in the Senate and a minority that from the beginning has wanted no part of this process.

Right now, we have essentially two choices. We can keep talking about repealing ObamaCare and wishing for a better future, one with more Republican votes or more Democrats willing to acknowledge the reality, or we can press forward with the numbers we have and make good on the commitments we have made to the American people.

To quote the old Scottish nursery rhyme, if wishes were horses, then beggars would ride. Translation: More talking and more wishing will not get us anywhere.

We can either take a significant step forward to undo ObamaCare's mandates and taxes, which have collectively wreaked havoc on our healthcare system, or we can dither about some more and leave them in place for the foreseeable future. In my view, the choice is an easy one.

I urge all of my colleagues to once again vote with me to repeal ObamaCare. We have blown a number of opportunities already in recent weeks. Last night, we blew a big one. I hope we can avoid doing the same with this upcoming vote. If not, we will have to answer to the American people and explain to them why we failed.

I yield the floor.

I suggest the absence of a quorum.

Mr. CARPER. I ask the Senator to withdraw that suggestion, please.

Mr. HATCH. I withdraw it.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, good to see you and our friend from Utah. I feel compelled to go back in time, if I could. This is a question a lot of people ask me back home and around the country: Where did ObamaCare come from? The part where most people

think of ObamaCare is when they think of the exchanges that have been established in all 50 States, where people who don't have healthcare can get coverage as part of a large-group plan. That was an idea that came from RomneyCare.

In 2006 in Massachusetts, when Mitt Romney was the Governor and was running for President, they came up with a really smart idea: Governor Romney, you have a much better chance of being elected President if you have done what no other Governor has done; that is, to cover everybody in your State for healthcare.

Well, that is an interesting idea. They looked around for ideas, and what did they come up with? They came up with an idea that was actually suggested by the Heritage Foundation. The Heritage Foundation found its way to this body in 1993 in legislation introduced by Republican Senator John Chafee of Rhode Island that called for doing five things:

No. 1 was creating exchanges or marketplaces in every State, where people who didn't have coverage could be part of a large group and get coverage.

No. 2, folks who bought coverage on the exchange might be eligible for a sliding-scale tax credit. Lower-income people would get a better tax credit, reducing their premiums, than people whose income was higher.

No. 3 was the idea of an individual mandate. People had to get coverage. If they didn't, they would have to pay a fine. You can't force people to get coverage, but in Massachusetts they said: Well, at least we will fine them, and, eventually, maybe over time, the fine will go up and most people—including young, healthy people—will elect to get coverage and be part of a group that is actually insurable, as opposed to people who are just sick or who are anxious to get an operation or are needing to get an operation.

The fourth principle, which was the idea underlying the Chafee legislation, which would later become RomneyCare, was the idea that employers of a certain magnitude, or with a certain number of employees, had to cover their employees.

The fifth principle in that original idea was brought to us from the Heritage Foundation, by 23 Republican Senators in 1993—as an alternative, by the way, to HillaryCare—and later became RomneyCare. The fifth principle was the idea that if you are an insurance company and you want to deny coverage to people because they have a preexisting condition, you cannot do that.

That was it. When a number of us in this body worked on the Affordable Care Act, we took the Heritage Foundation idea, the idea from those 23 Republican Senators who introduced it, cosponsored it—including Senator HATCH, including Senator GRASSLEY. Some of the folks who are complaining the most about ObamaCare or the exchanges are the people who supported

the original legislation introducing the idea. I don't know if that seems ironic to other people. It certainly does to me.

I spent part of Saturday—invited up to Providence, RI, to do something I used to do for 8 years—meeting with the National Governors Association. For 8 years, as Governor of Delaware, I was privileged to be a part of the National Governors Association, at one time vice chair and later on as the chairman of the group. They invited me to come back and talk about healthcare, healthcare reform, and what was going on here in the Senate. I was happy to do that, and we made it work on my schedule.

There, to speak on behalf of the administration, was the Vice President of the country, the Secretary of Health and Human Services, the OMB Director, and the Administrator of the Center for Medicare and Medicaid Services, explaining to the Governors why they should support the administration's position and why they should support the Republican position here in the Senate.

Today the Republicans sent out a strong letter—not just Republicans. Republican Governors and Democratic Governors sent out a joint letter, a bipartisan letter, saying to us, basically: Do these things.

Their advice to us was this: Hit the pause button; stop what we are doing. No. 2, pivot and stabilize. Stop destabilizing the exchanges.

This administration is trying to destabilize the exchanges, which were a Republican idea, and I think, actually, a good idea. But the administration has sought to destabilize the exchanges, through a variety of tricks that they are pulling.

The third thing we should do is to stabilize the exchanges. It is not all that hard. Make it clear that the individual mandate, or something very much like the individual mandate, is going to continue to be the law of the land so that we end up with young, healthy people in the exchanges and not just a lot of sick people and older people.

No. 2 is reinsurance. One of the keys to the success of Medicaid Part D, the drug insurance program for folks on Medicare, is reinsurance. A number of us, led by Senator TIM KAINE and myself and others, said: Why don't we take that tried-and-true idea and use it to help stabilize the exchanges? I spoke here earlier today on how that would actually work. It is not a Democratic or a Republican idea. It is just a good idea.

The third thing we need to do to stabilize the exchanges—an idea actually suggested by a number of Senators, including Senator JEANNE SHAHEEN of New Hampshire—is to say that we are going to continue to fund and authorize something called CSRs, or cost-sharing reductions, which actually reduce the copays and the deductibles for lower income people who buy their coverage in the exchanges.

Those three things, we are told by health insurance companies, would reduce the cost of premiums in all the States by anywhere from 25 percent to 35 percent. It would stabilize the exchanges, and it would get other insurance companies to say: I don't know if I want to insure in Ohio, Delaware, or Utah. Insurance companies would say: Well, I think I can offer insurance products there and not lose my shirt. Then, they would get back into the exchange. They would offer coverage. Then, when more than one or two offer coverage, guess what happens. You have competition. And do you know what flows from competition? Better diversity of products to choose from and lower costs.

Those are three things we can do to stabilize the exchanges and, frankly, they are not all that hard.

The fourth thing the Governors suggested we do is, basically, regular order. Around here, regular order means that if people have a good idea, they introduce it. We turn it in up here at the front desk, and the legislative idea goes to the committee of jurisdiction. There is a discussion of whether there should be hearings about that particular bill. If it is a good bill, there may well be hearings. You have sponsors. It could be bipartisan. But, eventually, the idea will have a hearing in committee, and those who like that idea or those who don't like that idea show up in daylight, in the light of day, and say: Here is why I like it; here is why I don't like it. They let their voices be heard.

On issues as important as healthcare, why we are not fully involving the Governors is beyond me. I just don't get it. Who runs the Medicaid Programs? The Governors in their States. That is a big part of what we are debating in this battle.

I will close with this. I said it before earlier today, and I want to say it again. As I travel around Delaware, talking to people in my little State—we have a lot of Democrats, we have a lot of Republicans, and we have a lot of Independents—they speak to me with one voice, and here is what they say: Work together. Solve some problems together. Democrats and Republicans, take off your hats and work together. That is what they want us to do.

It is not just Delaware. A Kaiser Permanent national survey released last week said 71 percent of the people in this country surveyed said we ought to work together and get this done.

If we are smart, before we leave for the August recess, we will stabilize the exchanges with the three things I talked about. The administration just needs to stand down and just be quiet on this point. If they don't like this Republican idea of the exchanges, just be quiet. But we come back here in September, and we go to work, with regular order, hearings—bipartisan hearings—bipartisan roundtables, and the chance for us to debate legislation in committees in the House and in the

Senate, and on this floor, and to debate amendments. That is the way we ought to do this.

Anytime in this country when we have done really big things—Social Security comes to mind, the GI bill comes to mind, and the 1986 tax reform comes to mind—we didn't do it with just Democratic votes or Republican votes. We did it together. If we do that, we will be stronger together.

I will close with an old African proverb. It goes something like this: If you want to go fast, go alone. If you want to go far, go together.

We need to go far. If we do, we and the American people will get a lot further along toward the three things we have sought ever since Harry Truman was President: No. 1, cover everybody; No. 2, quality healthcare; and No. 3, affordable price. That is the "holy grail," and we should strive to get there together.

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. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. Mr. President, after weeks—make that months, make that years of discussions about the path forward to rescue the American people from ObamaCare, we find ourselves at an important fork in the road.

We have talked among ourselves about the necessity of keeping our promises to repeal and replace ObamaCare. We are coming down to the reality that, without the Democrats being willing to participate in the process and given the strictures of the budget reconciliation process, it is not going to be possible for us to do as much as we would like to do. We will continue to talk, and my hope is that we will continue to make progress with some sort of consensus on how best to proceed.

In the meantime, we do have a bill that 51 Republicans voted for in 2015 to repeal ObamaCare and leave 2 years available for a transition on a bipartisan basis. Here is my concern. Under ObamaCare, there are massive amounts of money being paid to insurance companies for something called cost sharing in order to try to help bring the premiums down, in order to try to help bring the deductibles down to make them affordable. It is pretty clear it is not working, given the 105-percent increase in premiums since 2013 alone under ObamaCare. Right now, we know the individual market, which is the insurance market where individuals and where small businesses buy their health insurance, is in a meltdown mode. That is after 7 years of ObamaCare.

Our friends across the aisle would like to convince you that in the 6 months or so President Trump has

been in office, he has been the cause of that. It is not true.

Many of us, myself included, would love to see us stabilize the individual insurance market while we get some important reforms done to try to help bring premiums down in order to reassure people that we are going to protect preexisting conditions and while we do some additional important work on Medicaid reform.

I would be lying if I said that this is easy. Frankly, people didn't send us here to do easy stuff. They sent us here to do the hard stuff, and we need to continue to use our best efforts to keep our commitments and to deliver something better than the broken status quo of ObamaCare.

My concern is, if we are unsuccessful in doing that—we have already seen, for example, our friend, the distinguished Senator from New Hampshire, propose some additional mandatory cost sharing for insurance companies. According to the Kaiser Foundation, these are direct payments from taxpayers to insurance companies. Rather than working with us to try to make a course correction in ObamaCare and to put it on a sustainable path—our friends across the aisle want none of that. What they want is the cash. They want the billions of dollars that are going to go to insurance companies and no reform.

I personally find that to be an unacceptable alternative. We do need to do something to protect people who are being hurt right now from the sky-high premiums and the deductibles that render their health insurance unaffordable. My concern is, to be absolutely candid with you, right now the President is authorizing on a month-to-month basis the cost-sharing payments, which are sustaining the market as it currently is—not well enough, given the structural problems, but at least keeping some insurance companies available in most places, although not all.

My concern is, unless we pass something like the Better Care Act, we are left with an untenable alternative. The President's statement that he may decide not to make those cost-sharing payments would provoke an immediate crisis in the marketplace, which would force us to act. I don't think that is inherently bad, but I want to make sure that we act in a constructive way, that we are not just throwing billions more dollars at a broken system, but that we actually implement the reforms to put it on the right path.

I know in Washington people tend to think in terms of Republicans and Democrats, and this is all about Obama, this is about Trump, this is about personalities. It is not. It is not even about politics. It shouldn't be, ultimately. This should be about the people we represent in our States and the people we represent across the country. How can we do the best job, given the difficult hand we have been given, to try to help make things better?

This is not going to be the end of the process. This is another step along the journey toward helping to make healthcare more affordable and more accessible.

There is a lot of great work that has been done. As the Presiding Officer knows, he has been at the forefront of trying to make sure we address things like the opioid crisis, which is devastating communities across the country. I was here showing a chart yesterday that the Presiding Officer has seen, showing HIV deaths going way down thanks to modern drugs, car wrecks were still in the 30,000 range, but deaths as a result of overdoses were up around 52,000 a year, I think, is the rough number. That is a public health crisis.

We need to do everything we can to make sure we are delivering services to the people who need it most who are suffering, but if all we do is bail out insurance companies, we will not have done our job, especially toward the communities hurt by the opioid crisis.

We are going to continue to work, but at some point we are going to have to vote, and, yes, people are going to have to be put on record. Now, we are all grownups. Most of us have held political office for a fair time now. We know how to explain our votes to the voters back home, to whom we are accountable.

If you don't vote, then nobody is accountable, and everybody can blame each other for the outcome. I really do worry, unless we redouble our efforts to come up with meaningful reforms to the broken ObamaCare system, that we will be left with an untenable choice, either an insurance company bailout of the same flawed structure of ObamaCare or an immediate crisis that is going to force us to act and do the bailout without any reforms.

Mr. President, the other thing I just want to point out, in the closing minutes I wish to speak, is the process by which our Democratic friends have dragged their heels to the point of almost bringing this place to a halt, particularly when it comes to a new President getting votes on his nominees for Cabinet positions and sub-Cabinet positions. They are the first to criticize the President for not getting things done that he wants to get done, but when they sabotage his ability to try to populate these important positions in the Cabinet and sub-Cabinet positions by dragging their heels on nominations, they are causing a large part of the problem.

To put this in perspective, in 2009, 90 percent of President Obama's confirmations happened by voice vote. That is without a recorded vote, and that is without 30 hours expiring after voting and closing off the debate. This was just essentially an agreement in 90 percent of the cases.

Democrats in the Senate under the Trump administration have allowed only 10 percent of his nominees to be voice-voted. We allowed 90 percent for

President Obama. We didn't agree with President Obama on a lot of things, but we agreed that he won the election, and he was entitled to populate his Cabinet and sub-Cabinet with people of his choice, assuming they weren't disqualified for some other reason.

Well, this week, we have considered Patrick Shanahan, nominated to be Defense Secretary of the Department of Defense, which is a role vitally important to the Department as it works through readiness, modernization, and of course the service to our men and women in uniform, providing them the tools and equipment and the training they need in order to protect the country. In order to accomplish that, the Defense Department needs a full team.

We spend more than \$600 billion a year on national defense, and yet the President can't get his full team put in place on a timely basis because of partisan foot-dragging.

Well, it serves another purpose, I suppose, because the more we are tied up on nominations, the less time we have to deal with legislation. These kinds of tactics remind me of the former majority leader, Harry Reid, whose political schemes cost his party a 60-vote, filibuster-proof majority.

I know the distinguished senior Senator from New York, my friend, the Democratic leader, remembers that when Members of his own party can't bring back home any record of accomplishment for what they have done during their time here in Washington, it is pretty hard to make the case you should be reelected. After Harry Reid blocked participation, not just from the minority but also from the majority so they couldn't go back home and demonstrate that they had fought and accomplished things for their constituents, their party suffered a very tough political price.

So I would urge our colleagues to end this perpetual obstruction on nominations, legislation, and everything else. Noncontroversial nominees should not require days to get confirmed or judges, for that matter, should not require a 30-hour postcloture vote in order to get confirmed by more than 90 votes. That indicates it is not a controversial vote so why burn up the time except out of spite or desire to slow down this administration or this Congress in terms of getting things done.

The American people sorely want leaders at every level of our government. They are hungry for us to lead and to demonstrate we are listening to them and doing what we believe to be in their best interest, and they deserve a Senate that fulfills one of our most fundamental responsibilities, which is to consider and vote on Presidential nominees.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. UDALL. 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.

HEALTHCARE

Mr. UDALL. Mr. President, thank you for your recognition.

Let me just say, at the beginning, I thank the Chair for the bipartisanship with which we both work on the Indian Affairs Committee. I very much appreciate that.

We are here with a few Members. I rise with my colleagues from the Senate Committee on Indian Affairs. I think Senator HETTKAMP, Senator FRANKEN, and, maybe, others will join us. I join them in reminding the Congress of its duty to Tribes and in its standing up for the healthcare of American Indians and Alaska Natives across Indian Country.

Most of us are aware of the health disparities facing Native communities. We have seen the news about the failings of the Indian Health Service, and many of us have heard directly from Tribal leaders and Native constituents about the barriers to healthcare access on reservations, pueblos, and in villages, but the Members of the Senate on the Indian Affairs Committee are uniquely aware of the complex ways that the Tribal healthcare system works and how those systems will be catastrophically disrupted by TrumpCare and the repeal of the Affordable Care Act.

The U.S. Government has a trust responsibility to provide American Indians and Alaska Natives with comprehensive, quality healthcare. The U.S. Constitution, treaties, and long-settled legal precedents are the basis for this responsibility. The Indian Health Service is the primary agency for fulfilling this obligation, but our trust responsibilities do not end there. The Medicaid and Medicare Program, Planned Parenthood, and other public health services all play key roles in the delivery of Native healthcare, and because the IHS is so consistently and severely underfunded, the ACA has made a huge difference.

Each fiscal year, the IHS receives a finite allocation of discretionary funding that it must stretch in order to meet the healthcare needs of 2.2 million Native Americans. That leaves the IHS with just over \$3,500 per person—less than one-third of the national average—for healthcare spending. As a result, without additional resources, the IHS is forced to ration care, which limits Native families to hospitals and clinics that can only provide “life and limb” emergency medical services. Basic preventive care, like wellness visits, prenatal exams, and mammograms, have frequently been unavailable to most IHS patients.

“Don't get sick after June,” which is the unofficial motto given to the Indian Health Service on many Indian reservations, has, tragically, become

the epitaph of too many Tribal members whose cancers have grown undetected, whose diabetes have gone untreated, and whose high-risk pregnancies have gone unnoticed. In seeing this catastrophic need for healthcare dollars, Congress enacted a series of laws that supplement IHS's resources. The Affordable Care Act is the most recent and now is the most significant.

Nearly 287,000 American Indians and Alaska Natives from 492 Tribes—almost 90 percent—have benefited from the ACA's Medicaid expansion. Another 30,000 individual Native Americans have private insurance, thanks to the ACA's individual marketplace and the Native cost-sharing subsidies. In my home State of New Mexico alone, Medicaid expansion has insured an additional 45,600 Native Americans. Thanks to the Medicaid expansion and increased access to the individual insurance market, 63 percent of IHS patients have healthcare coverage that allows them to receive care above and beyond the level of life and limb. Because of the ACA, the IHS now receives almost \$1 billion to supplement its healthcare delivery, and that is an increase of 21 percent.

We can see the results. Not only are people healthier, but they are more productive. Health insurance has allowed Native Americans to finish school, return to work, and lead productive lives instead of worrying that their next illnesses could lead to an IHS referral denial or ruin them financially.

It has also improved the economy in Indian Country. The ACA has created new healthcare jobs, and it has led to the construction of new medical facilities. It has meant dialysis clinics on New Mexico pueblos, new hospitals for the Choctaw in Mississippi, and thousands of jobs for Montana's Blackfeet Indian Reservation. These are just a few examples of a nationwide trend.

TrumpCare will undo this progress. It will undo the newly expanded access to care. It will shut down those new healthcare facilities. It will freeze the economic progress of those areas. These are not just numbers and statistics. We are talking about people's lives. Individuals will be harmed by TrumpCare and the evisceration of Medicaid.

Let me tell you about Rachel, Justin, and their two children—Adalie and Jude. They are one Native family whose lives have been changed for the better under the Affordable Care Act and the Medicaid expansion. Rachel and Justin are from the Laguna Pueblo in New Mexico.

Here is a photo of them right after Jude was born in August 2015.

Before the ACA and Medicaid expansion, Rachel received hit-or-miss care from the IHS, but when she enrolled at the University of New Mexico, she was able to qualify for Medicaid because of the expansion. This meant that when Rachel and Justin decided to start a family, Rachel had access to preven-

tive services, including prenatal and maternity care. Rachel was able to get the care she needed when she became pregnant with Adalie. Rachel's prenatal care became even more important when they decided to add to their family when Rachel was in graduate school at UNM. That pregnancy with Jude had serious complications. The doctors figured out that Rachel did not have enough amniotic fluid to support Jude, and she had to have a C-section.

Medicaid expansion allowed Rachel to complete her college education and to get a master's in public administration without her worrying about healthcare for her and her children. Medicaid expansion meant that Rachel was able to get the preventive care she needed to make sure that she and Jude were healthy.

Rachel recently got a job offer to work in her chosen field, but now that she is able to get off Medicaid, she is worried that the Republican healthcare proposals will make insurance coverage ineffective or unaffordable. Even though she lives near her Tribe's IHS facility in the Albuquerque area, she knows that she cannot depend on the IHS to guarantee critical care if insurance premiums become unaffordable. Once again, Rachel is worried about the future of her family's healthcare.

Rachel is one of thousands of Native Americans whose lives have been dramatically helped by the Affordable Care Act and who are scared that TrumpCare will leave them unable to get the healthcare that their families need in the future.

If this bill becomes law, Tribal communities will be forced back to a system of healthcare rationing. If the President and the Republican leadership eviscerate the Medicaid Program and Federal supports for public health programs, Native American lives will be lost. There is no doubt about it. Let me say this plain and simple: TrumpCare would devastate Indian Country, and it must be stopped.

Just this morning, as vice chair of the Indian Affairs Committee, I held a roundtable with Tribal leaders and Native health experts to hear more about how the Republicans' healthcare proposals would impact Tribes. I thank the leaders who came in to talk with me and my colleagues on the committee. Senator FRANKEN, Senator HEITKAMP, Senator TESTER, and Senator CANTWELL were there.

All came to hear these Native leaders, and their insight into the damage this bill could do to Native communities was profound. The Turtle Mountain chairman from North Dakota reported that "don't get sick after June" is no longer true on his reservation because of the ACA and Medicaid expansion. Panelists warned that the rollback of Medicaid would be devastating to Tribal members, and a representative from the San Felipe Pueblo reminded us that Indian health is not an entitlement; it is an obligation.

Now the Republican leader and the President are moving in an even more

dangerous direction. They are pushing to repeal the ACA without having any replacement, which would strip healthcare from over 30 million Americans. It would devastate anyone who is sick today, anyone who relies on insurance one gets through the Medicaid expansion or the Affordable Care Act, and it sets up a disaster for anyone who might get sick after its repeal because it would destabilize insurance markets and would throw our economy into turmoil, killing up to 50,000 jobs in New Mexico alone. As often happens with policies that hurt the most vulnerable, Indian Country would be hit the hardest.

Traditionally, the Senate has worked on a bipartisan basis to address Native American issues. That tradition must continue now. We must work together to find a sustainable solution so that Native Americans can get affordable, quality healthcare when they need it.

Mr. President, I ask unanimous consent that a copy of a letter from the National Congress of American Indians, National Indian Health Board, National Council on Urban Indian Health, and the Self-Governance Communication and Education Tribal Consortium sent to Republican leadership on June 27, 2017, and shared with the Senate Committee on Indian Affairs be printed in the RECORD. This is just one example of the many such letters sent to the Senate over the last few months, and I will submit those additional letters as part of the record at our next Indian Affairs Committee Hearing.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JUNE 27, 2017.

Re Tribal priorities in Senate healthcare reform legislation.

Hon. MITCH MCCONNELL,
The Capitol,
Washington, DC.

DEAR SENATOR MCCONNELL: On behalf of the National Indian Health Board (NIHB), the National Congress of American Indians (NCAI), National Council on Urban Indian Health (NCUIH), Self-Governance Communication and Education (SGCE), and the Tribal Nations of the United States we serve, we write to convey and explain our strong and united opposition to the Senate's Better Care Reconciliation Act of 2017 (BCRA) in its current form.

While the legislation mirrors several provisions of the House bill that are of critical importance to Indian Country, we have grave concerns about other aspects of the BCRA that make it impossible for us to support the legislation in its current form. Specifically, we cannot support legislation that would gut the Medicaid program or eliminate cost-sharing protections for American Indians and Alaska Natives (AI/ANs). Most importantly, we request that the legislation:

1) Maintain Medicaid funding based on need, rather than capping it according to a complicated per capita allocation formula or through capped block grants.

2) Continue Medicaid Expansion, and at the very least, continue Medicaid Expansion for AI/ANs

3) Protect AVANs from barriers to care that are inconsistent with the federal trust responsibility, such as work requirements under Medicaid

4) Retain cost-sharing protections at Section 1402 of the Patient Protection and Affordable Care Act (ACA); and

5) Maintain funding for preventative services, including the Prevention and Public Health Fund and women's health services.

As you know, the federal government has a trust responsibility, agreed to long ago and reaffirmed many times by all three branches of government, to provide healthcare to Tribes and their members. Both Medicaid and IHS funding are part of the fulfillment of the trust responsibility.

However, the federal government has not done its part to live up to the responsibility to provide adequate health services to AI/ANs. IHS funding is discretionary and is appropriated every year and distributed to IHS and Tribal facilities across the country. But IHS appropriations have been about 50% of need for decades, and Medicaid revenue is essential to help fill the gap. When demand for services is higher than the funds available, services must be prioritized and rationed. As a result of this chronic underfunding, historical trauma, and a federal-state centric public health system, AI/ANs suffer from a wide array of health conditions at levels shockingly higher than other Americans. Nationally, AI/ANs live 4.5 years less than other Americans, but in some states life expectancy is 20 years less. This is not surprising given that in 2016, the IHS per capita expenditures for patient health services were just \$2,834, compared to \$9,990 per person for health care spending nationally. The Senate should pass reform legislation only if it does not reduce access to care for AI/ANs, or further strain the already stretched resources of Indian Health Service, Tribally-operated, and urban Indian health programs (collectively called the "I/T/U").

MEDICAID

Cuts to the Medicaid program outlined in the BCRA are especially troubling. Under a block grant per-capita system, States will experience a dramatic reduction in federal funding for their Medicaid programs. Most will have to either reduce eligibility for the program or reduce or eliminate benefits that are essential to many AI/ANs. Medicaid is a crucial program for the federal government in honoring its trust responsibility to provide healthcare to AI/ANs. Because health care services are guaranteed for AI/ANs, cuts in Medicaid only shift cost over to the IHS, which is already drastically underfunded. Put simply, without supplemental Medicaid resources, the Indian health system will not survive.

AI/ANs are a uniquely vulnerable population and uniquely situated in the Medicaid program. Unlike other Medicaid enrollees, because of the federal trust responsibility, AI/ANs have access to limited IHS services to fall back on at no cost to them. As a result, Medicaid enrollment and utilization incentives are completely different for AI/ANs in Medicaid. Medicaid conditions of eligibility designed to ensure that beneficiaries have "personal investment" do not work when mandatory in Indian country. Instead of participating in these programs, many AI/ANs will simply choose not to enroll in Medicaid and fall back on the underfunded IHS instead. This will deprive Tribal and urban programs of vital Medicaid revenue and strain limited IHS resources to the breaking point.

Medicaid is a crucial program for the federal government to fulfill the trust responsibility. Over 40 years ago, Congress permanently authorized the IHS and Tribal facilities to bill Medicaid for services provided to Medicaid-eligible AI/ANs to supplement inadequate IHS funding and as part of the federal trust responsibility. At the same time,

because Congress recognized that "... it would be unfair and inequitable to burden a State Medicaid program with costs which normally would have been borne by the Indian Health Service," it ensured that States would not have to bear any such costs, by providing that States would be reimbursed at 100 percent Federal Medical Assistance Percentage (FMAP) for services received through IHS and Tribal facilities.

The Senate Finance Committee, which has primary legislative responsibility for the Medicare and Medicaid programs, adopted a similar reimbursement provision as a part of H.R. 3153, the Social Security Amendments of 1973. In its report on the legislation, the Finance Committee justified the 100 percent FMAP by noting:

"... that with respect to matters relating to Indians, the Federal Government has traditionally assumed major responsibility. The Committee wishes to assure that a State's election to participate in the Medicaid program will not result in a lessening of Federal support of health care services for this population group, or that the effect of Medicaid coverage be to shift to States a financial burden previously borne by the Federal Government."

In light of this legislative history, Tribes are pleased to see the 100 percent FMAP preserved in the BCRA. As the Senate considers this proposed legislation, please ensure that this remains in place. In addition, because the federal trust responsibility also follows AI/ANs off of reservations, 100 percent FMAP should also be extended to services provided through urban Indian health programs (UHIPS).

With regard to Medicaid, we respectfully request that the Senate:

1) Continue to Fund Medicaid Based on Need without Caps

Medicaid is an important tool through which the federal government uses to fulfill its trust responsibility to provide for Indian health care.

The cuts proposed by Sections 133 and 134 of the BCRA would be devastating to Tribal and urban health programs. BCRA would make cuts to Medicaid that are even higher than those proposed by the House of Representatives. BCRA's caps are tied to a lower inflation factor beginning in 2025 that would result in even higher cuts to State Medicaid plans.

We were encouraged to see that BCRA contains provisions that would prevent the cost of care provided to AI/ANs from counting against either a per capita cap or a block grant. However, we request that urban Indian health programs be included in the exemption as well. Faced with the cuts proposed in Sections 133 and 134 of the bill, most States will be forced to make cuts to eligibility and/or services in future years. This will affect all providers and recipients, including Tribal/urban providers and AI/AN patients. This will lead to significant cuts in Medicaid revenues for I/T/Us, and will threaten our ability to provide healthcare services to our people. The Indian healthcare delivery system will not succeed if faced with the cuts proposed in BCRA.

To the extent that the Senate bill maintains such dramatic caps, it should work with Tribes to develop a mechanism to exempt reimbursements for services received through IHS/Tribal/Urban facilities from any State-imposed limitations on eligibility or services that may result from these caps. Such reimbursements would be covered by 100 percent FMAP and therefore will not affect State budgets.

We also request language be added to the bill that requires States with one or more Indian Tribes or Tribal health providers to engage in Tribal consultation on a regular and

ongoing basis, and prior to the submission of any Medicaid or CHIP State Plan Amendment, waiver applications, demonstration projects or extensions that may impact them as Medicaid providers or their Tribal members as Medicaid recipients.

2) Preserve Medicaid Expansion

Medicaid Expansion has increased access to care and provided critical third-party revenues to the Indian health system. The uninsured rate for Native Americans has fallen nationally from 24.2% to 15.7% since the enactment of the Affordable Care Act, due in large part to Medicaid Expansion. This has resulted in health care services to AI/AN people who might not have normally received care. It has also resulted in saved revenues to the Medicaid program through preventing more complex and chronic health conditions and saved the Medicaid program money. Medicaid Expansion has increased Medicaid revenues at IHS/Tribal/Urban health programs that are being reinvested back into both the Indian and the larger national health care system.

The BCRA would roll back federal funding Medicaid Expansion by 2024. The Senate should preserve Medicaid Expansion as an option for States on a permanent basis. While BCRA contains important provisions designed to equalize funding between Expansion and non-Expansion States, we are concerned that the funding made available to non-Expansion States is insufficient to match that which has been provided to Expansion States. At the very least, Expansion should be retained for the AI/AN population under a special Medicaid optional eligibility category for State Plans in recognition of the federal trust responsibility.

3) Exempt AI/ANs from Work Requirements

The BCRA would allow the States to impose mandatory work requirements as a condition of Medicaid eligibility, and incentivize States that impose such requirements with a 5 percent increase in FMAP to reimburse them for the administrative costs of implementing such a requirement.

As noted above, mandatory work requirements will not work in Indian country because the incentive structures are completely different. Unlike other Medicaid beneficiaries, AI/ANs have access to IHS services. If work requirements are imposed as a condition of eligibility, many AI/ANs will elect not to enroll in Medicaid. As a result, rather than encouraging job seeking or saving program costs, mandatory work requirements will discourage AI/ANs from enrolling in Medicaid and place pressure on the already underfunded INS. Further, cash jobs are scarce or non-existent in much of Indian country, making work requirements impossible to meet and job training programs an exercise in futility.

Tribes fully support work programs and employment, but we believe such programs should be voluntary so as not to provide a barrier to access Medicaid for our members. Again, this is consistent with over 40 years of Medicaid policy for Indian Country. To the extent it considers imposing work requirements, the Senate should exempt AI/ANs from any work requirements.

MARKETPLACE

We also ask that the Senate amend the BCRA to maintain cost sharing protections for AI/ANs. These protections were included for AI/ANs in fulfillment of Congress and the United States federal trust responsibility to provide health care to Indians. Section 208 of the BCRA would repeal the cost-sharing subsidy program established by Section 1402 of the ACA. However Section 1402(d) of the ACA also includes important and critical cost sharing protections for AI/ANs who have incomes at or below 300 percent of the federal

poverty level, or who are referred for care through the IHS Purchased/Referred Care (PRC) program. These cost-sharing protections incentivize AI/ANs to sign up for health insurance and also make it affordable. Eliminating them would create a disincentive for AI/AN to sign up for insurance, since they already have access to IHS services. This would result in less third party reimbursements for the Indian health system and have a destabilizing effect on the system's ability to provide health care to AI/AN people. Dollar-for-dollar, leveraging cost sharing protections for AI/ANs and thereby encouraging insurance coverage is a very efficient means of moving the needle forward in meeting the federal trust responsibility for health care resources.

PREVENTION SERVICES

We are also deeply concerned by the proposed reduction of prevention services in the legislation. The elimination of the Prevention and Public Health Fund will cripple Tribes' efforts to support public health initiatives. Many Tribal health programs rely on PPHF directed funding to keep their public health systems operational. Unlike states, Tribes must piece together a patchwork of funds, some of which are derived from the PPHF, to administer basic prevention services. Additionally, the reduction in funding for women's health services around the country will have major impacts on Tribal members, especially those who do not have direct access to services on or near their reservation. The Senate should restore cuts to the preventative services in the legislation.

Tribes support the inclusion of state funding to address the opioid crisis. However, states do not often pass these funds to Tribes. Drug-related deaths among AI/ANs is almost twice that of the general population. To address this problem, Tribes should either receive direct federal funding to address the opioid crisis, or states should be required to engage in state-Tribal consultation on the use of funds appropriated for the states.

In conclusion, the undersigned organizations must oppose the BCRA in its current form. We could support the legislation only if needs-based funding for Medicaid is preserved, Medicaid Expansion is continued, and the other changes outlined above are made to the bill before passage. In fulfillment of the trust responsibility, current exemptions for AI/ANs from health insurance premiums, co-pays, and cost sharing must be preserved, and Medicaid-eligible AI/ANs must be allowed access to the program without further requirements attached to ensure additional burden is not placed on very limited IHS appropriations. Tribes across the country are eager to come to the table to discuss how shortcomings in the current healthcare system can be addressed, without wreaking immeasurable harm on our health programs and the people we serve.

If you have any questions please do not hesitate to contact NIHB's Executive Director Stacy A. Bohlen.

Sincerely,

VINTON HAWLEY,
*Chairperson, National
Indian Health
Board.*

ASHLEY TUOMI,
*President, National
Council on Urban
Indian Health.*

BRIAN CLADOOSBY,
*President, National
Congress of Amer-
ican Indians.*

W. RON ALLEN,
*Board Chairman, Self-
Governance Commu-*

*nication & Edu-
cation Tribal Con-
sortium.*

Mr. UDALL. Thank you, Mr. President.

While this small effort cannot fully replace the necessary government-to-government consultation we owe Tribes on this issue, I hope it reminds us of our Federal obligations to Tribes and to all Native Americans. TrumpCare would turn back the clock. It would violate our trust responsibilities. It would endanger the lives of Native families. We cannot let that happen.

Senator FRANKEN has been such an advocate on the Indian Affairs Committee for Tribes in his State and across the Nation. All of us have worked extensively to try to improve a situation about which, many times, we hear from Tribal members is despairing. I really appreciate his effort and thank him for coming to the floor today and participating in this discussion about Indian healthcare and what these Medicaid expansions mean.

I yield the floor to my colleague and friend from the great State of Minnesota, Senator FRANKEN.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Thank you, Mr. President.

I thank my vice chairman of the Indian Affairs Committee, and I thank the Presiding Officer, who chairs the committee. I am honored to serve under both of them.

I rise to discuss the devastating effects the various Republican healthcare proposals that have been made would have on Indian Country.

Republicans are now considering a straight repeal of the Affordable Care Act, with no replacement. This policy, like others that have come before it, would have a devastating effect on Native communities. Today, I want to describe some of the healthcare challenges that these communities face, how the Affordable Care Act has helped to address some of those challenges, and how repealing the Affordable Care Act would undermine these gains and further jeopardize healthcare for an already vulnerable population.

I have served on the Indian Affairs Committee for the past 8 years, and I am continually shocked by what I hear almost every week from Tribal leaders and other witnesses about the challenges that face Native communities. One of the biggest challenges is that the Federal Government consistently falls short of its responsibilities to Indian communities. There is a lack of attention to the concerns of Native communities. There is a dysfunctional bureaucracy and a Congress that doesn't adequately fund Indian programs, and this can create a vicious cycle. When programs don't have adequate funding, they don't work as they should.

Some of my colleagues who have failed to provide Indian Country with

the funding they need point to the resulting program inefficiencies as justification for continuing to cut and underfund critical programs. That just doesn't make sense to me. Healthcare has fallen prey to this vicious cycle even though the Federal Government has a trust responsibility to provide healthcare to Tribes and to their members.

Medicaid and the Indian Health Service are both part of this trust responsibility. Over the years, the Indian Health Service has suffered from lack of resources, poor staffing, and other challenges. The vice chairman was right: "Don't get sick after June" is unfortunately something we hear over and over again, and it is said with some irony but also hurt in Indian Country because the funding runs out then.

These challenges mean that many in Indian Country, particularly those living in remote areas, don't have reliable access to the medical care they need on a timely basis. This is healthcare that was promised by treaty and by our Constitution.

Prior to the ACA, funding shortages meant that IHS was only able to provide people with the most basic services, so a lot of the care that people needed was simply not available. For example, prior to the passage of the Affordable Care Act, the Indian Health Service could not afford to provide vital services, including women's health screenings, like mammograms, or basic diabetes care. If you suffered from diabetes, you often had to wait until dialysis was required or limb amputation was needed before being able to receive care. That is just unconscionable. That is terrible. What is more, American Indians and Alaska Natives were more likely to be uninsured than non-Native populations, which meant that many people who needed care that wasn't covered by the IHS simply went without.

The ACA helped change all of this for the better. First, the ACA gave States the option to expand their Medicaid Programs to include low-income adults without dependent children. Thanks to Medicaid expansion, 11 million Americans, including more than 290,000 American Indians and Alaska Natives, were able to get health insurance. The ACA's Medicaid expansion made it possible for an estimated 60 percent of uninsured American Indians and Alaska Natives to qualify for healthcare coverage.

This expansion, coupled with other Medicaid policy reforms, such as those that simplified the enrollment process, helped increase the total number of people covered under the program. In fact, IHS reported earlier this year that 42 percent of patients receiving services—of those who receive the services—did so because they had coverage through Medicaid. That is what the Indian Health Service said. Forty-two percent of those who received healthcare services did so because they are covered by Medicaid. In Grand Portage, which is a beautiful spot on the

northeastern corner of Minnesota, this meant that well over 20 more band members, many of them children, received coverage. We know from a recent report out of Georgetown University that, nationwide, 54 percent of children in American Indian and Alaska Native families were enrolled in Medicaid in 2015, compared to 39 percent of all children.

This program has been a vital source of coverage, and, with health insurance coverage, people have finally been able to access the healthcare they need. That is what healthcare is really about. Healthcare is about having coverage so that you have routine visits for primary care. So if you are diabetic, you have routine visits. It is not about the emergency heroic event; healthcare is about the constancy of care. That is what improves people's health. That is what improves their lives.

Another way the ACA helped improve healthcare for Native populations was by transitioning the IHS to be the payer of last resort. By establishing that Medicare, Medicaid, and private insurance would be the primary payers, the ACA ensured that there was more money going to provide a wider range of services that people needed, while simultaneously reducing the financial burden on the IHS.

Yet there is more that we need to do to strengthen the Affordable Care Act and improve rates of coverage and access within Native communities. For example, we need to do more to address workforce shortages and lack of competition in insurance markets in rural areas. The Presiding Officer knows that. Also, it is imperative that we tackle the opioid epidemic in Indian Country. But recent Republican efforts to repeal the Affordable Care Act will do nothing to address these outstanding needs and would undermine the recent health and coverage gains Tribal communities have been able to achieve. I know the last bill had money targeted at opioid treatment, but it wasn't anywhere near what will be taken away when the Medicaid expansion and cuts to Medicaid are figured in.

The Republicans' proposals would hurt Indian communities in a number of important ways.

First, they would cause tens of millions of people, including many American Indians and Alaska Natives, to lose coverage, with between 15 million and 18 million Americans losing coverage immediately. For example, Republican plans would end the Medicaid expansion, as I have said, which has been central to providing health coverage to many in Native communities.

Second, they would jeopardize the sustainability and stability of the individual market, while giving huge tax breaks to powerful corporate interests.

Finally, they would increase premiums and reduce subsidies that low-income people receive to help pay for their healthcare, which would put pri-

vate health coverage out of reach for so many.

Efforts to repeal the Affordable Care Act are just bad for Native communities and bad for the country as a whole.

As many of my colleagues know well, American Indians and Alaska Natives are twice as likely, as compared to non-Hispanic Whites, to be overweight, obese, diagnosed with diabetes, and experience hopelessness and depression. In Minnesota, American Indian women are also more likely than Whites to be diagnosed with maternal opiate dependency during pregnancy, and more children are born opioid dependent. Reducing coverage and driving up healthcare costs is the last thing these communities need.

Indian Tribes in Minnesota and in North Dakota and in all of our States are grappling with challenging and complex healthcare needs. They need our help. They don't need legislation that is hastily put together for ideological reasons. They don't need policies that undercut their care and livelihood.

I believe we need to work together across partisan lines. I really hope that is what we are going to do.

The Republican healthcare plans that have been put forward so far break the Federal Government's trust responsibility and undermine the very programs that are helping Indian communities. That is what I sincerely believe.

I urge my colleagues to reject Republican efforts to repeal the Affordable Care Act and instead work with us on a bipartisan basis, in regular order, with hearings before our committees, to strengthen care options for our Native communities and for all Americans. I believe we can do that, and I believe we can work together. It is just the right thing to do.

Thank you, Mr. President.

I yield to the vice chairman of the Indian Affairs Committee, the Senator from New Mexico.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, we have been joined by Senator HEITKAMP of North Dakota. I appreciate her work on the subcommittee, her incredibly hard work and hard dedication that she has put in. She has been a champion for her Tribes in North Dakota, a champion for Native children and Native women, and a champion for Native Americans across the country.

I yield to Senator HEITKAMP.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, I think that anyone who picked up the Wall Street Journal over the last couple of weeks and read the stories about Indian health and what is happening, especially in our region of the world in the Great Plains—it shocked the conscience. It should have resulted in a prolonged level of outrage that would bring us all together.

Unfortunately, we have seen this movie one too many times. Things hap-

pen where we see national stories about challenges in Indian Country, about the failure to fulfill commitments under treaty rights. We see despair. We see the incredible rates of poverty, the incredible rates of unemployment, even in a State like ours where unemployment rates are never the issue. We wonder, why isn't something being done? Guess who wasn't shocked. Those of us who serve on the Indian Affairs Committee.

We on the committee spent a lot of time looking at this last year, trying to figure out how we could engage the bureaucracy to be more responsive and more responsible and how we could look at sourcing the dollars we needed to make sure that Indian health was supplemented and that the level of care we expect when we walk into our hospitals—that that is the level of care Native American people who go to the Indian Health Service on their reservations and who might go to an Indian run, a Tribal run facility, would expect. That is what we expect, and I think that is what the American public might think is actually going on, but those of us on the committee know differently.

We held a roundtable today to talk about what those challenges are, what Native American leaders believe are those challenges, and to ask them a simple question: What has Medicaid expansion meant to your Tribes? What does access to Medicare and Medicaid mean for delivery of healthcare services?

I want to start off by saying that they have a lot of great ideas, and I will run through some of these.

Chairman Keplin from Turtle Mountain said: We need local doctors. It is hard to get people to live on the reservation if they are not from the reservation, so we need to figure out how we are going to get local folks to be trained, and we are willing to do that in our Tribal colleges. We need to build relationships with other healthcare providers, like Sanford, that can bring specialists. We need our cancer infusion center to be there so that people can get cancer treatment right at home. And we need to make sure we are doing everything we can to make sure we can treat diabetes right there at home.

So the healthcare challenges were amazing, but the cost challenges were also amazing.

Duane from Pueblo in New Mexico had some very interesting perspectives. Eighty percent of his patient load comes to the clinic. They speak their Native language. They have had stability in their workforce, but they are looking at transitioning to a Tribal facility. But those people don't want to transition because of Federal retirement. So is there something we can do to keep these treasured healthcare providers working for the Tribe and working for their people—the people who know the language and who are familiar with the case studies?

Lincoln from Alaska said: One of our biggest problems is year-to-year funding. The VA has 2-year funding. We don't know what the money is going to be and when it is going to come. We also need to train local people.

Sam said: We have a huge need to continue to build out our cultural resources and our attention to culture and prevention.

Ron from Washington talked a lot about the recruitment of workforce. The employer mandate came up because so much of the employment on the reservations is in fact Tribal members. They are talking about that they are mandated to buy this health insurance, but these same members have a treaty right to that healthcare. Is there a way to help those stretched Tribal resources go a little further by taking a look at some relief from the employer mandate?

The definition of what constitutes an Indian came up over and over.

From Massachusetts, Cheryl talked about permanent reauthorization of Indian healthcare and more resources in diabetes, because that is a pervasive problem, and Indian employment, again, talking about that issue of buying health insurance.

As to marketplace access for Native American enrollees who are not living on the reservation, how do they make sure they are able to get their treaty rights?

Talking about mental well-being and talking about culture is prevention. One of my favorite lines that came out of this was when we asked about prevention, and Ashley said: Culture is prevention. We need better access to 1115 waivers. Take a look at the Canadian model, she suggested. They do more with cultural sensitivity.

The list goes on and on of great ideas. Not one of these ideas said: Repeal the Affordable Care Act. Not one of them said: Let's get rid of Medicaid expansion; let's not look at what we can do.

Let's just all acknowledge what we who serve on this committee know: We have challenges that far exceed many other populations. We have come to the floor to talk about how the repeal of the Affordable Care Act and how the Republican healthcare bill would hurt different populations. We have talked about the elderly. We have talked about children with disabilities. We have talked about rural communities. We have talked about many, many more folks. I think we haven't done enough to talk about what this means for Indian people.

We have a special relationship with Indian people in my State because every Tribe in my State is, in fact, a treaty Tribe with a treaty right to healthcare.

Last night, it obviously became clear that the bill, as it stands, wouldn't get enough votes to move forward. But we need to keep talking about this bill, and we need to keep talking about what the questions are. Instead of talk-

ing about this bill or that bill or all of the acronyms, let's start with healthcare. Let's have a conversation about healthcare that starts with healthcare. Where are we doing it right? Where are we doing it wrong? How can we reduce costs? Who is being left behind?

It is clear to me that in the healthcare world—never mind the Affordable Care Act or the Better Care Act, whatever the Republican bill was called. That is a discussion for politics. That is not a discussion for healthcare. So let's talk about what Native Americans need. Let's talk about how we have failed.

As I said earlier today, Senator UDALL led a really important discussion about how we need to preserve Medicaid. When we look at the Indian Health Service, I think anyone who really looks at the numbers has to admit that it is chronically underfunded.

Last year, I brought the former IHS Director to North Dakota to press her on maintaining quality care in our Tribal communities. This was especially important because of the severe challenges Indian healthcare has. We know that the lack of funding for Indian healthcare can be critically augmented by three main sources: Medicaid, Medicare, and private insurance. If every person walking in has the ability to pay, we are going to improve access to care, and we are going to improve the opportunity to recruit a workforce.

I think some people may roll their eyes when they say: Don't get sick in June. My husband is a family physician and practices about 60 miles north of the Standing Rock Sioux Tribe. He can tell you that there have been times when people from the reservation have come to the clinic to see him because the clinic in Fort Yates is shuttered—no money that day, no opportunity for healthcare. So people come to get the healthcare they need, but they have to drive a long way. It is wrong. You see a new doctor whom you have never seen before and who may not, in fact, understand your condition.

So the Turtle Mountain Band of Chippewa, who are represented today, have over 33,000 enrolled members, of which approximately 14,500 actively receive treatment and benefits for services at the local IHS hospital. Thanks to Medicaid expansion and increased enrollment efforts by the Turtle Mountain Band of Chippewa in my State of North Dakota, their Indian Health Service hospital is now able to offer so much more in services to their people and increase their outreach and prevention.

In June alone, Turtle Mountain's IHS clinic served nearly 13,000 clinical patients and provided over 1,000 emergency room services. Third-party billing revenue has now allowed the Tribes to make renovations to their emergency room and their clinic, to purchase new medical equipment, includ-

ing neonatal monitors, to recruit and hire additional staff, including licensed professionals, to increase staff training and education, to provide Wi-Fi throughout the hospital, and to expand their behavioral healthcare facility to serve more patients.

Since the Medicaid expansion, they have had a 9-percent increase in the number of individuals they have served. Their hospital is also experiencing a decrease in the number of uninsured patients—still too high, in my opinion, at 39 percent. We can get that lower if we get more people to take advantage of Medicaid expansion.

But, unfortunately, a Republican healthcare plan that would eliminate cost-sharing subsidies is making that private health insurance less affordable and less successful.

So let's be honest about how we are affecting our Native American population and talk about the multiple times this expansion has been so important to our Native families.

In North Dakota, the Republican bill would cause an estimated 984 Native Americans to lose cost-sharing reduction subsidies. The Senate Republican healthcare bill would also get rid of the Medicaid expansion and cap the amount of Federal funding States can get to cover those on traditional Medicaid. As a result, it would drastically reduce the amount of Medicaid funding going to the States. This would push the remaining costs to the States and counties that can't afford it.

The American Hospital Association estimates that North Dakota Medicaid would lose \$1.2 billion. I will say that again. North Dakota Medicaid would lose \$1.2 billion through 2026.

Right now, 9,000 North Dakota children and individuals with disabilities—Native Americans, seniors, and low-income families—rely on Medicaid for affordable, quality care, but this bill would rip it away in so many wrong ways.

The uninsured rate for Native Americans has fallen nationally from 24 percent to 15 percent, largely due to Medicaid expansion.

We go on and on. Currently, Medicaid accounts for 24 percent of the Indian Health Service workforce. The Senate Republican bill would strip away \$772 billion from Medicaid, and the White House proposes cutting an already underfunded Indian Health Service budget by 6 percent.

We already know that the per-patient cost in the Indian healthcare system is greatly below that of Medicaid reimbursement cost, on average. So if we take away Medicaid reimbursement, we are hurting not only the providers, but we are once again making healthcare less affordable.

This is a crisis. I can't begin to tell the Members of this body what a crisis Indian healthcare is in. We have known it on the committee for many, many years. In fact, Senator Dorgan was the first one to really sound the alarm of the crisis in the Great Plains area,

thinking that a report that was so damaging would result in change. Guess what. It didn't. It didn't result in change. But the one thing we can point to that is a bright shining light has been access to Medicaid dollars. It has given them access to capital expenditure, and it has given them access to workforce. It has given a more consistent way for people who don't live on the reservations to get healthcare.

I have said this many, many times: We need to not go backward; we need to go forward. When people say: We are going to take a step back, we are going to reduce actual appropriations by 6 percent for Indian health, and we are going to eliminate Medicaid expansion, I say: You had better look before you take a step backward because you might be off the cliff. That is how dire it is in Indian Country.

The one thing I am going to conclude with is that for many, many years in healthcare we have not done what we need to do to consult with Tribal people: Here is the facility; this is what we are going to provide. Good luck. One size fits all.

What we need to do and what Medicaid has allowed is that flexibility for Tribes to engage, for Tribal people to engage in what their needs are, and to take a look at those community health models that do dental care, eye care, and mental health and addiction counseling. All of this needs to be wrapped up. When people say there is no hope, there certainly is no hope without help.

There is an old saying: When you have your health, you have everything. I can tell you from personal experience that it is absolutely true. You could be the richest man in the world, but if you don't have good health, your quality of life is not what it could be.

When we look across the indicators of what has happened in Indian health with indigenous people throughout our country, when we know this is our obligation—this is that treaty obligation, the treaty right that has been bargained for—shame on us.

Medicaid can be that bridge. It can be the bridge to better healthcare. That is why it is so critical, Mr. President and my vice chairman, that we be out here speaking for our communities, speaking for these unique groups of folks who depend so much on Medicaid expansion but who also depend on us to do a better job, to be better stewards of that relationship, to be better citizens as it relates to living up to the obligations that our ancestors negotiated.

I ask everybody who hasn't really been exposed to this issue to read the articles in the Wall Street Journal. But don't just read them and wring your hands and say: This is horrible. Take a step to change the outcome. Don't just read them and say: Boy, that is horrible. Take responsibility for what you read. Every one of us in the Senate and in the Congress is responsible for fulfilling the obligations of these treaties. When we aren't doing it, it is a failure

on every one of us, and it is a failure to protect some of the most vulnerable people in our country—and that is Native American children.

I yield the floor and turn it back to my vice chairman, Senator UDALL.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, I know Senator DURBIN is on the floor so I am going to wrap up very quickly. I first want to thank Senator FRANKEN, who came down here and advocated for his State and for Native Americans across the country. I thank Senator HEITKAMP for her passionate speech about Native Americans and Native children. I have known her almost 30 years, as the State attorney general, when she was doing the same things, and she has made real progress.

You can see from this roundtable today—and I really appreciate Senator HEITKAMP coming and helping me chair that. I had to slip out to Foreign Relations, but she spent a significant amount of time chairing that roundtable. I think it really made a difference to all of the Tribal leaders there.

I want to finish with what one of those Tribal leaders said to us.

Senator HEITKAMP, you said something very similar.

This Tribal leader reminded us, he said: Decades ago, Tribes made a downpayment on the healthcare they receive. We are not asking for a handout. We made a downpayment.

What was he talking about?

We made a downpayment with our land, with our water, and with large areas of what were then either territories or the United States—that they considered their homelands. How sad it is to see that we are not fulfilling the promises of these sacred treaties they entered into.

With that, I would conclude—as Senator FRANKEN did and I believe it was the same thrust of what Senator HEITKAMP was saying—with this. We have hit a wall on healthcare. We have come up to the point where you don't know where to go. The best thing to do when you hit a wall is to get back to the regular order, work on a bipartisan basis, go into committee, let people put proposals forward, have amendments, open up the process.

That is where we need to go at this point. I would urge the Republican leadership to take a look at the regular order. That may help us find our way out to improve the healthcare situation for not only Native Americans but all Americans, which is what we face with this TrumpCare, which is taking us in the wrong direction.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. DAINES). The Senator from Illinois.

Mr. DURBIN. Mr. President, let me thank my colleagues for coming to the floor and speaking on behalf of Native Americans and the Indian Health Service, its shortcomings and challenges that it creates for us.

I don't have an Indian reservation in my State, but I certainly have visited these Indian reservations in other States and believe we have an ongoing responsibility—social and moral responsibility—to those who were in this country long before many of our ancestors and who have not been treated fairly many, many times when it comes to the poverty they face in this country and the challenges they face.

It is as bad as or worse than any other group in America. We can do better, and we need to start with the Indian Health Service and health services. I thank my colleagues for raising that issue.

Mr. President, it is interesting, this is a historic week in the Senate because we have been engaged in a debate for weeks about what to do about healthcare in America. The Senate, of course, is under the majority control of the Republicans, as the House of Representatives is, and, of course, with a Republican President. They all came to Washington at the beginning of this year and said: The first thing we want to do is to repeal ObamaCare. We have said it for 6 years. We are finally going to do it. We are going to get rid of ObamaCare, the Affordable Care Act, once and for all.

They set out to do it in a variety of ways. President Trump's first Executive order to the agencies of the Federal Government said: Do everything you can to discourage ObamaCare. He turned around and did just that. His agency stopped advertising for people to sign up for ObamaCare. They were determined to put an end to it.

In the House of Representatives, they took a step beyond that. They introduced legislation to repeal it and replace it. What they replaced it with was a disaster. The Congressional Budget Office took a look at the Republican repeal plan in the House and said 24 million people will lose their health insurance.

Beyond that, they talked about the changes that would take place in health insurance policies with the Republican repeal plan. It passed the House by four votes, which meant that if two Republican Members—and only Republicans voted for it—had voted the other way, it wouldn't have passed. It was that close.

Then it was sent to the Senate, and it was up to the Senate Republicans to decide what they would do with this bill and what they would do with the repeal of ObamaCare. They spent many weeks in conversation and discussion about what they might do. Thirteen Members, Republican Senators, sat in private rooms and talked about what they would do to replace ObamaCare.

Finally, they reported a bill. It turns out their bill was an improvement over the House bill. The House bill eliminated health insurance for 24 million Americans. The Senate bill eliminated health insurance for 23 million Americans. Still, when you look at it, it is a horrible thing.

In my State of Illinois, a million people in my State would have lost health insurance with either the House or Senate Republican bills. It is the reason there has been resistance in my State to this Republican effort from the start.

You would expect it on a political basis. Sure, the Democrats will oppose the Republicans on issues, but this went beyond it. There wasn't a single medical advocacy group in the United States that supported what the Republicans were doing, not one. The hospital associations across America, the medical society of doctors, the nurses, the pediatricians, they all opposed what the Republicans set out to do.

When it looked like there were problems in passing one version of the Senate Republican repeal bill, they sat down to rewrite it. As they sat down to rewrite it, they got into deeper water and bigger problems.

Senator CRUZ, the junior Senator from Texas, said: Well, one way to bring down the cost of health insurance is to take out some of the protections of a health insurance policy. We can get premiums down pretty low if we take away the protections of a health insurance policy that are in the Affordable Care Act.

That was his proposal.

Just this weekend, Blue Cross Blue Shield and the major health insurance industry said that this will be a disaster. If you have some people buying real insurance and real protection and others paying rock-bottom premiums for little or no coverage, you are going to create two classes of Americans, and you are going to see premiums going through the roof for those who are buying full-coverage policies. They came out against the Cruz proposal.

This week, we returned to face the votes. We were supposed to be voting today, a vote on whether to repeal ObamaCare. As of last night, things started changing. Two Republican Senators joined two others and said they were opposing the effort, and so the Republican majority did not have the votes it needed to go forward.

They said: Well, at least we will vote on repealing ObamaCare.

Three Republican Senators have announced, as of today, that voting for simple repeal is something they will not do. Many of them make the argument that just repealing ObamaCare without replacing it is irresponsible. They are right.

If you don't like the current system, I believe you are duty-bound, as a Senator or Congressman, to come up with a better idea, something that serves America better. They have been unable to reach that point.

Where are we? At this moment, we are at a standstill. The Republican efforts to repeal and replace have stopped as of this moment. There may be a vote, an official vote this week. I don't know. That is up to Senator MCCONNELL as the Republican leader, but it appears there is no plan coming

out of the Republican side to replace the Affordable Care Act.

I am proud to have voted for it. I voted for it for very simple reasons. When it comes to health insurance, I believe that is one of the basics in life. I am one of those politicians who believes healthcare is a right, just like police and fire protection. It should be part of who we are in America. I don't believe it is a question of how rich you are or how lucky you are as to whether you have health insurance in this country.

We can do better as a nation. The Affordable Care Act set out to do that. We reduced the number of uninsured Americans with ObamaCare when we passed it 6 years ago by 50 percent. We reduced by half the uninsured people living in my State of Illinois. Many of them went to the insurance exchanges, bought private health insurance. If they had lower incomes, they got subsidies to help pay the premiums. Others picked up Medicaid coverage as their health insurance. It was significant.

I ran into people all across my State, from Chicago to downstate, who had never had health insurance 1 day in their lives. These are not lazy people. These are hard-working people who happen to have the kind of jobs that didn't offer health insurance.

Ray Romanowski, big Polish fellow, guitarist and musician in Chicago said: Senator, I have never had health insurance. I am a musician. Nobody was ever going to provide me with health insurance.

He said: Lucky I have it now because I have been diagnosed with diabetes. I am in my sixties, and I have, through the Affordable Care Act, health insurance through Medicaid.

Similar story, almost identical story in deep Southern Illinois. Judy, who works as a hospitality hostess in a local motel—she is the one who greets you with a smile when you come in for that free breakfast. Judy is 62 years of age. She never had health insurance 1 day in her life. She holds down two and three jobs at a time. The only health insurance she ever had is what she has now under Medicaid.

What is going to happen to those people if we eliminate Medicaid coverage—which the proposals before us suggested—if Medicaid coverage is cut back dramatically?

Those two people, Ray and Judy, are still going to face health challenges. They are still going to get sick and go to the hospital, but if they don't have health insurance, will the hospital treat them? Yes. What will happen to their bills? Their costs will be passed on to everyone else. That is the way it used to be done.

What we have learned this week in Washington, in this national healthcare debate, is there are of course concerns about whether the current healthcare system is what it should be, and I think it can be improved, but we have learned one basic

thing. We are not going back. We are not going back to the days when health insurance companies could deny coverage to you or your family because of a preexisting condition. We are not going back to the days where they put a limit on how much they would pay on your health insurance plan.

Remember when you first realized that a \$100,000 limit was not worth that much if you had a serious diagnosis or a serious accident? We are not going back to the days when that health insurance plan literally expired in coverage, forcing you and your family into bankruptcy over medical bills.

We are not going back to the day when families couldn't cover their kids coming out of college. The Affordable Care Act said you can keep your child on your health insurance plan as a family until they reach the age of 26.

Those of us who have had kids who have graduated college realize they don't always get a great job right off the bat. Some of them start as interns or part-time workers, and they don't have health insurance. They now know they have the peace of mind of the family health insurance plan.

We want to make sure we protect that. We are not going back to the day when those young people had no coverage at a critical moment in their lives. We are not going back to the day when we allow these insurance companies to charge whatever premiums they wish.

We put provisions in the law that limit the premiums that can be charged on Americans, that limit the profits that are taken out of health insurance companies. Those were moves that had to be made to protect innocent American families who, unfortunately, were struggling with medical bills before this law passed and now at least have some chance of paying for them.

What we learned in the course of this national debate is significant. We learned that if you put up a proposal, as the Republicans did in the House and the Senate, that takes health insurance away from over 20 million Americans, you have a problem. People are going to push back and say that it isn't fair to take away health insurance and the protection and peace of mind that come with it. If you come up with a plan that ends up dramatically cutting back on Medicaid, you are going to get a lot of people who are concerned about it.

Across America, the Medicaid Program as we know it does many significant things. One-half of the babies born in my State of Illinois are covered by Medicaid. Mom and her prenatal care, the delivery of the baby, and the caring for mom and the child afterward are covered by Medicaid. If you make a cut in the reimbursement for Medicaid, you will endanger the basic treatment needed to have a healthy baby.

The second thing we know is that Medicaid is critical for people with disabilities. I met a mother in Champagne, IL, and she came up and told me

she has a 23-year-old autistic son. It has been a struggle for her and her family, but now he has a somewhat independent life. She said: Senator, if you take away Medicaid insurance from him, I will have to put him in some institutional program that I cannot afford. There is nowhere to turn.

I also want to remind people that Medicaid pays school districts to take care of kids with special education needs, transportation, counselors, even feeding tubes for the severely disabled. That is an important part of Medicaid.

I haven't touched on the most expensive part of the Medicaid Program in America. The most expensive part is for those who are in nursing homes, those who are older Americans and need Medicaid to get by. They have Social Security and they have Medicare, but they need Medicaid. If you cut back on Medicaid as proposed by the Republicans in both the House and the Senate, who will take care of these elderly folks who are in a situation where they have exhausted their savings? Do they move back in with the family? Sometimes that is not even possible, but that is one of the prospects faced.

What we need to do is to accept the obvious. We have reached an important political milestone here where the Republicans don't have the votes to move forward, but we still have the challenge of the current system. I was proud to vote for it, but it is far from perfect. The current healthcare system in America, the Affordable Care Act, needs help, needs changes. We need to do it. We ought to just surprise the heck out of America by working together, both political parties, to solve the problems.

Let's identify a few of the most obvious problems.

No. 1, the Affordable Care Act in America today does not address the cost of prescription drugs. You ask a health insurance company: What is driving the cost of premiums? Prescription drugs.

Did you ever notice that when you turn on the television at certain times of the day, it is all about drugs? It is all about new drugs, things you can hardly pronounce. These new drugs are being advertised on television time and again. And then there is a 2- or 3-minute disclaimer: Be careful. If you take this drug, you might die. Be sure and tell your doctor if you have ever had a liver transplant.

I listen to all these warnings, and I am thinking, this is being sold in advertising for the general population? Did you know that there are only three countries in the world that allow television advertising of prescription drugs—the United States, New Zealand, and Brazil?

Why do the pharmaceutical companies advertise drugs on television? Certainly if you want to inform a doctor about a new drug, you wouldn't buy a television ad, would you? The reason they are on television is so that we, as

individual consumers and patients, will walk into the doctor's office and say: Doctor, it took me five times, but I finally figured out how to spell "Xarelto," and I want Xarelto as my blood thinner.

The doctor has a choice: He or she can explain to you that you may not need Xarelto, that there is a cheaper version of blood thinner or that this isn't the one that really fits your needs in this circumstance. Doctors don't do that. Many of them just write out the prescription. That is why the television advertising is taking place—to convince the consumer, who asks the doctor and who ends up with the high-priced drug being scripted for them. That is the reality of why the costs of healthcare keep going up.

What does the Affordable Care Act do about that? Nothing. It does nothing when it comes to the cost of prescription drugs. I want these drug companies to make a profit, don't get me wrong. If they are profitable while looking for new cures, that is the way it should be. But when they charge through the roof and double and triple the cost of these pharmaceutical drugs, that is not fair. It is not fair to consumers, and it is not fair to taxpayers.

Think about the fact that many of exactly the same drugs made in the United States are sold in other countries for a fraction of what they cost in the United States. Even in Canada, they charge about one-half or one-third for many of the most popular drugs because the Canadian Government said to the drug companies in America: We are drawing the line. We are not going to let you charge anything you want to charge.

Why don't we do something in America to protect consumers? Why don't we at least inform people when pharmaceutical companies are overcharging so that we can put some pressure on them to stop? That is part of the change to the Affordable Care Act that I think will save us money and at the same time deal with an issue most Americans really are concerned about.

We also should be concerned about the fact that when it comes to the individual health insurance market, that is where most of the problems are. Six percent of the American population buying health insurance through the exchanges—half of them have to pay the full premiums, and some of those premiums go through the roof. Why? Because the people who are buying this insurance are usually people with a medical history or they are older folks and they want to have the peace of mind of coverage. The healthy, younger folks aren't buying it. As a result, the insurance risk pool gets pretty expensive when it comes to premiums. We need to fix that, and we can fix that. That is another thing on which we should come together as Democrats and Republicans to try to achieve.

For those who say: Well, I promised my entire political career that I couldn't wait for the day to come for-

ward and vote to repeal ObamaCare, I just want to tell them that they should be aware that when the Congressional Budget Office looked at the impact of just repealing the Affordable Care Act and not replacing it, they said the following: This would force more insurance companies to leave the market immediately. It would increase premiums by 20 percent a year and double the price of premiums over 10 years, and it would take health insurance away from 32 million people.

So taking that vote to repeal the Affordable Care Act may earn you a cheer at some political rally, but it is not responsible. It is not good. It will raise the cost of health insurance for families across our country if we just repeal and don't replace, and it will take health insurance away from over 30 million people, according to the Congressional Budget Office. It is better that we replace it with something responsible, better that we take the current system and make it stronger.

This has been an interesting debate. I have learned a lot in the course of this debate because I went and visited the hospitals in Illinois. The Illinois Hospital Association opposed the Republican plan in the House and opposed the proposal in the Senate. They said it would cost us 60 to 80,000 jobs in Illinois and it would close down some hospitals we need in rural parts of our State, smalltown hospitals that are critically important. I don't want to see that happen, the people who live there don't want to see that happen, and you won't be able to keep and attract good employers and good jobs if that does happen. So I have worked with these hospital administrators and want to move forward with them on an alternative.

I will close by saying this: It is interesting how many people say "I can't wait until I reach age 65 because I will qualify for Medicare." Medicare doesn't discriminate based on pre-existing conditions and provides good health insurance for millions of Americans. It is an illustration and a lesson for us that if you have something that isn't driven by the profit motive, that people trust, that has provided basic, good care for Americans, good hospitals and good doctors, that is what people are looking for. Why shouldn't they? That should be part of the American dream. It should be part of our right as Americans.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JOHNSON). The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. ENZI. 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. ENZI. Mr. President, in our job, we get a lot of books, probably two or three a week at least, and for the last year most of those have been on

healthcare and healthcare reform. A book I received recently is one called "Demystifying ObamaCare," by David G. Brown, who is a doctor. It was helpful enough to me that I thought I would share a part of it with anybody listening. It always fascinates me when we are here talking and maybe somebody is listening.

Page 7 starts out by talking about, "How Does ObamaCare Look After Seven Years?" Incidentally, this one is all well documented and footnoted, which is one of the unusual things about this book. It is not just speculation on his part—it is a lot of research that he has done and shared. He says:

ObamaCare actually reduces insurance market competition by strict rules, regulations, and mandates.

ObamaCare significantly increases healthcare cost by the way it attempts to assist those who cannot afford coverage.

ObamaCare does not tackle the underlying causes of increased costs. Instead, it worsens the factors that drive up the cost of healthcare with the addition of mandates, regulations, and taxes. ObamaCare does nothing to decrease the factors that increase costs.

ObamaCare has increased the total number of healthcare spending. The cost is not \$938 billion dollars, but now is \$2.6 trillion dollars over 10 years, or almost 3 times the original figure.

ObamaCare increases cost for families, businesses, and individuals for their healthcare. This includes not simply ObamaCare exchanges but health insurance across the board. Associated with this, there has been a marked increase in healthcare premiums, costs for medications, deductibles, and copays.

There has been reduction of access to care in ObamaCare plans, i.e. ObamaCare exchanges (insurance does not equal access).

ObamaCare, to some extent, has reduced the number of uninsured but not handled the problem of the uninsured population.

ObamaCare does not effectively address the problems of the safety net system, i.e. putting new people into Medicaid has exacerbated the problems for Medicaid, and removes its original safety net function.

ObamaCare has reduced funding and thus care for programs for the elderly, Medicare.

ObamaCare has taken the decision making process out of the hands of patients and their families. It has done so by removing their freedom to make those decisions.

This is from the book, "Demystifying ObamaCare," by David Brown, who is a doctor.

It goes on later to say:

The individual mandate was instituted as a way to force patients into having health insurance or else pay a financial penalty for not having it. The employer mandate, which was just instituted in 2016 after several delays, was intended to move those with employer-based insurance into the government sector. Additionally, the HHS required all individual and small group policies to meet the "essential health benefit" requirements. These benefits were determined by the secretary of the HHS and required involvement of not simply government, but also non-government plans. The individual and small group policies then had to be sold at a more significant cost to the consumer.

How is the Employer-Based System changed so employees could be moved into a government system?

Businesses with 50 or more full-time employees had to provide health insurance approved by HHS or be financially penalized.

The cost for businesses for the penalties for not providing insurance was less than the cost of the insurance.

ObamaCare exchanges were there to take in anyone who needed to have insurance. Employer based mandates were a way of moving employees out of the employee-based marketplace into a government program. It is the back door way of having a government based healthcare system. It was ingenious but fortunately, for the American people it was flawed.

Yes, Americans in the individual market lost their insurance (5 million Americans) but the employer-based mandate was postponed through the efforts of Congress. Many of the larger companies have self-insured their employees. The ObamaCare exchange program has been very expensive for the consumers. It has also significantly limited access to care i.e. narrowed networks of providers, (doctors and hospitals). ObamaCare has increased the numbers in Medicaid but this program itself has severe flaws.

Again, in "Demystifying ObamaCare" by David Brown, a doctor, going to page 18, "What Are the Facts About Medicaid and Medicaid Expansion?"

Costs of Medicaid (total federal and state spending) will more than double i.e. more than \$427 billion to \$896 billion between 2014 and 2024. The costs of this will be borne by the taxpayers.

The cost of Medicaid to the states has a tremendous impact on other services. It is often the second most expensive budgetary item. With Medicaid expansion, there are increased costs to the states, even in those states, which have accepted Medicaid expansion and increased federal funding for it. Other state services may have to be reduced even in states who have not accepted Medicaid expansion.

Medicaid is actually a safety net for the poorest and most vulnerable Americans but expansion changes this. It reduces the access to care for others who are already in the system. The single adult able-bodied American is competing for care with those who need the care as a safety net.

It severely underpays doctors and hospitals, and the number of Medicaid providers are declining. It compensates doctors an average of 50% less than private insurance. By CBO estimates, by the time of full implementation of ObamaCare, one out of every six hospitals will be in the red because of severe underpayment from Medicaid and Medicare.

Medicaid expansion does not reduce inappropriate utilization of emergency rooms. A recent study showed Medicaid patients utilize the emergency rooms for their routine care 40% more than those who are uninsured.

Medicaid has the worst clinical outcomes compared with any other medical program. There are worse outcomes including conditions such as heart disease, cancer, complications from major surgery, transplants, and AIDS. These outcomes are independent of patient factors and reflect the program itself. It may be no better than having no insurance at all. A recent study comparing Medicaid patients with those who are uninsured showed no difference in blood pressure, glucose, and cholesterol levels after two years of observation.

In short Medicaid expansion reduces access to care, increases cost of care and places people within the program that has the worst possible outcomes to care.

Going on in "Demystifying ObamaCare," by David Brown, page 25, "Medicaid Expansion Update: How Does It Stand Today?"

Thirty-one states and the District of Columbia have adopted Medicaid expansion. Three states have considered it but rejected Medicaid expansion. The other sixteen states have refused to participate in it.

Medicaid expansion has increased the Medicaid number from 58 million to approximately 70 million people, 20% of the uninsured population. It has caused overall expansion of the number of people in the program.

ObamaCare has increased the number of individuals insured by allowing them to participate in the existing Medicaid program. In order to do so, the inclusion criteria for their enrollments have changed. Medicaid expansion is now based on age and financial criteria. That includes both the able-bodied individuals who are able to work and chose not to and those who were previously involved in the Medicaid safety net. For example, the lower income mother with children.

It was thought that the states that accepted Medicaid expansion would have "free money" if they participated with this Federal program. 100% of the costs of adding new patients were picked up by the federal government with that figure gradually being reduced to 90% of the cost starting in 2017.

This was for new patients added to Medicaid and not the existing patient population. States however found that their Medicaid programs were flooded with new enrollees, many of which had met the criteria for Medicaid before the "woodwork effect."

The overall expansion of Medicaid with increasing numbers of enrollees has led to marked increase in spending on Medicaid and marked increase in total costs for Medicaid.

It goes on with a lot of numbers which have a lot of significance to accountants, but I will skip over those and continue on with his last two points.

Medicaid is associated with the worst possible clinical success rate across the board for all medical and surgical illnesses. It is worse than any other program, including any government programs such as Medicare or any private program. In certain studies, it has shown to have worse clinical outcomes than having no insurance at all. No data has developed during the course of Medicaid expansion to change these findings.

Medicaid expansion is associated with a huge financial burden on the states and the cost to the states with Medicaid expansion has increased dramatically.

Again, at the end of the chapter it shows a lot of references for where he got this information.

Continuing with "Demystifying ObamaCare" and moving on to page 31 is "What are ObamaCare Insurance Exchanges?"

ObamaCare insurance exchanges are federally constructed and state run markets where individuals and families can purchase insurance plans. Private healthcare insurance companies participate but the insurance companies are only able to sell plans that are acceptable to the Secretary of the HHS. Many individuals and families then could receive subsidies provided by the government, (i.e. taxpayers funded subsidies). The subsidies are [to] be on a sliding scale, families whose income is up to 400% of the federal poverty level can be in the ObamaCare exchange (\$97,000 dollars a year for a family of four). The program is tightly regulated by the Federal Government. The choice is limited to four plans (bronze, silver, gold, and platinum.) Each state was required to set up their own insurance exchanges and then regulate them. If a state

did not set up such an exchange, the Federal Government did that for them.

“What Effects These Policies Have on Those Inside and Outside the Exchanges?”

The public must know that the exchanges dramatically restrict patient care by restricting access to care. Exchanges decrease access by reducing access to doctors and hospitals. This includes access to some of the most important specialized care. The exchanges have a limited network of providers.

The public must understand that they do [not have] protection from fraud. Some of the most sensitive information is given to navigators to help enroll people in the exchanges. The enrollees then become “fair game.”

The ObamaCare website, “Healthcare.gov” does not automatically verify enrollee’s eligibility, i.e., whether they legally qualify for subsidies. Various sources indicate that at least 2 million enrollees (some estimates are significantly higher) are receiving subsidies that they did not legally qualify for. Douglas Holtz-Eakins, former director of the CBO, estimates that over the first 10 years of ObamaCare, overpayments and inappropriate payments could add up to \$152 billion dollars. Who pays the bill? The American taxpayer. The website, “Healthcare.gov” cost taxpayers \$1.4 billion dollars in 2014.

He goes on to explain how that increases the costs for all taxpayers.

I will continue with some of the other lessons in this book at another time. The leader is coming to the floor to speak in a few moments.

What we are trying to do is to find some solutions for the American people so they have access to healthcare—and more extensively than now. I recommend for reading this book called “Demystifying ObamaCare” by David Brown. It is very eye-opening. There is a section I will cover later that covers some of the solutions that will be useful.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. RUBIO). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, for the information of all Senators, at the request of the President and the Vice President, and after consulting with our Members, we will have the vote on the motion to proceed to the ObamaCare repeal bill early next week.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

FLOODING IN NORTHERN ILLINOIS

Mr. DURBIN. Mr. President, for the second time this year, Illinois communities are assessing damage and cleaning up after flooding. My thoughts and prayers are with the families and first responders in northern Illinois who are working to recover after heavy rain caused severe flooding in Lake, McHenry, Kane, and Cook Counties last week.

The water has started to recede in some communities, but in some areas, water levels will likely continue rising this week. Thousands of buildings—including homes, businesses, and schools—have been damaged by floodwaters.

Lake County has been one of the areas most impacted by this flooding. Last weekend, I visited two towns in this area—Libertyville and Gurnee—and I saw street after street of flood damage to homes and businesses. What I saw was heartbreaking. I spoke with residents who were concerned about being able to recover from the flood and resulting damages and who voiced the need to find long-term solutions that will mitigate the impact of future flood events. I am extremely grateful for the hard work of local first responders and county officials. Thankfully, there have been no reports of injuries or fatalities as a result of this historic flooding.

I want to acknowledge the dedication of both the State and local employees and volunteers who have come out to help at every level, from the Illinois Emergency Management Agency and the American Red Cross, to county emergency management agencies. Many volunteers have helped with sandbagging. County board chairman Aaron Lawlor has also been helpful in securing resources and making sure residents have information about where to find shelter and access clean-up supplies.

People from all around the area are pitching in to help their neighbors and even strangers protect property and get back on their feet.

I would also like to thank James Joseph, director of the Illinois Emergency Management Agency, for his hard work. He has been there during a time when Illinois constituents and communities need him the most.

The State has provided 850,000 sandbags and deployed an emergency management assistance team for flood mitigation and response efforts. Representatives from the Illinois Emergency Management Agency are working closely with local officials to make sure communities have the resources needed to protect critical infrastructure and clean up when water begins to recede.

The Governor has declared four counties State disaster areas. In the coming days, the State will work with FEMA and local officials to begin conducting preliminary damage assessments.

Once we have an idea of the scope of the damage, the Governor has the abil-

ity to request a Presidential disaster declaration. In the past, it has been challenging for Illinois to receive Federal aid after a disaster occurs, but the Illinois delegation and I stand ready to do whatever we can to help get any Federal assistance needed so that these communities can clean up and recover.

There is more work to be done, and cleanup may be difficult and dangerous, but I have no doubt the people who live and work in the impacted communities will make incredible progress rebuilding with the help and support of volunteers, local officials, and State agencies.

I want to thank everyone who has been engaged in the response and mitigation efforts and all those who will be engaged in recovery efforts in the weeks to come. We will rebuild, as Illinoisans always do, and we will be stronger for it.

REMEMBERING BARBARA ANDREWS-MEE

Ms. MURKOWSKI. Mr. President, this Saturday Alaskans will observe “Ted Stevens Day,” a living memory to Alaska’s greatest Senator, who left us 7 years ago next month. As family, friends, and former staffers of Senator Stevens gather in Alaska for this annual observance, many will take time off on Thursday to honor a beloved member of the Stevens’ team, Ted’s loyal assistant and State director, Barbara Andrews-Mee, who passed away earlier this year. I will not be able to attend this event because the Senate will be in session on Thursday, but I wanted to take this opportunity to speak in memory of this loyal and dedicated employee of the U.S. Senate, as well as great friend of Alaska.

Barb’s tenure with Senator Stevens long predates his Senate service. Barb began working with Ted in 1962, 2 years after she came to Alaska. She followed him to the Alaska Legislature and the U.S. Senate, retiring in 1997. Upon her retirement, Stevens said, “For half of my life—and two-thirds of hers—Barbara Andrews-Mee has been my boss. . . .” Barb returned the compliment noting that she had been with Ted Stevens longer than she had been with three husbands.

Barb had a great sense of humor and a huge and welcoming personality. She was regarded as a mentor and grandmother-like figure to generations of young staffers who went to work for Senator Stevens.

She could sure turn a phrase. Alaska humorist Mike Doogan published a few of Barb’s quips in the Anchorage Daily News to celebrate her retirement. Among them, Barb, who was 5-foot tall, once said, “I tell people I used to be 6-foot-2, and then I went to work for Stevens.” But she wasn’t always so humble. Another “Barbism” was “[m]y grandmother always told me dynamite comes in small packages.” I am told that one came in handy when she was working difficult constituent problems

to successful conclusion and building Ted's brand in the process. Whether it was Norwegian stubbornness or Alaskan toughness, she got the job done.

That seemed to be her second best characteristic from Ted's standpoint. In his May 21, 1997, floor tribute to Barb, Senator Stevens said, "When I've been asked what her best characteristic is, I say 'loyalty'. That means more to me than any of the help that she's given me and the people of Alaska over more than three decades; work above and beyond the call of duty."

Barb was quite the worker, delivering care packages to visiting dignitaries whose flights were refueling at what was then called Elmendorf Air Force Base, picking up Senator Stevens at what is now called Ted Stevens Anchorage International Airport, whatever the hour, and making sure he made the flight back to Washington, and supporting servicemembers and military families.

It wasn't all work though. Barb actually christened a Navy PC8 coastal patrol craft, the USS Zephyr. She flew in an F-15, experienced several aircraft carrier landings, and traveled in the submarine, USS Alaska. Then there was golf. In 1995, Barb married Vince Mee, her longtime golfing partner. Senator Stevens performed the ceremony on the ninth hole on Eagleglen golf course on Elmendorf. In 2010, Barb authored a book, "Ted Stevens and Mee," a memoir of her time working with the man they called Alaskan of the Century.

Barb lived a wonderful life—or as she might put it, "A great ride." Devoted to her wonderful family, to her church, and to community service, she came far from humble beginnings in South Dakota, leading to a long drive up the Alcan to Glennallen, AK, and a path to Alaskan greatness. One of the first women in Rotary and a member of the Athena Society of Anchorage, Barb's contributions and leadership will be long remembered.

On behalf of the Senate family, I extend my continued condolences to Barb's family and friends this week as Alaska reflects on her great legacy.

RECOGNIZING UNIDOSUS

Ms. CORTEZ MASTO. Mr. President, today I wish to recognize UnidosUS for its leadership on behalf of the Latino community. On July 25, 2017, the Coalition on Human Needs will honor UnidosUS, formerly known as the National Council of La Raza, as one of its Human Needs Heroes for 2017. For almost 50 years, UnidosUS has been at the forefront of the policy movement to build opportunity for Latinos through civil rights, education, housing, economic advancement, health care, and the defense of immigrants' rights.

UnidosUS ensures that the human face of immigration is always seen and the essential role of immigrants in our

communities is understood. I am proud to work with UnidosUS to advance a fair and moral immigration policy. I am also proud to work with UnidosUS in advancing economic opportunities for Latinos throughout our communities and look forward to our close cooperation in the future.

UnidosUS has a long record of promoting just policies to improve the lives of those in the Latino community. From the Immigration Reform and Control Act of 1986 to the Deferred Action for Childhood Arrivals, DACA, program, UnidosUS has been a trusted source and advocate on immigration policy. The ability of UnidosUS to serve as a broad voice that reflects the views and needs of Latinos across the country ensures that the debate on immigration never forgets the impact on families and communities. It is my honor today to recognize UnidosUS and thank them for all they have done on behalf of Latinos and immigrants.

ADDITIONAL STATEMENTS

200TH ANNIVERSARY OF MONROE COUNTY, MICHIGAN

• Mr. PETERS. Mr. President, today I wish to recognize the 200th anniversary of Monroe County, MI. Situated in southeast Michigan on the west shore of Lake Erie, Monroe County is endowed with rich historical and natural treasures, built on a strong agricultural base, home to innovative industries, and populated with dedicated citizens and entrepreneurs.

Founded by Potawatomi Tribes and, later, French missionaries, the history of Monroe County dates back to 1634. French missionaries built the first settlement, named Frenchtown, on the territory and established both a trading post and fort in 1788. The River Raisin provided an agricultural center for the residents of Frenchtown, with an abundance of natural resources to contribute to economic growth. However, in 1813, the Battle of the River Raisin occurred near Frenchtown, resulting in mass human and economic loss. Recognized as the deadliest battle recorded during the War of 1812, the U.S. Congress included the River Raisin National Battlefield Park as part of the National Park Service in 2009, the only national park that commemorates the human contributions and historic legacy of the War of 1812.

As one of the first steps in organizing the Michigan Territory after the War of 1812, Governor Lewis Cass established Monroe County in 1817 as the second county in the State of Michigan. At the time, Monroe County included all of Lenawee and portions of Wayne and Washtenaw Counties. The old settlement of Frenchtown adopted the name "Monroe" in honor of President James Monroe and became the county seat. The flourishing county experienced economic growth and prosperity from the agricultural and paper

manufacturing industries, from the first paper mill, Raisinville Mill, in 1834, to River Raisin Paper Company in 1910, to IKO Monroe, Incorporated, in 2000.

In the early 20th century, Monroe County hit another industrial milestone with the establishment of Monroe Auto Equipment World Headquarters, formerly referred to as Brisk Blast, in 1916, and the Newton Steel plant in 1959. Monroe County gained the reputation as the transportation hub in the State of Michigan, home to international ports on Lake Erie and one of the largest highway gateways into Michigan. The development of transportation infrastructure played a crucial role in connecting the residents of Monroe County to goods and services. Monroe County also attracted entrepreneurs and inventors from across the United States, including Edward Knabush and Edwin Shoemaker who revolutionized furniture design and comfort when they invented the first upholstered reeling chair in 1929.

Today Monroe County is a vibrant community of nearly 150,000 residents who enjoy historic downtowns, beautiful parks, and safe neighborhoods. Residing along the shoreline of the River Raisin and Lake Erie, Monroe County offers a multitude of recreational activities—boating, swimming, camping, hiking, and fishing—at the Eagle Island Marsh unit of the Detroit River International Wildlife Refuge and Sterling State Park. Monroe County is also active in the preservation and promotion of its history by recognizing significant landmarks and sites, including the Dundee Old Mill Museum and Navarre Anderson Trading Post. With its rich historical and natural resources, Monroe County is recognized as one of the top visitor destinations in the State of Michigan.

Monroe County has been an integral part of the State of Michigan and our great Nation for 200 years. As Monroe County celebrates this milestone, I am honored to ask my colleagues to join me in congratulating its residents, elected officials, and businesses as they recognize their history. I wish the county continued growth and prosperity in the years ahead.●

MESSAGE FROM THE HOUSE

At 12:15 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills and joint resolutions, in which it requests the concurrence of the Senate:

H.R. 23. An act to provide for drought relief in the State of California, and for other purposes.

H.R. 2210. An act to designate the community living center of the Department of Veterans Affairs in Butler Township, Butler County, Pennsylvania, as the "Sergeant Joseph George Kusick VA Community Living Center".

H.R. 2810. An act to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities

of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

H.J. Res. 76. Joint resolution granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission.

H.J. Res. 92. 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.

MEASURES REFERRED

The following bill and joint resolution were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 23. An act to provide drought relief in the State of California, and for other purposes; to the Committee on Energy and Natural Resources.

H.J. Res. 92. 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.

MEASURES PLACED ON THE CALENDAR

The following bill and joint resolution were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2810. An act to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

H.J. Res. 76. Joint resolution granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2244. A communication from the Secretary of Defense, transmitting the report of an officer authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-2245. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Comptroller of the Currency, Department of the Treasury, received in the Office of the President of the Senate on July 12, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2246. A communication from the Assistant General Counsel, General Law, Ethics,

and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary (Terrorism and Financial Intelligence), Department of the Treasury, received in the Office of the President of the Senate on July 12, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2247. A communication from the Deputy Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Export Administration Regulations Based on the 2016 Missile Technology Control Regime Plenary Agreements" (RIN0694-AH33) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2248. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Prepaid Accounts Under the Electronic Fund Transfer Act (Regulation E) and the Truth in Lending Act (Regulation Z); Delay of Effective Date" (RIN3170-AA69) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2249. A communication from the Acting Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Pennsylvania Regulatory Program" ((30 CFR Part 938) (Docket ID OSM-2016-0013)) received in the Office of the President of the Senate on July 17, 2017; to the Committee on Energy and Natural Resources.

EC-2250. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Address and Name Changes for Region 4 State and Local Agencies; Technical Correction" (FRL No. 9964-36-Region 4) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Environment and Public Works.

EC-2251. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Air Quality Implementation Plans; Puerto Rico; Attainment Demonstration for the Arecibo Area for the 2008 Lead National Ambient Air Quality Standards" (FRL No. 9964-87-Region 2) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Environment and Public Works.

EC-2252. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Removal of Clean Air Interstate Rule Program Regulations (CAIR) and Reference to CAIR, and Amendments to Continuous Emission Monitor (CEM Reference)" (FRL No. 9964-79-Region 3) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Environment and Public Works.

EC-2253. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; NC; Open Burning and Miscellaneous Revisions" (FRL No. 9965-02-Region 4) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Environment and Public Works.

EC-2254. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Maine; Motor Vehicle Fuel Requirements" (FRL No. 9964-80-Region 1) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Environment and Public Works.

EC-2255. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Maine; Decommissioning of Stage II Vapor Recovery Systems" (FRL No. 9964-81-Region 1) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Environment and Public Works.

EC-2256. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Louisiana: Final Authorization of State Hazardous Waste Management Program Revision" (FRL No. 9962-37-Region 6) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Environment and Public Works.

EC-2257. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emissions Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing; Flame Attenuation Lines" (FRL No. 9964-89-OAR) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Environment and Public Works.

EC-2258. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Oklahoma: Final Authorization of State Hazardous Waste Management Program Revision" (FRL No. 9962-39-Region 6) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Environment and Public Works.

EC-2259. A communication from the Wildlife Biologist, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Migratory Bird Hunting; Final Frameworks for Migratory Bird Hunting Regulations" (RIN1018-BB40) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Environment and Public Works.

EC-2260. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary for Terrorist Financing, received in the Office of the President of the Senate on July 12, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-2261. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs; Reform of Requirements for Long-Term Care Facilities" ((RIN0938-AR61) (CMS-3260-F2)) received in the Office of the President of the Senate on July 12, 2017; to the Committee on Finance.

EC-2262. A communication from the Chief of the Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Modernization of the Customs Brokers Examination" ((RIN1651-AB07) (CBP Dec. 17-05)) received during adjournment of the Senate in the Office of the President of

the Senate on June 29, 2017; to the Committee on Finance.

EC-2263. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended, for the six months ending December 31, 2016"; to the Committee on Foreign Relations.

EC-2264. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Rosa's Law" (RIN1801-AA11) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-2265. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary for Intelligence and Analysis, Department of Homeland Security, received in the Office of the President of the Senate on July 12, 2017; to the Select Committee on Intelligence.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-60. A joint resolution adopted by the Legislature of the State of Maine memorializing the United States Congress to reduce tariffs on Maine and lobster and seafood products to keep Maine and domestic lobster and seafood products competitive with Canadian lobster and seafood products; to the Committee on Commerce, Science, and Transportation.

H.P. 1120

We, your Memorialists, the Members of the One Hundred and Twenty-eighth Legislature of the State of Maine now assembled in the First Regular Session, most respectfully present and petition the United States Congress as follows:

Whereas, the value of marine resources commercially harvested in Maine exceeded \$700 million in 2016, and the value of lobster harvested in Maine accounts for over \$533 million of that amount; and

Whereas, total exports from Maine to the European Union exceeded \$503 million in 2016; and

Whereas, exports from Maine of lobster to the European Union totaled approximately \$158 million, or approximately 80% of all lobster exported from the United States to the European Union, in 2016; and

Whereas, the European Union is the largest global fish and seafood market in the world; and

Whereas, Maine and Canada share the same lobster species and compete for market share in the European Union and around the world; and

Whereas, the European Union imposes tariffs on fish and seafood products that range from 2% on certain types of salmon to 20% on processed lobster imported from both the United States and Canada; and

Whereas, the Comprehensive Economic and Trade Agreement, or CETA, is a free trade agreement between Canada and the European Union that will reduce tariffs on fish and seafood products exported from Canada to the European Union; and

Whereas, CETA will go into effect on the first day of the month following the date the European Union and Canada notify each other that each has completed all necessary procedures for implementation; and

Whereas, when CETA takes effect, the 8% tariff on live lobster exports from Canada to the European Union will be immediately eliminated, the 6% to 16% tariff on frozen lobster exports from Canada to the European Union will be eliminated over 3 years and the 20% tariff on processed lobster exports from Canada to the European Union will be eliminated over 5 years; and

Whereas, while tariffs on lobster and seafood products exported from Canada to the European Union are being eliminated, tariffs on Maine and other domestic lobster and seafood products exported to the European Union will remain; and

Whereas, the elimination of tariffs on Canadian lobster and seafood products will increase trade between Canada and the European Union, resulting in economic injury to Maine and other domestic lobster and seafood harvesters and processors; and

Whereas, the impact of CETA on Maine lobster harvesters, who landed over 130 million pounds of lobster in 2016, should be minimized; and

Whereas, the impact of CETA on Maine lobster dealers, who support 675 jobs and paid \$28.4 million in wages in 2016, should be minimized; and

Whereas, under the United States Constitution, Article I, the Congress of the United States has the power to regulate commerce with foreign nations; now, therefore, be it

Resolved, That We, your Memorialists, on behalf of the people we represent, take this opportunity to respectfully request that the United States Congress, under the provisions of Article I of the United States Constitution, negotiate to reduce tariffs on Maine and domestic lobster and seafood products, or otherwise mitigate the effects of CETA, to ensure that historical, lucrative industries are not damaged by the economic disadvantage that will result from CETA unless these negotiations are undertaken; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

POM-61. A resolution adopted by the House of Representatives of the State of Michigan urging the President of the United States and the United States Congress to continue funding the Essential Air Service program throughout Michigan; to the Committee on Commerce, Science, and Transportation.

HOUSE RESOLUTION NO. 59

Whereas, the Essential Air Service program was established after airlines were deregulated to ensure that small communities previously served by certificated airlines maintained commercial service. The Essential Air Service program is used to help provide business leaders, recreationalists, and residents reliable air travel to and from small airports around the country, including five airports in Michigan's Upper Peninsula, and has transported countless individuals since the program's enactment; and

Whereas, the Essential Air Service program is important to the economic well-being of northern Michigan and the Upper Peninsula in towns such as Alpena, Muskegon, Pelleton, Escanaba, Iron Mountain, Ironwood, Sault Ste. Marie, Manistee, and Houghton-Hancock. Northern Michigan is renowned for its vast mineral deposits and rugged wilderness that have long supplied American industry with affordable, domestically-mined metals and timbers for manufacturing. The region's breathtaking scenery

and lakeshore are some of the most stunning in the Midwest. Such a large expanse requires reliable air travel to make the region's mines, forests, lakeshores, communities, and colleges as accessible as possible; and

Whereas, President Trump has asked for a reduction in the Essential Air Service's budget. Businesses depend on reliable air travel to and from small airports in northern Michigan and the Upper Peninsula, and airports require funding from the Essential Air Service program to maintain critical infrastructure like runways, lighting, and safety equipment. Any reduction in federal funding for this vital program will harm economic activity in the Upper Peninsula and have a direct and negative impact on American manufacturing and these communities; now, therefore, be it

Resolved by the House of Representatives, That we urge the Congress and President of the United States to continue to fund the Essential Air Service program throughout Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-62. A resolution adopted by the Senate of the Commonwealth of Pennsylvania recognizing the month of May 2017 as "Amyotrophic Lateral Sclerosis Awareness Month"; to the Committee on the Judiciary.

SENATE RESOLUTION NO. 126

Whereas, Amyotrophic lateral sclerosis (ALS) is better known as Lou Gehrig's Disease; and

Whereas, ALS is a fatal neurodegenerative disease characterized by degeneration of cell bodies of the upper and lower motor neurons in the gray matter of the anterior horn of the spinal cord; and

Whereas, The initial symptoms of ALS is weakness of the skeletal muscles, especially those of the extremities; and

Whereas, As ALS progresses, the patient experiences difficulty in swallowing, talking and breathing; and

Whereas, ALS eventually causes muscles to atrophy and the patient becomes a functional quadriplegic; and

Whereas, Patients with ALS typically remain alert and are aware of their loss of motor functions and the inevitable outcome of continued deterioration and death; and

Whereas, ALS affects military veterans at twice the rate of the general populations; and

Whereas, ALS occurs in adulthood, most commonly between 40 and 70 years of age; peaking at approximately 55 years of age, and affects both men and women without bias; and

Whereas, Annually, more than 5,000 new ALS patients are diagnosed throughout the nation; and

Whereas, In Pennsylvania, there are currently more than 1,000 individuals who have been formally diagnosed with ALS; and

Whereas, The \$350,000 in State funding appropriated by the General Assembly for ALS support services in the Supplement to the General Appropriation Act of 2015 provided services to more than 900 constituents and a substantial savings to the State budget and taxpayers; and

Whereas, The ALS Association reports that on average, patients diagnosed with ALS only survive two to five years from the time of diagnosis; and

Whereas, ALS has no known cause, prevention or cure; and

Whereas, "Amyotrophic Lateral Sclerosis Awareness Month" increases the public's

awareness of ALS patients' circumstances and acknowledges the negative impact this disease has on ALS patients and their families and recognizes the research being done to eradicate ALS; therefore be it

Resolved, That the Senate designate the month of May 2017 as "Amyotrophic Lateral Sclerosis Awareness Month" in Pennsylvania; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States and to the presiding officers and members of the Pennsylvania Delegation in the Congress of the United States.

POM-63. A joint resolution adopted by the General Assembly of the State of Colorado designating March 20, 2017, as "Colorado Aerospace Day"; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION 17-019

Whereas, Our nation and the world have significantly benefitted from technological and scientific advances resulting from space exploration and aerospace activities; and

Whereas, Colorado is the second-largest state in the country for private aerospace employment; 25,500 Coloradans are directly employed in aerospace, with a payroll exceeding \$3.4 billion, and Colorado's aerospace cluster supports more than 188,000 jobs; and

Whereas, Colorado is home to the nation's top aerospace companies, including Ball Aerospace, Boeing, DigitalGlobe, Harris Corporation, Lockheed Martin Space Systems, Northrop Grumman, Raytheon, Sierra Nevada Corporation, Teledyne Brown Engineering, and United Launch Alliance; and close to 500 additional companies that support the aerospace sector by developing products, including spacecraft, launch vehicles, satellites, command and control software, sensors, and navigation operations; and

Whereas, The United States Air Force Academy, along with Colorado's colleges and universities, including the University of Colorado Boulder and University of Colorado Colorado Springs, Colorado School of Mines, Colorado State University, Metropolitan State University of Denver, University of Denver, Colorado Mesa University and Fort Lewis College provide access to world-class aerospace-related degrees and offer aerospace companies one of the country's most educated workforces; and

Whereas, Colorado is the home of the Laboratory for Atmospheric and Space Physics (LASP) at the University of Colorado Boulder that began in 1948, a decade before NASA, and is the world's only research institute to have sent instruments to all eight planets and Pluto and combines all aspects of space exploration through science, engineering, mission operations, and scientific data analysis; and

Whereas, Colorado is home to NOAA's Space Weather Prediction Center, a world-leading center of predictions of the solar and near-Earth space environment and the nation's official source of watches, warnings, and alerts of incoming solar storms, using satellite observations to protect and save lives and property; and

Whereas, Colorado is a strategic location for national space and cyber activity, with five key military commands—North American Aerospace Defense Command (NORAD), the United States Northern Command (USNORTHCOM), the U.S. Strategic Command's Joint Functional Component Command for Space (JFCC-Space) Missile Warning Center, the United States Air Force Space Command, and the U.S. Army Space and Missile Defense Command/Army Forces Strategic Command and three space-related United States Air Force bases—Buckley, Peterson, and Schriever; and

Whereas, The 460th Space Wing at Buckley Air Force Base, located in Aurora, provides operational command and control of three

constellations of space-based infrared missile warning systems, has been defending America continuously since 1970, and is a critical part of global defense and national security; and

Whereas, Colorado is uniting global partners around the world to ensure space access for developing nations via the first planned United Nations space mission—Sierra Nevada Corporation located in Louisville, Colorado, together with the United Nations Office of Outer Space Affairs, will use its Dream Chaser spacecraft to allow developing countries the opportunity to develop and fly microgravity payloads for an extended duration in orbit; and

Whereas, Colorado leads the charge in bringing current and future GPS assets to life, a service provided free to the world by Air Force Space Command in Colorado Springs; and

Whereas, From the operation of GPS satellites by Schriever Air Force Base, to GPS III, the most powerful GPS satellite to date being designed and built by Lockheed Martin and launched by United Launch Alliance with Raytheon developing the command and control capabilities, and companies such as Boeing, Harris Corporation, Braxton Technologies, and Infinity Systems Engineering also supporting GPS development and operations from locations in Colorado, Colorado's GPS technologies enable an integral part of our global economy to have an incalculable impact that has improved the everyday lives of billions of people around the world; and

Whereas, Various organizations are key to Colorado's prominence in aerospace, such as the Colorado Space Coalition (CSC), a group of industry stakeholders working to make Colorado a center of excellence for aerospace; the Colorado Space Business Roundtable, working to bring together aerospace stakeholders from the industry, government, and academia for roundtable discussions and business development and to encourage grassroots citizen participation in aerospace issues; the Colorado Chapter of Citizens for Space Exploration, whose mission is to promote better understanding of aerospace and its importance in our economy and daily lives as well as promoting the importance of human space exploration; and Manufacturer's Edge, a statewide manufacturing assistance center that encourages the strength and competitiveness of Colorado manufacturers by providing on-site technical assistance through coaching, training, and consulting and collaboration-focused industry programs and leveraging government, university, and economic development partnerships: Now, therefore, be it

Resolved, By the Senate of the Seventieth-first General Assembly of the State of Colorado, the House of Representatives concurring herein:

That we, the members of the Colorado General Assembly:

(1) Strongly urge and request the government of the United States of America to take action to preserve and enhance United States leadership in space, spur innovation, and ensure our continued national and economic security by increasing funding for space exploration and activities, including regaining the ability of the United States to deliver astronauts to low earth orbit in the next few years; to commit to sending astronauts to the moon, asteroids, and beyond within this decade; and to aggressively pursue NASA's Orion spacecraft and Space Launch System to get astronauts to Mars orbit by 2028 and boots on the ground by 2033;

(2) Recognize and appreciate Colorado's space and aerospace companies and organizations, especially the growing membership and activities of the Colorado Chapter of Citizens for Space Exploration, whose activities to promote space exploration are helping to increase public understanding and enthusiasm for exploration funding;

(3) Recognize and appreciate the contributions of Colorado's universities, colleges, and national research laboratories to the space and aerospace industries, including their expertise in exploration of the planets and the universe and space-based Earth observation;

(4) Express our most sincere and deepest appreciation to the men and women working in and supporting military and civilian aerospace companies and organizations in Colorado; and

(5) Hereby declare March 20, 2017, to be "Colorado Aerospace Day"; and be it further

Resolved, That copies of this Joint Resolution be sent to President Donald Trump; Vice President Mike Pence; Speaker Paul D. Ryan; House Minority Leader Nancy Pelosi; Senate Majority Leader Mitch McConnell; Senate Minority Leader Charles Schumer; Senator Cory Gardner; Senator Michael Bennet; Congresswoman Diana DeGette; Congressman Jared Polis; Congressman Scott Tipton; Congressman Ken Buck; Congressman Doug Lamborn; Congressman Mike Coffman; Congressman Ed Perlmutter; Robert Lightfoot, Acting NASA Administrator; Lesa Roe, Acting NASA Deputy Administrator; Mr. Michael P. Huerta, Federal Aviation Administration Administrator; Governor John Hickenlooper; Lieutenant Governor Donna Lynne; Major General H. Michael Edwards, Adjutant General, Colorado National Guard; Dr. George C. Nield, Associate Administrator for Commercial Space Transportation at the Federal Aviation Administration; General John Raymond, Air Force Space Commander; Colonel Dan Wright, USAF, Commander Aerospace Data Facility-Colorado; Betty Sapp, Director, National Reconnaissance Office; Charles Huettner, Executive Director, Aerospace States Association; Lieutenant Colonel Shelli Brunswick, Acting Chief Executive Officer, Space Foundation; Major General (Retired) Andy Love, Co-Chair, Colorado Space Coalition; Tom Marsh, Co-Chair, Colorado Space Coalition; Rick Ward, Chair, Colorado Space Business Roundtable; and Stacey DeFore, Chair, Colorado Citizens for Space Exploration.

POM-64. A joint resolution adopted by the Legislature of the State of Nevada rescinding all previous resolutions of the Nevada Legislature which requested Congress to convene a convention to propose amendments to the United States Constitution; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 10

Whereas, The Constitutional Convention of 1787 was initially convened to make revisions to the Articles of Confederation and this Convention decided instead to discard the Articles of Confederation entirely and create a new system of government; and

Whereas, The United States Constitution has served as the cornerstone of American liberty since its creation in 1787 and was the first written national constitution to set forth a system of separation of powers and to ensure that the rights of minority groups could not be easily trampled upon by the will of the majority; and

Whereas, Despite turmoil and grave political and economic concerns, including, without limitation, the contested presidential elections of 1800, 1876 and 2000, the Civil War and the Great Depression, a subsequent constitutional convention has not been held since 1787; and

Whereas, The United States Constitution has proven to be resilient and has been amended only 27 times during the course of its 230-year history; and

Whereas, Article V of the United States Constitution requires the Congress of the United States to convene a constitutional convention upon the application of two-thirds of the several states; and

Whereas, The Nevada Legislature has, at various times, passed resolutions requesting Congress to convene a convention, pursuant to Article V of the United States Constitution, to propose amendments to the Constitution relating to a wide range of subjects; and

Whereas, Over the course of time, the will of the people of the State of Nevada may have changed relating to these resolutions; and

Whereas, A constitutional convention convened by Congress could make sweeping changes to the United States Constitution and threaten the liberty of future generations of Nevadans; and

Whereas, The Nevada Legislature is aware that other state legislatures have made applications requesting that Congress convene a constitutional convention; and

Whereas, The Nevada Legislature no longer supports its previous resolutions which requested that Congress convene a constitutional convention, most of which were adopted over three decades ago, and does not wish for these resolutions to be included with similar applications which were made by other state legislatures; Now, therefore, be it

Resolved, By the Senate and Assembly of the State of Nevada, Jointly, That the members of the 79th Session of the Nevada Legislature hereby rescind, repeal, cancel, void, nullify and supersede each previous resolution passed by the Nevada Legislature which requested the Congress of the United States to convene a constitutional convention pursuant to Article V of the United States Constitution; and be it further

Resolved, That the members of the 79th Session of the Nevada Legislature urge each state legislature which requested Congress to convene a constitutional convention to withdraw such applications; and be it further

Resolved, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the United States Senate, the Speaker of the United States House of Representatives and each member of the Nevada Congressional Delegation; and be it further

Resolved, That this resolution becomes effective upon passage.

POM-65. A joint resolution adopted by the Legislature of the State of Texas applying to the United States Congress to call a convention of the states under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the United States Constitution, which impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for federal officials and members of Congress; to the Committee on the Judiciary.

SENATE JOINT RESOLUTION NO. 2

Whereas, The drafters of the United States Constitution empowered state legislatures to be guardians of liberty against abuses of power by the federal government; and

Whereas, The federal government has abused its power by creating a crushing national debt through improper and imprudent spending; and

Whereas, The federal government has abused its power by invading the legitimate role of the states through the manipulative process of federal mandates that are to a great extent unfunded; and

Whereas, The federal government has ceased to abide by a proper interpretation of the United States Constitution; and

Whereas, It is the solemn duty of state legislatures to protect the liberty of the people and of future generations by proposing amendments to the United States Constitution that place clear restraints on federal power; and

Whereas, Article V of the United States Constitution authorizes the several state legislatures to restrict the power of the federal government through the amendment process; and

Whereas, Article V of the United States Constitution provides that on application of the legislatures of two-thirds of the several states Congress shall call a convention for the purpose of proposing amendments to the constitution: Now, therefore, be it

Resolved, That the 85th Texas Legislature apply to Congress to call a convention under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress; and, be it further

Resolved, That, unless rescinded by a succeeding legislature, this application by the 85th Texas Legislature constitutes a continuing application in accordance with Article V of the United States Constitution until at least two-thirds of the legislatures of the several states have applied to Congress to call a convention for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the speaker of the House of Representatives and the president of the Senate of the Congress of the United States, and to all members of the Texas delegation to Congress with the request that this resolution be officially entered in the Congressional Record as an application to Congress for a convention under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress; and, be it further

Resolved, That the Texas secretary of state forward official copies of this resolution to the secretaries of state and to the presiding officers of the legislatures of the several states with the request that they join this state in applying to Congress for a convention under Article V of the United States Constitution for the limited purpose of proposing one or more amendments to the constitution to impose fiscal restraints on the federal government, to limit the power and jurisdiction of the federal government, and to limit the terms of office of federal officials and members of Congress.

POM-66. A resolution adopted by the Mayor and City Commission of the City of Miami Beach, Florida, urging the President of the United States and the United States Congress to grant temporary protective status to Haitians in the United States; to the Committee on the Judiciary.

POM-67. A resolution adopted by the Township Council of the Township of Mahwah, New Jersey, recognizing June 2, 2017, as National Gun Violence Awareness Day; to the Committee on the Judiciary.

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. HATCH:

S. 1572. A bill to amend the Mineral Leasing Act to provide that extraction of helium from gas produced under a Federal mineral lease shall maintain the lease as if the helium were oil and gas; to the Committee on Energy and Natural Resources.

By Mr. COONS (for himself and Mrs. CAPITO):

S. 1573. A bill to authorize the Secretary of the Interior and the Secretary of Agriculture to place signage on Federal land along the trail known as the "American Discovery Trail", and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CORNYN (for himself, Mr. BOOZMAN, Mr. CASSIDY, and Mr. RUBIO):

S. 1574. A bill to impose sanctions on individuals who are complicit in human rights abuses committed against nationals of Vietnam or their family members, and for other purposes; to the Committee on Foreign Relations.

By Mr. WHITEHOUSE (for himself, Mr. CASEY, and Mrs. SHAHEEN):

S. 1575. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit for taxpayers who remove lead-based hazards; to the Committee on Finance.

By Mr. BENNET (for himself, Mr. DAINES, Mr. TESTER, Mr. GARDNER, Mr. WYDEN, and Mr. MERKLEY):

S. 1576. A bill to provide that the owner of a water right may use the water for the cultivation of industrial hemp, if otherwise authorized by State law; to the Committee on the Judiciary.

By Mr. HATCH (for himself, Mr. GRASSLEY, Mr. CORNYN, Mr. LEE, Mr. CRAZ, Mr. SASSE, Mr. FLAKE, Mr. CRAPO, Mr. TILLIS, Mr. KENNEDY, and Mr. LANKFORD):

S. 1577. A bill to amend title 5, United States Code, with respect to the judicial review of agency interpretations of statutory and regulatory provisions; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 425

At the request of Mr. CARDIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) 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. 540

At the request of Mr. THUNE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor 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. 635

At the request of Mrs. SHAHEEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 635, a bill to amend title 28, United States Code, to prohibit the exclusion of individuals from service on a Federal jury on account of sexual orientation or gender identity.

S. 652

At the request of Mr. PORTMAN, the name of the Senator from Massachusetts (Ms. WARREN) 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. 720

At the request of Mr. CARDIN, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 720, a bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

S. 926

At the request of Mrs. ERNST, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 926, a bill to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, and for other purposes.

S. 1024

At the request of Mr. ISAKSON, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1024, a bill to amend title 38, United States Code, to reform the rights and processes relating to appeals of decisions regarding claims for benefits under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 1122

At the request of Mrs. MURRAY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1122, a bill to amend the Occupational Safety and Health Act of 1970 to clarify when the time period for the issuance of citations under such Act begins and to require a rule to clarify that an employer's duty to make and maintain accurate records of work-related injuries and illnesses is an ongoing obligation.

S. 1182

At the request of Mr. YOUNG, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

S. 1356

At the request of Mr. INHOFE, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1356, a bill to amend title 38, United States Code, to authorize the use of Post-9/11 Educational Assistance to pursue independent study programs at certain educational institutions that are not institutions of higher learning, and for other purposes.

S. 1404

At the request of Mr. CRUZ, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 1404, a bill to amend the Natural Gas Act to provide for expanded natural gas exports.

S. 1414

At the request of Mr. WICKER, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 1414, a bill to state the policy of the United States on the minimum number of available battle force ships.

S. 1455

At the request of Mr. FLAKE, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1455, a bill to amend the United States Energy Storage Competitiveness Act of 2007 to direct the Secretary of Energy to establish new goals for the Department of Energy relating to energy storage and to carry out certain demonstration projects relating to energy storage.

S. 1457

At the request of Mr. FLAKE, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1457, a bill to amend the Energy Policy Act of 2005 to direct the Secretary of Energy to carry out demonstration projects relating to advanced nuclear reactor technologies to support domestic energy needs.

S. 1474

At the request of Ms. DUCKWORTH, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1474, a bill to prohibit the use of fiscal year 2018 funds for the closure, consolidation, or elimination of certain offices of the Environmental Protection Agency.

S. 1512

At the request of Mr. LANKFORD, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 1512, a bill to prohibit the Secretary of Energy, the Administrator of the Environmental Protection Agency, the Secretary of the Interior, the Secretary of Transportation, and the Chair of the Council on Environmental Quality from considering, in taking any action, the social cost of carbon, the social cost of methane, the social cost of nitrous oxide, or the social cost of any other greenhouse gas, unless compliant with Office of Management and Budget guidance, and for other purposes.

S. 1547

At the request of Mr. BOOKER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1547, a bill to nullify the effect of the recent Executive order that establishes an "election integrity" commission, which will be used and is designed to support policies that will suppress the vote in minority and poor communities across the United States.

S. 1564

At the request of Ms. WARREN, the name of the Senator from New Jersey

(Mr. MENENDEZ) was added as a cosponsor of S. 1564, a bill to amend the Internal Revenue Code of 1986 to permit legally married same-sex couples to amend their filing status for returns outside the 3-year limitation.

S. RES. 114

At the request of Mr. YOUNG, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. Res. 114, a resolution expressing the sense of the Senate on humanitarian crises in Nigeria, Somalia, South Sudan, and Yemen.

S. RES. 139

At the request of Mr. WYDEN, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. Res. 139, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CORNYN (for himself, Mr. BOOZMAN, Mr. CASSIDY, and Mr. RUBIO):

S. 1574. A bill to impose sanctions on individuals who are complicit in human rights abuses committed against nationals of Vietnam or their family members, and for other purposes; to the Committee on Foreign Relations.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1574

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Vietnam Human Rights Sanctions Act of 2017".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The relationship between the United States and the Socialist Republic of Vietnam has grown substantially since the end of the trade embargo in 1994, with annual trade between the countries reaching more than \$36,000,000,000 in 2014.

(2) However, the transition by the Government of Vietnam toward greater economic activity and trade, which has led to increased bilateral engagement between the United States and Vietnam, has not been matched by greater political freedom or substantial improvements in basic human rights for the people of Vietnam.

(3) Vietnam remains an authoritarian state ruled by the Communist Party of Vietnam, which continues to deny the right of the people of Vietnam to participate in free and fair elections.

(4) According to the Department of State's 2014 Country Reports on Human Rights Practices, Vietnam's "most significant human rights problems . . . were severe government restrictions of citizens' political rights, particularly their right to change their government through free and fair elections; limits

on citizens' civil liberties, including freedom of assembly and expression; and inadequate protection of citizens' due process rights, including protection against arbitrary detention".

(5) The Country Reports also state that the Government of Vietnam "continued to restrict speech that criticized individual government leaders; promoted political pluralism or multi-party democracy; or questioned policies on sensitive matters, such as human rights, religious freedom, or sovereignty disputes with China" and "sought to impede criticism by monitoring meetings and communications of political activists".

(6) Furthermore, the Department of State documents that "arbitrary arrest and detention, particularly for political activists, remained a problem", with the Government of Vietnam sentencing 29 arrested activists during 2014. Of those, 6 activists were convicted on national security charges in the penal code for "undermining the unity policy", 17 for "causing public disorder", and 6 for "abusing democratic freedoms".

(7) At the end of 2014, the Government of Vietnam reportedly held more than 125 political prisoners.

(8) On September 24, 2012, 3 prominent Vietnamese bloggers—Nguyen Van Hai (also known as Dieu Cay), Ta Phong Tan, and Phan Thanh Hai (also known as Anh Ba Saigon)—were sentenced to prison based on 3-year-old blog postings criticizing the Government and leaders of Vietnam and the Communist Party of Vietnam. Nguyen Van Hai served 2 years of a 12-year prison sentence on charges of "conducting propaganda against the state" but was later released and departed from Vietnam. If he were to return, he would likely have to complete his prison sentence.

(9) United Nations High Commissioner for Human Rights Navi Pillay responded to the sentencing of the bloggers on September 25, 2012, stating that "[t]he harsh prison terms handed down to bloggers exemplify the severe restrictions on freedom of expression in Vietnam" and calling the sentences an "unfortunate development that undermines the commitments Vietnam has made internationally . . . to protect and promote the right to freedom of expression".

(10) On March 21, 2013, Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor Daniel B. Baer testified before the Subcommittee on East Asian and Pacific Affairs of the Committee on Foreign Relations of the Senate that "in Vietnam we've been disappointed in recent years to see backsliding, particularly on . . . freedom of expression issues . . . people are being prosecuted for what they say online under really draconian national security laws . . . that is an issue that we continue to raise, both in our human rights dialogue with the Vietnamese as well as in other bilateral engagements".

(11) Although the Constitution of Vietnam provides for freedom of religion, the Department of State's 2013 International Religious Freedom Report maintains, "Government practices and bureaucratic impediments restricted religious freedom. Unregistered and unrecognized religious groups were often subject to harassment, as well as coercive and punitive actions by authorities."

(12) Likewise, the United States Commission on International Religious Freedom 2015 Annual Report states, "The Vietnamese government continues to control all religious activities through law and administrative oversight, restrict severely independent religious practice, and repress individuals and religious groups it views as challenging its authority, including independent Buddhists, Hoa Hao, Cao Dai, Catholics, and Protestants."

(13) The 2013 Annual Report notes that in 2004 the United States designated Vietnam as a country of particular concern for religious freedom pursuant to section 402(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)), and that Vietnam responded at that time by releasing prisoners, prohibiting the policy of forced renunciations of faith, and expanding protections for religious groups, and that "[m]ost religious leaders in Vietnam attributed these positive changes to the [country of particular concern] designation and the priority placed on religious freedom concerns in U.S.-Vietnamese bilateral relations".

(14) However, the 2013 Annual Report concludes that since the designation as a country of particular concern was lifted from Vietnam in 2006, "religious freedom conditions in Vietnam remain mixed", and therefore recommends to the Department of State that Vietnam should be redesignated as a country of particular concern.

(15) Deputy Assistant Secretary of State Baer likewise testified that "[i]n Vietnam the right to religious freedom, which seemed to be improving several years ago, has been stagnant for several years".

SEC. 3. IMPOSITION OF SANCTIONS ON CERTAIN INDIVIDUALS WHO ARE COMPLICIT IN HUMAN RIGHTS ABUSES COMMITTED AGAINST NATIONALS OF VIETNAM OR THEIR FAMILY MEMBERS.

(a) DEFINITIONS.—In this section:

(1) ADMITTED; ALIEN; IMMIGRATION LAWS; NATIONAL.—The terms "admitted", "alien", "immigration laws", and "national" have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means—

(A) the Committee on Finance, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Ways and Means, the Committee on Financial Services, and the Committee on Foreign Affairs of the House of Representatives.

(3) CONVENTION AGAINST TORTURE.—The term "Convention against Torture" means the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York on December 10, 1984.

(4) UNITED STATES PERSON.—The term "United States person" means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or of any jurisdiction within the United States, including a foreign branch of such an entity.

(b) IMPOSITION OF SANCTIONS.—Except as provided in subsections (e) and (f), the President shall impose the sanctions described in subsection (d) with respect to each individual on the list required by subsection (c)(1).

(c) LIST OF INDIVIDUALS WHO ARE COMPLICIT IN CERTAIN HUMAN RIGHTS ABUSES.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a list of individuals who are nationals of Vietnam that the President determines are complicit in human rights abuses committed against nationals of Vietnam or their family members, regardless of whether such abuses occurred in Vietnam.

(2) UPDATES OF LIST.—The President shall submit to the appropriate congressional

committees an updated list under paragraph (1) as new information becomes available and not less frequently than annually.

(3) PUBLIC AVAILABILITY.—The list required by paragraph (1) shall be made available to the public and posted on the Web sites of the Department of the Treasury and the Department of State.

(4) CONSIDERATION OF DATA FROM OTHER COUNTRIES AND NONGOVERNMENTAL ORGANIZATIONS.—In preparing the list required by paragraph (1), the President shall consider data already obtained by other countries and nongovernmental organizations, including organizations in Vietnam, that monitor the human rights abuses of the Government of Vietnam.

(d) SANCTIONS.—

(1) PROHIBITION ON ENTRY AND ADMISSION TO THE UNITED STATES.—An individual on the list required by subsection (c)(1) may not—

(A) be admitted to, enter, or transit through the United States;

(B) receive any lawful immigration status in the United States under the immigration laws, including any relief under the Convention Against Torture; or

(C) file any application or petition to obtain such admission, entry, or status.

(2) FINANCIAL SANCTIONS.—The President shall block and prohibit all transactions in all property and interests in property of an individual on the list required by subsection (c)(1) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(e) EXCEPTIONS TO COMPLY WITH INTERNATIONAL AGREEMENTS.—The President may, by regulation, authorize exceptions to the imposition of sanctions under this section to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, and other applicable international agreements.

(f) WAIVER.—The President may waive the requirement to impose or maintain sanctions with respect to an individual under subsection (b) or the requirement to include an individual on the list required by subsection (c)(1) if the President—

(1) determines that such a waiver is in the national interest of the United States; and

(2) submits to the appropriate congressional committees a report describing the reasons for the determination.

(g) TERMINATION OF SANCTIONS.—The provisions of this section shall terminate on the date on which the President determines and certifies to the appropriate congressional committees that the Government of Vietnam has—

(1) unconditionally released all political prisoners;

(2) ceased its practices of violence, unlawful detention, torture, and abuse of nationals of Vietnam while those nationals are engaging in peaceful political activity; and

(3) conducted a transparent investigation into the killings, arrest, and abuse of peaceful political activists in Vietnam and prosecuted those responsible.

SEC. 4. SENSE OF CONGRESS ON DESIGNATION OF VIETNAM AS A COUNTRY OF PARTICULAR CONCERN WITH RESPECT TO RELIGIOUS FREEDOM.

It is the sense of Congress that—

(1) the relationship between the United States and Vietnam cannot progress while the record of the Government of Vietnam with respect to human rights and the rule of law continues to deteriorate;

(2) the designation of Vietnam as a country of particular concern for religious freedom

pursuant to section 402(b)(1) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)) would be a powerful and effective tool in highlighting abuses of religious freedom in Vietnam and in encouraging improvement in the respect for human rights in Vietnam; and

(3) the Secretary of State should, in accordance with the recommendation of the United States Commission on International Religious Freedom, designate Vietnam as a country of particular concern for religious freedom.

AMENDMENTS SUBMITTED AND PROPOSED

SA 259. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 259. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1088. MODIFICATION TO THE HUBZONE PROGRAM.

Section 3(p)(4)(C) of the Small Business Act (15 U.S.C. 632(p)(4)(C)) is amended by striking “until the later of” and all that follows and inserting “for the 7-year period following the date on which the census tract or nonmetropolitan county ceased to be so qualified.”.

AUTHORITY FOR COMMITTEES TO MEET

Mr. ALEXANDER. 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, July 18, 2017, at 9:30 a.m., in open session to consider a nomination.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, July 18, 2017, at 2:30 p.m., in open session to consider the nominations.

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, July 18, 2017 at 10 a.m. to conduct a hearing to consider nominations.

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, July 18, 2017 at 10:30 a.m. in Room 366 of the Dirksen Senate Office Building in Washington, DC.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, July 18, 2017, at 9 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled “Comprehensive Tax Reform: Prospects and Challenges.”

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, July 18, 2017, at 11 a.m., in 215 Dirksen Senate Office Building, to consider the nomination of David J. Kautter, of Virginia, to be an Assistant Secretary of the Treasury, vice Mark J. Mazur.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, July 18, 2017 at 10 a.m., to hold a hearing entitled “Nominations.”

COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Tuesday, July 18, 2017 from 3:30 pm–5:00 pm, in room SH-219 of the Senate Hart Office Building to hold a Closed Member Briefing.

COMMITTEE ON MULTILATERAL INTERNATIONAL DEVELOPMENT, MULTILATERAL INSTITUTIONS, AND INTERNATIONAL ECONOMIC, ENERGY, AND ENVIRONMENT

The Committee on Foreign Relations Subcommittee on Multilateral International Development, Multilateral In-

stitutions, and International Economic, Energy, and Environmental policy be authorized to meet during the session of the Senate on Tuesday, July 18, 2017 at 2:30 p.m., to hold a hearing entitled “‘The Four Famines’: Root Causes and a Multilateral Action Plan.”

PRIVILEGES OF THE FLOOR

Ms. HEITKAMP. Mr. President, I ask unanimous consent that Myles Odermann, an intern in my office, be granted floor privileges for the duration of today’s session of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR WEDNESDAY, JULY 19, 2017

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, July 19; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Bush nomination; finally, that the time until the cloture vote on the Bush nomination be equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:19 p.m., adjourned until Wednesday, July 19, 2017, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate July 18, 2017:

DEPARTMENT OF DEFENSE

PATRICK M. SHANAHAN, OF WASHINGTON, TO BE DEPUTY SECRETARY OF DEFENSE.

EXTENSIONS OF REMARKS

GOLDEN SCHOOLS FOUNDATION

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize the Golden Schools Foundation for receiving the Golden Rotary Ethics in Business Award.

The Ethics in Business Award was established by the Golden Rotary to honor for-profit and non-profit businesses. The recipients of this award must maintain integrity, conviction and possess high ethical standards demonstrated by the treatment of customers, employees, community and the environment.

The Golden Schools Foundation (GSF) was founded in 2010 as an independent non-profit and 100 percent volunteer-run organization. GSF strongly believes in supporting students as a whole which in turn supports the community as a whole.

GSF is dedicated to raising and distributing funds in a responsible and ethical manner to foster excellence in education. Among their many accomplishments, programs include the Teaching Excellence program, which supports professional development for teachers and the Student Academic Summer Boot Camp. It also includes supplemental education programs to provide academic exposure to Golden students and encourage a successful academic experience from start to finish.

I extend my deepest congratulations to the Golden Schools Foundation for receiving this well-deserved honor by the Golden Rotary. Thank you for your continued commitment to the students and teachers of our community.

FREDERICK DOUGLASS TRAFFICKING VICTIMS PREVENTION AND PROTECTION REAUTHORIZATION ACT OF 2017

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Ms. JACKSON LEE. Mr. Speaker, as an original co-sponsor, I rise in strong support of H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017.

I thank my colleagues, Congressman CHRISTOPHER H. SMITH and Congresswoman KAREN BASS, the Chair and Ranking Member of the Foreign Affairs Subcommittee on Africa, for their work in shepherding this bipartisan legislation to the floor.

H.R. 2200 authorizes \$130 million to support a cause that has special significance for me—that is, the eradication of trafficking in persons—both domestic and abroad.

Throughout my tenure in Congress and as a founder and cochair of the Congressional

Children's Caucus, I have consistently advocated on behalf of victims of human trafficking, especially children, who are the most vulnerable victims.

I am pleased that the title of this legislation honors the life and legacy of the great orator and abolitionist, Frederick Douglass, who vigorously opposed slavery not as a mere outside observer of the peculiar institution but as a survivor himself of what we could now call "trafficking in persons."

In fact, with regard to his own condition, Frederick Douglass famously said he would "prefer death to hopeless bondage."

In the 21st century, no one should be put in such a position where death becomes preferable in the face of being held captive against his or her own will.

Mr. Speaker, that is why I fully support this legislation's "whole-of-government" approach to eliminating this horrific crime wherever and whenever it is committed.

H.R. 2200 strengthens the Trafficking Victims Protection Act of 2000 by adding the following measures to reduce human trafficking including but not limited to:

1. Ensuring that vulnerable children and at-risk populations receive training on how to avoid traffickers;
2. Encouraging USAID to incorporate anti-trafficking measures during disaster relief efforts;
3. Pursuing the prosecution of individuals who use services provided by human trafficking victims as a deterrent for not only human traffickers but patrons as well;
4. Supporting the enforcement of the Tariff Act of 1930 to prohibit the importation of goods made by forced labor; and
5. Ensuring that foreign governments that use child soldiers are not the recipients of U.S. military assistance.

This legislation operates in the same spirit of H.R. 53, the CATCH Traffickers Act of 2017, which I reintroduced earlier this year that directs the Department of Homeland Security to create a national database to assist in human trafficking investigations.

In 2014, I also held a Homeland Security Committee field hearing focusing on human trafficking in my congressional district because Houston, Texas is one of the nation's largest hubs for human trafficking.

Mr. Speaker, both H.R. 2200 and H.R. 53 call on the federal government to formulate and utilize tools at its disposal to eradicate human trafficking.

Modern-day slavery which includes sex trafficking, child sex trafficking, forced labor, debt bondage, domestic servitude, forced child labor, and the recruitment and use of child soldiers is a violation of the principle of liberty that we hold dear in this country.

To effectively oppose human trafficking and eliminate modern-day slavery in all of its forms, the U.S. government must aggressively pursue, prosecute, and convict both traffickers and patrons of human trafficking victims.

Moreover, we must do everything in our power to educate and protect particularly vul-

nerable members of our human family from becoming victims of the barbaric practice of human trafficking.

I ask my colleagues to join me in supporting H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017.

HONORING COMMANDER REGINALD COOPER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Commander Reginald Cooper.

Commander Cooper is a native of Tchula and a 1997 graduate of Jackson State University. Commander Cooper began his career at the Jackson Police Department where he worked as a patrol officer, served with the Violent Crimes Task Force and as a Detective in the Robbery/Homicide Division. Commander Cooper later served as a Domestic Violence Detective with the Yazoo City Police Department where he was recognized by the Center for Violence Prevention as "Hero of the Year" in 2010. Commander Cooper began working as a Sergeant for the Byram Police Department in 2011 and later promoted to Sergeant of the Detective Bureau. Commander Cooper was promoted to Commander of Administrative Support in 2016. The Administrative Support Bureau includes the Criminal Investigations Division, Communications, Records and Accreditation.

Mr. Speaker, I ask my colleagues to join me in recognizing Commander Reginald Cooper for his dedication to serving others.

IN RECOGNITION OF LEON WRIGHT FOR BEING NAMED 2017 TOWNSHIP CLERK OF THE YEAR

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Mr. Leon Wright, Clerk of Van Buren Charter Township, for being named 2017 Township Clerk of the Year by the Michigan Association of Municipal Clerks. Mr. Wright has distinguished himself through his outstanding public service to the residents of Van Buren Township.

Mr. Wright has served as township clerk since 2008 and has provided effective service to the area's residents. As a municipal clerk, he handles the administration of elections and voter registration, manages records for the township, and is responsible for the office's human resources, payroll and handling of Freedom of Information Act requests. Additionally, Mr. Wright is active in promoting civic engagement and education in the Van Buren

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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

Charter Township community. He hosts an annual election for the Belleville High School student government, utilizing voting procedures and materials to simulate real-life voting procedures. This exercise provides participants with important firsthand exposure to civic life. Mr. Wright also handles election worker recruitment and voter registration drives, and is well-known throughout the community for his charitable efforts. These actions have helped create a civic-minded community that is actively engaged in public life.

Mr. Wright has received widespread acclaim for his public service to Van Buren Township. In addition to being named Clerk of the Year, he has served as a Township Director for the board of the Michigan Association of Municipal Clerks and representative to the Southeast Michigan Council of Governments, where he works with other local officials to coordinate regional public initiatives. Mr. Wright also holds several professional certifications, including the Certified Municipal Clerk and Certified Michigan Municipal Clerk designations, and serves as a Notary Public while providing training to the Township staff. His dedication and efforts on behalf of Van Buren Township are worthy of commendation, and it is my hope that Mr. Wright continues his diligent work on behalf of the area residents in the coming years.

Mr. Speaker, I ask my colleagues to join me in honoring Mr. Leon Wright for being named 2017 Township Clerk of the Year. Mr. Wright has been a dedicated public servant as Township Clerk.

NELSON MANDELA
INTERNATIONAL DAY

HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Ms. MAXINE WATERS of California. Mr. Speaker, I rise today with great pride as I join with millions of people around the world who are honoring the life and legacy of South African President Nelson Mandela on the day that the United Nations General Assembly has designated "Nelson Mandela International Day", in recognition of his lifetime of service in South Africa and all over the world.

In his 95 years of life, President Mandela, or 'Mandiba' as he was affectionately called, was a revolutionary and transformative leader who forever changed the world through his steadfast dedication to freedom, equality, and human rights. After spending 27 years in prison, Nelson Mandela became the first black South African to be elected President in what was also the first free, multi-racial, democratic election in South African history. While President Mandela used his administration to dismantle apartheid, combat institutional racism, and begin the process of racial reconciliation in his country, his efforts also taught the world the power of one man having the fortitude to sacrifice his own ideals for a cause greater than himself.

Beginning with his time as the founder of the African National Congress Youth League and extending beyond his tenure as President of South Africa, Nelson Mandela led the anti-apartheid movement and inspired a generation of activists. To me, however, Nelson Mandela

was more than a world-renowned hero—I had the distinct honor and privilege of calling him a friend. I credit him for his courageous leadership of the international anti-apartheid movement which encouraged me to join in the fight and is still, to this day, one of the most defining moments of my life and career.

During the 1980s, I served as the Los Angeles Chair of the Free South Africa Movement where I held regular meetings with community leaders, organized countless anti-apartheid rallies and marches, and led an overnight sit-in at the South African Consulate General Office in Los Angeles.

As a member of the California State Assembly, I fought for nine years for the passage of Assembly Bill 134 which was signed into law in August of 1986 and forced California to divest \$12 billion in state pension funds tied to the apartheid regime in South Africa. I also put my own freedom on the line when I was arrested for protesting the apartheid regime in front of the South African Consulate in Washington, D.C.

In 1990, I had the distinct honoring of chairing the welcome committee for the Los Angeles stop on Nelson Mandela's eight-city U.S. tour and helped organize a concert and rally attended by 90,000 people in the Los Angeles Coliseum which was filled to capacity.

In 1991, I took my first trip to South Africa after the ban on the African National Congress was lifted and the international boycott of South Africa was ended. During that inspirational trip, I joined with other international representatives in welcoming the end of the ban on the ANC and working for Nelson Mandela's release from prison, and I also traveled with the official United States delegation to South Africa in 1994 to attend his inauguration as President of South Africa. In 1998, I was honored to welcome President Mandela to the United States once again, this time to receive the U.S. Congressional Gold Medal.

For Mandela's 95th birthday in 2013, I led the Congressional Black Caucus and Members of Congress in organizing a bipartisan celebration of his life and legacy. The hour-long event filled Emancipation Hall to capacity and included most of the congressional leadership, including House Speaker John Boehner (ROH), Democratic Leader NANCY PELOSI (D-CA), Senate Majority Leader Harry Reid (D-NV) and Senate Minority Leader MITCH MCCONNELL (R-KY). These leaders were joined by a large group of civil rights leaders, members of the African Diplomatic Corps, and the U.S. Ambassador to South Africa.

Five months later upon his passing in December of 2013, I traveled to South Africa once again to attend his Memorial Service.

So as we pause to reflect on Nelson Mandela's memory today, on what would have been his 99th birthday, let us all remember what he taught us when he said, 'What counts in life is not the mere fact that we have lived. It is what difference we have made to the lives of others that will determine the significance of the life we lead.'

Few embody this quote better than Nelson Mandela himself, and it is my sincere hope that my own career in public service lives up to his extraordinary example.

PERSONAL EXPLANATION

HON. RON ESTES

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mr. ESTES of Kansas. Mr. Speaker, I was not present for Roll Call vote No. 380, on a motion to suspend the rules and pass H.J. Res. 92, 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. Had I been present, I would have voted Yea.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes Monday, July 17, 2017. Had I been present, I would have voted Yea on Roll Call votes 379, 380, and 381.

VOTER SUPPRESSION

SPEECH OF

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 17, 2017

Ms. JACKSON LEE. Mr. Speaker, I thank my colleagues Congresswoman PLASKETT and Congressman VEASEY for hosting this special order resisting voter suppression on both the state and federal level since the Supreme Court struck down Section 4 of the Voting Rights Act in the disastrous *Shelby County v. Holder* ruling of 2013.

The Voting Rights Act of 1965 was a watershed moment for the Civil Rights Movement—it liberated communities of color from legal restrictions barring them from their essential right to civic engagement and political representation.

And yet, more than half a century later, we are still discussing voter suppression—something which should be a bygone relic of the past, yet continues to undercut racial minorities, immigrants, women, and young people.

Uncaged by the *Shelby County* ruling, 14 states took extreme measures to enforce new voting restrictions before the 2016 presidential election.

Many of these states have experienced increasing numbers of black and Hispanic voters in recent elections.

If not for devious, state-sponsored voter suppression policies like discriminatory voter ID laws, reduced early voting periods, and voter intimidation tactics that directly or indirectly target racial minorities, the election might have had a drastically different outcome.

To my dismay, many of the civil rights that I once fought for as a student and young lawyer have stagnated or been rolled back by conservative state and federal officials over the years.

To add final insult to injury, the Trump Administration has issued an Executive Order establishing an Election Integrity Commission to

investigate not voter suppression, but so-called “voter fraud” in the 2016 election.

Trump and his followers have been remarkably effective in pumping up the myth of voter fraud, but it is just that: a myth.

Between 2000 and 2014, there were 35 credible allegations of voter fraud out of more than 834 million ballots cast—that is less than 1 one-hundred thousandth of a percent.

An extensive study by social scientists at Dartmouth College uncovered no evidence consistent with Trump’s wild allegations of widespread voter fraud rigging the 2016 election.

Just for the record, the popular vote of the presidential election was:

Hillary Clinton, 65,853,516;

Donald Trump, 62,884,824.

Trump’s deficit of 2.9 million was the largest of any Electoral College winner in history by a massive margin, and despite the allegations of the current Administration, there have been only 4 documented cases of voter fraud in the 2016 election.

The Voter Fraud Commission, like many of Trump’s business schemes, is a massive scam built on countless lies that do not hold up to any level of scrutiny.

As Members of Congress, we should be devoting our time, energy, and resources to address Russian infiltration of our election infrastructure arid campaigns, along with a slew of other pressing issues.

Instead, we must deal with the possibility that the Trump Administration’s brazen attempt to collect the private information of 200 million Americans could very well result in the greatest breach of our national security if Trump’s proposed joint U.S.-Russia cybersecurity taskforce is ever realized.

Both Democratic and Republican governors from 44 states have flat-out rejected the Trump Administration’s request; saying “no” to senseless, dangerous power grabs is a bipartisan issue.

Instead of enjoying and strengthening the protections guaranteed in the Voting Rights Act, we—people of color, women, LGBTQ individuals, and immigrants—have been given the joyless, exhausting task of fending off the constant barrage of attacks levelled at our communities by men like Trump.

Not only are we tasked with reversing the current dismal state of voter suppression against minorities; we are forced to refute the blatant, propagandist lie of voter fraud.

We must not allow our government to slide back into the worst elements of this country’s past, to stand idly by as our treasured values of progress and equality are poisoned and dismantled.

My position on this issue is directly aligned with the will of the American people.

I commend my colleagues, Congresswoman PLASKETT and Congressman VEASEY, for hosting this special order in opposition to the Shelby County ruling and Trump’s pernicious smear campaign against this country’s most historically disenfranchised.

LUCIA GONZALEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lucia Gon-

zalez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Lucia Gonzalez is a student at Jefferson High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Lucia Gonzalez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lucia Gonzalez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

PERSONAL EXPLANATION

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mr. WEBSTER of Florida. Mr. Speaker, my flight from Florida was delayed due to weather, then due to pilot flight hour regulations, then again due to weather, and finally delayed again due to a second pilot’s flight hour regulations.

Had I been present, I would have voted: YEA on Roll Call No. 379, YEA on Roll Call No. 380, and YEA on Roll Call No. 381.

PERSONAL EXPLANATION

HON. CAROL SHEA-PORTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Ms. SHEA-PORTER. Mr. Speaker, last week, I was unable to vote on Roll Call numbers 347, 348, 349, and 353, as I was with my family upon the birth of my grandchild. Had I been present, I would have voted NAY on Roll Call numbers 347, 348, and 353, and YEA on Roll Call Number 349.

SOLIDARITY WITH ARGENTINA

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mr. WILSON of South Carolina. Mr. Speaker, twenty-three years ago, Argentina and the world faced an unprecedented tragedy. A car, loaded down with explosives, detonated outside of the Argentine-Israelite Mutual Association (AMIA), killing 85 individuals and wounding at least 300 in Buenos Aires.

This murderous terrorist attack was the largest attack on the Jewish community since the atrocities of World War II.

I am disappointed that despite years of investigation that have affirmed the attack was perpetrated by Hezbollah, a terrorist organization sponsored by Iran, there has still been no justice for the victims or their families. America has profound sympathy and solidarity for the people of Argentina.

I appreciate the leadership of my colleague, Congresswoman ILEANA ROS-LEHTINEN, former Chairwoman of the Foreign Affairs Committee, for her diligent work to support the government of Argentina as they work to bring those responsible to justice.

In conclusion, God Bless our Troops, and we will never forget September 11th in the Global War on Terrorism.

PERSONAL EXPLANATION

HON. YVETTE D. CLARKE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Ms. CLARKE of New York. Mr. Speaker, on July 17, 2017, I was unavoidably detained and missed recorded votes No. 379 to 381. Had I been present,

on Roll Call No. 379, H.R. 2210, Sergeant Joseph George Kusick VA Community Living Center, I would have voted YEA;

on Roll Call No. 380, H.J. Res. 92, 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, I would have voted YEA; and

on Roll Call No. 381, H.J. Res. 76, Granting the consent and approval of Congress for the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to enter into a compact relating to the establishment of the Washington Metrorail Safety Commission, I would have voted YEA.

PERSONAL EXPLANATION

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mr. MARINO. Mr. Speaker, I was unable to attend votes on July 17, 2017 due to travel delays. Had I been present, I would have voted as follows:

YEA for rollcall vote 379.

YEA for rollcall vote 380.

YEA for rollcall vote 381.

HONORING CAPTAIN SEAN ENDECOTT ELLIOTT

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mr. ISSA. Mr. Speaker, I rise today to honor Marine Captain Sean Endecott Elliott of south Orange County who died serving his country in a fatal KC-130 Cargo Plane Crash in Leflore County, Mississippi on July 10, 2017.

After graduating from the University of California Davis in 2009, Sean joined the United States Marine Corps where he attained the rank of Captain in 2013. He went on to become an aircraft commander for the KC-130 and fulfilled his lifelong dream of becoming both a pilot and a Marine. A star tennis player known affectionately by his Marine Corps call sign “Puffin” Sean Elliott was a fine soldier

who proudly served his country. He accomplished so much for such a young man having been awarded the Navy and Marine Corps achievement medal, two sea service deployment ribbons, a Korean defense service medal, two global war on terrorism expeditionary medals, a global war on terrorism service medal, and a national defense service medal.

Sean Elliott touched the lives of all those he met. He leaves behind his loving wife Catherine and his family in San Juan Capistrano. I hope his memory will continue to bring happiness to the lives of his family and friends. I know that no words can describe the overwhelming grief of his family and friends at this time. The only consolation we here can offer is the thanks of the grateful nation he served and our pledge to support his and all other military families across our country. Sean remains a hero whose memory will continue to provide strength, courage, and inspiration to others.

I thank him for the sacrifice he made to protect our country and to help those who long for peace and freedom. I would like to extend my deepest condolences to his loved ones and to his fellow Marines. This unimaginable tragedy reminds us all to cherish those who serve.

PERSONAL EXPLANATION

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mr. COURTNEY. Mr. Speaker, I unfortunately missed two votes during a vote series on July 12, 2017. Had I been present, I would have voted:

Aye on Roll Call No. 351, on the Carbajal motion to recommit the Gaining Responsibility on Water Act (H.R. 23) with instructions to the Committee on Natural Resources; and

No on Roll Call No. 352, on passage of the Gaining Responsibility on Water Act (H.R. 23).

MARIYAH HURTADO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Mariyah Hurtado for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Mariyah Hurtado is a student at Wheat Ridge High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Mariyah Hurtado is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Mariyah Hurtado for winning the Arvada

Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all of her future accomplishments.

HONORING TAMETRICE ECKOLS STRICKLAND

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a remarkable public servant, Tametrice Eckols Strickland.

Among the poets, trailblazers, and educational leaders who have paved the way, one of our local educational leaders is Tametrice LaChelle Eckols Strickland, an administrator, mother, daughter, and advisor. Tametrice Strickland was born August 8, 1973, in Marks, Mississippi to L. T. and Lula Eckols. She has lived in the rural town of Lambert, Mississippi, and she has remained there for forty-three years.

Living in the Delta, God and family were at the forefront of daily life. She has been a member of Sykes Chapel Missionary Baptist Church most of her life. Having a relationship with God has been instilled in her. She is currently an evangelist, and she teaches Sunday School and Bible class lessons to adults, works with Sykes Chapel's Youth Ministry, Confinement Ministry, and Nursing Home Ministry.

Her teachers, family, and peers played a vital part in shaping her life. She really enjoyed school and was an honor student from elementary to high school while attending Quitman County public schools. In 1995, she graduated from Quitman County High School as the class president and class Valedictorian. After she graduated from high school, she attended University of Mississippi in Oxford, Mississippi. After she married in the spring, her first son, Larry Strickland, Jr., was born in the winter of her senior year. However, she refused to allow anything to deter her from her dreams. She became more determined, and she persevered. Later that year, she graduated from the University of Mississippi with a Bachelor of Arts Degree in English.

In August 1995, she returned to her hometown because she wanted to contribute to her community. She worked at Southside Junior High as a kindergarten instructor. In May of 1996, she transferred to Quitman County Middle School to teach language arts to sixth grade students. After teaching at Quitman County Middle School for two years, she served as an instructional coach. During this time, her second child, Aikeem Strickland, was born with physical and cognitive disabilities. She traveled to Northwest Mississippi Regional Hospital in Clarksdale, Mississippi and Lebonheur Hospital in Memphis, Tennessee almost bimonthly for years. Yet, she graduated in 2010 with a Master of Arts Degree in Curriculum and Instruction from the University of Mississippi.

In the summer of 2010 she enrolled in the Mississippi Alternative Path to Quality Leadership Program (MAPQSL) at Coahoma Com-

munity College in Clarksdale, Mississippi. After completing her internship, she became an assistant principal at Quitman County Middle School. She served as an assistant principal for one year. The following year, she became the principal of Quitman County Middle School, and she served in that capacity for two years. She became the director of the first Alternative Pathway to Excellence Program in Quitman County School District. She worked with students who really needed a second chance and assistance with academic and behavior and tried to inspire them to achieve their goals. Instead of going from the pipeline of school to prison, her students went through the pipeline of school to school, college or a career.

Her life has been impacted by her family, instructors, colleagues, and people in her community. Her former instructors showed compassion toward her and positively impacted her life. Tametrice Strickland has been employed with Quitman County School District for twenty-one years and is currently an assistant principal at Madison Shannon Palmer High School. She is an inspiring example of dedication and determination. During her lifetime, she has strived to support and empower instructors and provide support, opportunities, and pathways for students to excel. Her former students are now innovative, highly qualified instructors, visionary administrators, effective managers, responsible nurses, and productive leaders.

In addition to working for Quitman County School District, she has served as a consultant for Mississippi Valley State University Reading Institute for two years. Additionally, she has served as a site coordinator for the Foundation of Economic and Education Development (FEED) and Motivating Parents and Children from August 2003 through May 2006, Lead Teacher for Create of Mississippi in 2005 and presented at the Mississippi Department of Education Summer Conference in June 2006.

Tametrice Strickland has been composing poems and short stories since she was sixth grade. Today, she is still working on poetry books and short stories to publish in the future. Some of her accolades include Who's Who among America's Teachers, Teacher of the Month, Appreciation Award from the Foundation of Economic and Education Development (FEED) and Motivating Parents and Children Program (MPAC), Inspiring Vision Award from Batesville Job Corps Center, and Outstanding Community Service Award from Quitman County Development Organization, Inc.

On May 13, 2017, Tametrice Strickland received her Specialist in Educational Leadership from Arkansas State University. As an educator, her goals remain the same. She wants to motivate students to strive for greatness and discover their full potential. She wants to inspire the next generation to affect a positive change in the Quitman County; this rural location does not determine the students' destination. She believes that students have the ability to discover, create, and excel, and it is their duty to prepare them with the necessary tools.

Mr. Speaker, I ask my colleagues to join me in recognizing Tametrice Eckols Strickland as an amazing administrator who is goal oriented and making a difference in her community.

CELEBRATING THE LIFE OF
JAMES KYU LEE

HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mr. TED LIEU of California. Mr. Speaker, I rise today to celebrate the life of James Kyu Lee—a loving husband, father, and grandfather—who passed away on May 29, 2017.

James was born in 1932 in Buchon, South Korea where he attended Seoul Technical High School. Shortly after the start of the Korean War, James served valiantly in South Korea's Navy from 1950 to 1953. After the war, James studied at Hong Ik University where he received his bachelor of arts and went on to receive a law degree from Sung Kyun Kwan University. James went on to serve in the Korean Central Intelligence Agency from 1963 to 1978.

In 1980, James immigrated to the United States where he studied and received his California Radiologic Technologist License. He worked at the Medical Clinic as an X-Ray Technician from 1981 to 2002.

He retired in 2002 and enjoyed playing golf in his free time. He remained active in the Korean War Veterans Association and the Korean Navy Veteran Association.

James is survived by his wife, Nan Ja Lee, his three children, Janice Jong Hyun Lee, Chris Hoon Lee, and Brad Hyuck Lee, and seven grandchildren, Alex Lee, Kate Lee, William Lee, Austin Lee, Aaron Lee, Brandon Lee, and Donovan Lee. Three children are happily married. Janice Jong Hyun Lee is married to Jay Lee, Chris Hoon Lee is married to Judy Lee, and Brad Hyuck Lee is married to Julie Lee.

I hope his family can rest knowing James lived a full and happy life. I ask that my colleagues join me in recognizing James Kyu Lee's amazing life.

RECOGNIZING THE 100TH ANNIVERSARY OF THE 37TH INFANTRY BRIGADE

HON. STEVE STIVERS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mr. STIVERS. Mr. Speaker, I rise today on behalf of the people of Ohio's 15th Congressional District to recognize the 100th anniversary of the 37th Infantry Brigade of the Ohio Army National Guard. Since July 18, 1917, the Buckeye Brigade has had elements stationed in 126 different communities across Ohio, and has served in major conflicts from the First World War to the modern War on Terrorism.

In 1968, then-Governor of Ohio, James Rhodes, astutely described the Buckeye Brigade: "It was a superb outfit, and such units are made by superb men." The bravery and courage displayed by these soldiers causes pride to resonate in the hearts of Americans, and has earned eight of its members the Medal of Honor.

Individually, they are superb; as a unit, they are all but unstoppable. Seen as heavyweights of our military, the 37th was regarded as the best American division the Germany Army

faced in World War I, and was among the first formations called upon following the attacks of September 11th.

Today, the Buckeye Brigade is made up of approximately 3,500 soldiers in the Ohio and Michigan Army National Guards, and is regarded as the top IBCT in the Army National Guard—which reflects the readiness and abilities of its soldiers.

As a Brigadier General in the Ohio Army National Guard, I am supremely thankful for the sacrifices made over the years by the 37th Infantry Brigade Combat Team, and am honored to recognize the unit on this tremendous occasion. I also extend my thoughts to the Brigade as it is deployed in support of Operation Joint Guard-Kosovo Force, and pray that they return safely to their loved ones.

TRIBUTE TO YOUNG STAFF MEMBERS FOR THEIR CONTRIBUTIONS ON BEHALF OF THE PEOPLE OF THE 18TH CONGRESSIONAL DISTRICT OF TEXAS AND THE UNITED STATES

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Ms. JACKSON LEE. Mr. Speaker, as Members of Congress we know well, perhaps better than most, how blessed our nation is to have in reserve such exceptional young men and women who will go on to become leaders in their local communities, states, and the nation in the areas of business, education, government, philanthropy, the arts and culture, and the military.

We know this because we see them and benefit from their contributions every day. Many of them work for us in our offices as junior staff members, congressional fellows, or interns and they do amazing work for and on behalf of the constituents we are privileged to represent.

Mr. Speaker, I believe there is no higher calling than the call to serve a cause larger than ourselves. That is why I ran for public office. I was inspired to serve by President Kennedy who said, "Ask not what your country can do for you, ask what you can do for your country," and by the Rev. Dr. Martin Luther King, Jr. who said:

"Everybody can be great because anybody can serve. . . . You only need a heart full of grace. A soul generated by love."

By this measure, there are several other great young men and women who served as volunteers this year in my offices. They may toil in obscurity but their contributions to the constituents we serve are deeply appreciated. That is why today I rise to pay tribute to 14 extraordinary young persons for their service to my constituents in the 18th Congressional District of Texas and to the American people. They are: Tiffany Williams from Spelman College and Stanford University; German Barbosa from the University of Houston; Whitley Pannell from Hampton University; Walter Abrego Sara Ali from Texas Tech University; Hadeel Abdallah from the University of Kentucky; Kaleb Taylor from Texas Southern University; Astrid Guerra from Georgetown University; Jeremiah Sung-Eun Kim from Cornell University; Naiya Speight-Leggett of Yale Uni-

versity; Marshall Forney of Morehouse College; Courtney Fontaine of Texas Tech University; Brock Bennett of Morehouse College; Ahmad Awwal of Texas Tech University; and Isabela Belchior from University of Houston Law Center.

Mr. Speaker, the energy, intelligence, and idealism these wonderful young people brought to my office and those interning in the offices of my colleagues help keep our democracy vibrant. The insights, skills, and knowledge of the governmental process they gain from their experiences will last a lifetime and prove invaluable to them as they go about making their mark in this world.

Because of persons like them the future of our country is bright and its best days lie ahead. I wish them all well.

Mr. Speaker, I am grateful that such thoughtful committed young men and women can be found working in my office, those of my colleagues, and in every community in America. Their good works will keep America great, good, and forever young.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018

SPEECH OF

HON. RO KHANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes:

Mr. KHANNA. Mr. Chair, I am a strong supporter of our troops and voted to move the National Defense Authorization Act (NDAA) for Fiscal Year 2018 (FY18) out of Committee in early July. As I pointed out in my Additional Views expressed in House Report 115-200, however, I remain very concerned with the size of the defense spending increases proposed by the legislation and the required cuts that would likely be necessitated in non-defense discretionary spending. The measure would provide \$621.5 billion for regular national defense activities, which would exceed the \$549 billion cap set in the 2011 Budget Control Act (Public Law 112-25) by \$72 billion. If you include war funds for the Pentagon, nuclear programs at the Energy Department, and mandatory spending, the measure would authorize a total of \$696 billion for FY18.

The BCA was enacted in August 2011 in response to increased deficits in the wake of the Great Recession. The primary method of direct deficit reduction imposed by the BCA was the installation of caps on discretionary spending from FY12 through FY21. There have been three major revisions to the deficit reduction measures imposed by the BCA and each one included parity where the effects on total defense and nondefense budget authority were identical. As a member of the House Budget Committee, I know the discretionary caps are already scheduled to decline by a combined \$5 billion in FY18 relative to FY17 levels. House Republicans have yet to release their Budget Resolution mark which would

quantify the exact spending cuts they propose to pay for the large increase in defense spending.

With the uncertainty of the size and scope of potentially massive cuts to our non-defense discretionary spending such as to diplomacy, foreign aid, education, housing, basic research, job training, and infrastructure, I cannot in good conscience vote for the additional billions of dollars in defense spending. I support our troops and a strong military to keep the peace, but this bill's spending levels would weaken our country's efforts at home and abroad. Our diplomatic and foreign aid budgets are an integral part in keeping the peace abroad. An increase to defense in conjunction with a cut in diplomacy and aid is a choice I cannot support. This should not be an either-or issue. However, because of the BCA and the decisions made by my colleagues on the other side of the aisle, this is the choice I had to make on behalf of my constituents in Silicon Valley and what is right and in the best interests of our troops and national security interests and objectives.

SOUND RELIEF HEARING CENTER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize Sound Relief Hearing Center for receiving the Golden Rotary Ethics in Business Award.

The Ethics in Business Award was established by the Golden Rotary to honor for-profit and non-profit businesses. The recipients of this award must maintain integrity, conviction and possess high ethical standards demonstrated by the treatment of customers, employees, community and the environment.

Sound Relief Hearing Center is a family-owned and operated business specializing in hearing solutions. They have built a foundation of exceptional service, showing compassion for the community and genuinely caring for the people they serve. Their code of ethics includes a commitment to charitable giving, educating the public and volunteering their time. Some examples of their philanthropy include earmarking 10 percent of their earnings for several charities and reimbursing employees for continuing education.

To all the employees of Sound Relief Hearing Center, congratulations on receiving the Golden Rotary Ethics in Business Award, and thank you for your continued commitment to excellence.

LORI AIMEE SNEED

HON. STEVEN M. PALAZZO

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mr. PALAZZO. Mr. Speaker, I rise today to recognize and honor the life of Lori Aimee Sneed, beloved member of the Gulfport community, who was taken far too soon and went to be with the Lord on July 12, 2017.

Lori was a vivacious woman who battled many physical challenges throughout her life,

all the while spreading her contagious positivity and never-ending kindness to those around her. After suffering a spinal cord injury during her freshman year at the University of Mississippi in 1991, Lori was left a quadriplegic but continued to relentlessly pursue her educational and professional goals.

After completing a year at Mississippi Gulf Coast Community College, Lori fearlessly returned to Ole Miss and received a Bachelor of Arts Degree in English in 1997. A prominent figure on campus, Lori was a member of Pi Beta Phi Sorority, a member of the University of Mississippi Committee on Disabilities, and a two-time winner of the Most Beautiful Eyes on Campus contest.

Upon completion of her degree, her inspiring and persistent personality helped her land her dream job at CNN working in the public information division, a position she held from 1997 to 2006. She shared her marvelous sense of humor with others through "stand up" and improvisational comedy routines, and became an exceptional watercolor artist later in life.

Lori never let her limitations define her. She will always be remembered as a strong, caring, and determined woman by those who had the pleasure of knowing her and will be fondly missed by her parents, Patti and Shorty Sneed, and her brother, Johnny. She epitomized selflessness and was known for being "beautiful inside and out."

Mississippi lost a dear daughter with the death of Lori Aimee Sneed. On behalf of the United States Congress and the people of Mississippi, we recognize her beautiful life.

IN RECOGNITION OF NANCY HUBBARD FOR HER LIFETIME OF SERVICE TO THE DEARBORN COMMUNITY

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Ms. Nancy Hubbard for her service and dedication to the City of Dearborn. As one of the city's longest serving City Council members, Ms. Hubbard was a tireless public servant who left a legacy of achievement and will be missed.

Ms. Hubbard began her career as a secretary with Ford Motor Company and later worked for the Dearborn Department of Public Works and Dearborn Department of Building and Safety. She was elected to the Dearborn City Council in 1990 and compiled a distinguished record of success during her 24 years on the council. Ms. Hubbard has spent 16 years serving as the Council President Pro Tem, where she used the leadership position to advocate on behalf of the city's residents. She played a key role in the establishment of the Ford Community and Performing Arts Center and in expanding the greenway trail system in the city. She was also involved in economic development initiatives, including the establishment of the Dearborn Town Center and the redevelopment of the Warren Avenue and Dix-Vernor business corridors. As a result of her work, Dearborn has been transformed into a thriving community that effectively serves the needs of the city's residents.

Ms. Hubbard's commitment to public service and the City of Dearborn helped improve the quality of life for the community while driving economic development in the area. As a life-long resident of Dearborn, Ms. Hubbard's deep ties to the area allowed her to effectively engage with her constituents and address pressing issues facing the city at large. She was a tireless advocate during her career with the City Council who remained personally engaged with city's residents throughout her life, and her passion for public service will be missed.

Mr. Speaker, I ask my colleagues to join me in honoring Ms. Nancy Hubbard for her public service with the Dearborn City Council. Ms. Hubbard lived a life dedicated to public service and well-being of others.

TRIBUTE TO STEVE AND HEATHER WINFREE

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mr. DUNCAN of Tennessee. Mr. Speaker, heroes come into lives in different ways through the challenges people face during their lives.

A very special hero from my district came up with a heartwarming way to share her choice to be an organ donor for her husband who has been suffering from kidney disease for 14 years.

Heather Winfree took her husband's love for baseball and used it as a way to share the good news that she was a donor match.

Because of his diagnosis as a teen, Steve Winfree was never able to achieve his dream of playing college baseball.

Steve collects baseball cards on a regular basis, but the most rare card he has ever received is a custom Topps card that Heather designed for him.

It included Steve's picture and text on the back that read "Steve will be a rookie recipient at Vanderbilt Transplant Center where his wife, Heather, will be pitching a new kidney to him."

Because of Heather's heroic efforts to save the life of her husband, he could receive the transplant as soon as the end of July this year.

I am proud to see people from my district like Heather show us the true meaning of love while people like Steve show us what perseverance looks like.

Please join me in wishing them the best as they both undergo surgery in the near future.

I would like to include in the RECORD the following story about the Winfree's from CBS News.

[From CBS News, July 11, 2017]

MAN LEARNS WIFE IS KIDNEY TRANSPLANT MATCH FROM A CUSTOM-MADE BASEBALL CARD
(By Jennifer Earl)

Steve Winfree was excited to rip open up a brand new pack of Topps baseball cards. It has become a family tradition over the years. But this time, as he shuffled through the deck, he spotted something unusual—his very own playing card.

As he read the stats on the back, Winfree, who has been suffering from kidney disease for the past 14 years, broke down in tears.

"What the heck?" he asked, as his wife, Heather, sat beside him.

“What is it?” Heather asked, grinning.

Winfree began to read out loud: “Steve has had a lot on his plate. With his health issues, he’s been striking out a lot. He was not sure how he was going to wind up,” the card’s bio said. “His wife, Heather, thinks he’s a great catch so she’s just dying to go to bat for him. Now Steve will be a rookie recipient.”

It was at that moment, Winfree realized his wife was giving him the best gift of all—a new kidney, and a whole new life.

Heather Winfree surprised her husband, Steve, with his very own Topps playing card.

Heather had been tested to see if she could be a match a week earlier. Before she even received the results, she came up with the creative way to share the good news.

“I had already started planning how I was going to tell him before I knew I was a match,” Heather told CBS News. “I never considered I wouldn’t be a match. I guess I had to have faith I was going to be a match—that was keeping my hope alive.”

Steve Winfree was diagnosed with chronic kidney disease at the age of 18. He was getting ready to play college basketball when doctors discovered he had high blood pressure during a pre-season physical.

After running more tests, Winfree was told he only had 50 percent kidney function. His dreams of playing college ball were over.

“He’s been through a lot,” Heather said. “Kidney disease is really hard. It’s been really hard.”

Since the couple met seven years ago, he’s developed severe gout, arthritis, undergone several surgeries and had to have a toe amputated. He’s been on dialysis for over a year.

“A year ago, they put a port in his chest and he ended up going into septic shock,” Heather added. “He spent seven days in the intensive care unit. I can’t tell you what that grief felt like, feeling like I was going to lose my husband.”

Steve Winfree is told his wife is a perfect match for a kidney transplant, and he could have surgery as early as the end of July.

So when doctors at Vanderbilt University Medical Center told Winfree he was eligible to get onto the transplant list in late June, Heather jumped at the opportunity to offer herself up as a living kidney donor.

“I said, ‘I want to expedite this. I want to help my husband get better,’” she explained.

Her wish came true when doctors confirmed the match. If everything goes well, Winfree could have surgery by the end of the month.

“Here I am, I have two kidneys and he needs one—why wouldn’t I improve his quality of life?” Heather said. “For 14 years of his life he’s been battling this disease and finally we have the relief of knowing the end is on the horizon. We’ve got hope.”

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed Roll Call vote numbers 379, 380, and 381. Had I been present, I would have voted Aye on all three votes.

JOHN ZABAWA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud John Zabawa who is retiring as Chief Executive Officer and President of Seniors’ Resource Center (SRC) after years of service to the senior community in Colorado.

The Seniors’ Resource Center is a person-focused non-profit dedicated to enhancing the independence and quality of life for seniors in the Denver Metro community through coordinated services such as transportation, in-home care, and many other life-enriching programs. Under Mr. Zabawa’s leadership, the Center has served over 24,500 people each year, developing strong community relations and raising awareness of senior issues. With his guidance, the Center has expanded its programs and services to reach ten Denver Metro and mountain rural counties across Colorado.

Mr. Zabawa started his career as a recreational therapy assistant in Indiana, coordinating activities for psychiatric patients before serving as a youth counselor for troubled youths in Adams County. His accomplishments include President of LeadingAge Colorado, the Chairman Emeritus of the Board of Directors for the Jefferson Center for Mental Health, and the President of the Jefferson County Council on Aging. In 2005, Mr. Zabawa was appointed by the President of the Colorado State Senate to represent Colorado at the White House Conference on Aging, and he was recently appointed by Governor Hickenlooper to serve on the Strategic Action Planning Group on Aging to create an action plan for Colorado’s shifting demographic. John has continuously demonstrated passion, dedication, and leadership in advocating and serving the senior communities, and we will forever be grateful for his commitment.

I extend my deepest thanks to John Zabawa for his service to our community and wish him all the best in his future endeavors.

RECOGNIZING JOSH BAGGETT’S YEARS OF SERVICE

HON. ADAM KINZINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mr. KINZINGER. Mr. Speaker, I rise today to recognize Josh Baggett for his years of service to the people of Illinois’ 16th Congressional District. After ten years of working on the Hill, moving from intern to Legislative Director, Josh is now moving on to new endeavors.

Josh Baggett has worked in my office for over six years. He is a valued member of my office, a mentor to staff and interns, and of course, an important part of the intramural softball team.

While my staff and I are sad to see him leave, as well as his beloved dogs Maggie and Rooster, we know he’ll always be a member of Team Kinzinger, and we look forward to seeing him excel as he takes this next step in his career.

Mr. Speaker, on behalf of the 16th District, I would like to share my heartfelt thanks to Josh for his hard work, and wish him all the very best.

DE’VONDRE CAMPBELL

HON. FRANCIS ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Mr. FRANCIS ROONEY of Florida. Mr. Speaker, I rise today in recognition of NFL player De’Vondre Campbell. A native of Fort Myers, Campbell is returning to his home town to host a summer football camp for our community’s youth. As a rookie with the Atlanta Falcons, Campbell forced a fumble, recorded forty-eight tackles, and had one interception.

Campbell is the epitome of hard work and determination as he paid his way to Hutchinson Community College, then earned a scholarship to the University of Minnesota. He did not let this nor his necessary Lasik surgery deter him from achieving his dream of playing in the NFL. At his camp, he will teach young boys not only the fundamentals of the game, but also the value of teamwork, perseverance, and self-discipline. I commend Campbell for giving back to our community and look forward to seeing his accomplishments in the years to come.

30TH ANNIVERSARY OF DOMAINE DROUHIN WINERY IN OREGON

HON. SUZANNE BONAMICI

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 18, 2017

Ms. BONAMICI. Mr. Speaker, I rise today to pay tribute to the Drouhin Family, who this month celebrates the 30th Anniversary of Domaine Drouhin Oregon, their esteemed winery in the Willamette Valley’s Dundee Hills. The Oregon wine industry, now so acclaimed, was still in nascent form back in 1987 when the Drouhins purchased land in Dayton, Oregon. Their bold leap to Oregon from Burgundy, France, brought great recognition to our region, and international confirmation of our enormous potential. It is rightly considered a historic moment for Oregon wine.

In 1989, the Drouhins built their landmark winery, a building that will continue to inspire guests from all over the world while facilitating the production of exceptional wines for decades to come.

The Drouhins embraced the character and soul of Oregon. Through hard work, and in collaboration with their fellow Oregon wine producers, the Drouhins have helped Oregon wines take their place on the world stage in the finest restaurants, in the most respected shops, and in the best cellars. Oregon wine country is a destination, and Oregon wines are sought around the world.

The Drouhin Family’s Oregon adventure vividly shows the cooperation—in knowledge, experience, and passion—between France and America, between Burgundy and Oregon, in the service of excellence.

I am proud to acknowledge that, over the years, the Drouhins have contributed their extraordinary energy and resources to a substantial range of charitable pursuits in Oregon,

working to strengthen the community that warmly welcomed them many years ago.

Wine is a reflection of people and place, and it is with great pleasure that today we recognize the Drouhin Family of Burgundy and Oregon. Please join me in thanking the Drouhin Family for their enormous contributions to the Oregon wine industry. I look forward to their next 30 years, and more, of work in and on behalf of the Oregon wine industry.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018

SPEECH OF

HON. BRENDAN F. BOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes:

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Chair, I would like to address Section 131 of the National Defense Authorization Act for Fiscal Year 2018.

Last week, I filed amendment No. 247 on this matter; however I have since withdrawn the amendment given that the USAF has moved swiftly to replace the UH-1N fleet through an open and competitive process with the recent launch of the RFP.

The UH-1N replacement program is a priority for the Air Force and for many members

of this Congress, House and Senate. This is for good reason. The UH-1N accomplishes two vital national security missions—nuclear missile security and continuity of government. Over a decade has passed since our Air Force identified the need to replace the aging Vietnam-era UH-1N Huey fleet.

Following collaborative efforts between the Air Force and industry, including meetings and additional requests for information, the Air Force has now released its final Request for Proposal which begins the process of replacing the UH-1N fleet and ensuring a fair and open competition. Unfortunately, language contained in the H.R. 2810, the National Defense Authorization Bill for Fiscal Year 2018, threatens to upend this fair, competitive and open process by pushing a sole-source contract at the taxpayer's expense. Section 131 would allow the Air Force to sole-source the replacement of the UH-1N helicopter.

Frankly, I find this language appalling. The Department of Defense's Better Buy Power 3.0 directive states, "Real competition is the single most powerful tool available to the Department to drive productivity." The Federal Acquisition Regulations clearly articulate the importance of competition to satisfy cost, quality and timeliness aims. Competition is essential to maintaining a healthy industrial base. In Congress, we should be encouraging the Department of Defense to remain committed to competition.

Congress has repeatedly supported and directed a fair and open competition for the replacement of the UH-1N; yet, the language in Section 131 goes against congressional and Air Force efforts to ensure an open and fair competition. Given the fact that responses to the RFP will be due prior to the FY18 NDAA's completion, changing course from a fair and

open competition to a sole-source procurement at this time would limit options, create more delays, increase costs for taxpayers, and potentially impact mission requirements. There is also no justification for a sole-source contract of helicopters when multiple candidate aircraft, including commercial aircraft built cost effectively here in the United States on existing, hot production lines, can be leveraged in support of this mission.

In 2016, twelve Members of Congress signed on to a letter in support of a UH-1N replacement competition, which was instrumental in moving the Air Force towards its current strategy. We must allow the Air Force to continue their competition to replace their UH-1N aircraft and accelerate their ability to field new aircraft without further delay in the interest of national security. We should applaud and support the Air Force for moving forward with replacing the fleet of UH-1N not force them to stop and change course. Changing course from a fair and open competition to a sole-source procurement would create more delays, increase costs, and potentially impact mission requirements.

We cannot let this happen to the Airmen of our nation.

I applaud the Air Force in moving forward with replacing its fleet of UH-1N aircraft that help ensure the security of our land-based nuclear forces. Taking any other path would further jeopardize this critical program.

While I have withdrawn my amendment, I will be working to ensure this language is removed from the final bill during conference. Mr. Chair, replacing these assets is long overdue and I look forward to working with the Chairman and Ranking Member on this and other Air Force priorities.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4029–S4059

Measures Introduced: Six bills were introduced, as follows: S. 1572–1577. **Page S4056**

Bush Nomination—Agreement: Senate continued consideration of the nomination of John Kenneth Bush, of Kentucky, to be United States Circuit Judge for the Sixth Circuit. **Pages S4038–51**

A unanimous-consent agreement was reached providing for further consideration of the nomination at approximately 9:30 a.m., on Wednesday, July 19, 2017; and that the time until the vote on the motion to invoke cloture on the nomination be equally divided between the two Leaders, or their designees. **Page S4059**

Nomination Confirmed: Senate confirmed the following nomination:

By 92 yeas to 7 nays (Vote No. EX. 162), Patrick M. Shanahan, of Washington, to be Deputy Secretary of Defense. **Pages S4031–38, S4059**

Messages from the House: **Pages S4052–53**

Measures Referred: **Page S4053**

Measures Placed on the Calendar: **Page S4053**

Executive Communications: **Pages S4053–54**

Petitions and Memorials: **Pages S4054–56**

Additional Cosponsors: **Pages S4056–57**

Statements on Introduced Bills/Resolutions: **Pages S4057–59**

Additional Statements: **Page S4052**

Amendments Submitted: **Page S4059**

Authorities for Committees to Meet: **Page S4059**

Privileges of the Floor: **Page S4059**

Record Votes: One record vote was taken today. (Total—162) **Page S4038**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:19 p.m., until 9:30 a.m. on Wednesday, July 19, 2017. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S4059.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies approved for full committee consideration an original bill entitled, “Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 2018”.

BUSINESS MEETING

Committee on Appropriations: Subcommittee on Energy and Water Development approved for full committee consideration an original bill entitled, “Energy and Water Development and Related Agencies Appropriations Act, 2018”.

NOMINATION

Committee on Armed Services: Committee concluded a hearing to examine the nomination of General Paul J. Selva, USAF, for reappointment to the grade of general and reappointment to be Vice Chairman of the Joint Chiefs of Staff, after the nominee testified and answered questions in his own behalf.

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of John H. Gibson II, of Texas, to be Deputy Chief Management Officer, Ellen M. Lord, of Rhode Island, to be Under Secretary for Acquisition, Technology, and Logistics, Lucian Niemeyer, of Pennsylvania, to be an Assistant Secretary, who was introduced by former Senator John Warner, and Matthew P. Donovan, of Virginia, to be Under Secretary of the Air Force, all of the Department of Defense, after the nominees testified and answered questions in their own behalf.

ACHIEVING A 355-SHIP NAVY

Committee on Armed Services: Subcommittee on SeaPower concluded a hearing to receive testimony on options and considerations for achieving a 355-

ship Navy from former Reagan administration officials, after receiving testimony from John F. Lehman, Jr., former Secretary of the Navy; Everett Pyatt, former Assistant Secretary of the Navy for Shipbuilding and Logistics; and William J. Schneider, Jr., former Associate Director for National Security and International Affairs at the Office of Management and Budget.

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nominations of J. Paul Compton, Jr., of Alabama, to be General Counsel, and Anna Maria Farias, of Texas, and Neal J. Rackleff, of Texas, both to be an Assistant Secretary, all of the Department of Housing and Urban Development, Richard Ashooh, of New Hampshire, to be an Assistant Secretary, and Elizabeth Erin Walsh, of the District of Columbia, to be Assistant Secretary and Director General of the United States and Foreign Commercial Service, both of the Department of Commerce, and Christopher Campbell, of California, to be an Assistant Secretary of the Treasury, who was introduced by Senator Hatch, after the nominees testified and answered questions in their own behalf.

ENERGY AND RESOURCE SECURITY

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the status and outlook for United States and North American energy and resource security, after receiving testimony from Brigadier General Stephen A. Cheney, USMC (Ret.), American Security Project, and Jamie Webster, Boston Consulting Group Center for Energy Impact, both of Washington, D.C.; Robert Coward, American Nuclear Society, Alexandria, Virginia; Daniel McGroarty, Carmot Strategic Group Inc., Ashton, Maryland; and Mark P. Mills, Manhattan Institute, Chevy Chase, Maryland.

EXAMINE COMPREHENSIVE TAX REFORM

Committee on Finance: Committee concluded a hearing to examine comprehensive tax reform, focusing on prospects and challenges, after receiving testimony from Mark J. Mazur, Urban Brookings Tax Policy Center, Pamela F. Olson, Eric Solomon, and Jonathan Talisman, all former Assistant Secretary of the Treasury for Tax Policy, Washington, D.C.

NOMINATION

Committee on Finance: Committee concluded a hearing to examine the nomination of David J. Kautter, of Virginia, to be an Assistant Secretary of the Treasury, after the nominee testified and answered questions in his own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Callista L. Gingrich, of Virginia, to be Ambassador to the Holy See, who was introduced by Senator Johnson, Nathan Alexander Sales, of Ohio, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large, who was introduced by Senator Portman, George Edward Glass, of Oregon, to be Ambassador to the Portuguese Republic, who was introduced by Senator Wyden, and Carl C. Risch, of Pennsylvania, to be an Assistant Secretary (Consular Affairs), all of the Department of State, after the nominees testified and answered questions in their own behalf.

THE FOUR FAMINES

Committee on Foreign Relations: Subcommittee on Multilateral International Development, Multilateral Institutions, and International Economic, Energy, and Environmental Policy concluded a hearing to examine “The Four Famines”, focusing on root causes and a multilateral action plan, after receiving testimony from Matthew Nims, Acting Director, Office of Food for Peace, Bureau for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development; David Beasley, United Nations World Food Program, Society Hill, South Carolina; Justin Forsyth, United Nations Children’s Fund, New York, New York; Dominik Stillhart, International Committee of the Red Cross, Geneva, Switzerland; Deepmala Mahla, Mercy Corps, Juba, South Sudan; and Eric Schwartz, Refugees International, Washington, D.C.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 17 public bills, H.R. 3267–3279, 3281–3293; and 2 resolutions, H. Res. 453 and 455, were introduced.

Page H5977

Additional Cosponsors:

Pages H5978–79

Reports Filed: Reports were filed today as follows:

H.R. 2875, to make administrative reforms to the National Flood Insurance Program to increase fairness and accuracy and protect the taxpayer from program fraud and abuse, and for other purposes (H. Rept. 115–233);

H.R. 3280, making appropriations for financial services and general government for the fiscal year ending September 30, 2018, and for other purposes (H. Rept. 115–234); and

H. Res. 454, providing for consideration of the bill (H.R. 2910) to provide for Federal and State agency coordination in the approval of certain authorizations under the Natural Gas Act, and for other purposes; providing for consideration of the bill (H.R. 2883) to establish a more uniform, transparent, and modern process to authorize the construction, connection, operation, and maintenance of international border-crossing facilities for the import and export of oil and natural gas and the transmission of electricity; providing for consideration of the bill (H.R. 218) to provide for the exchange of Federal land and non-Federal land in the State of Alaska for the construction of a road between King Cove and Cold Bay; and for other purposes (H. Rept. 115–235).

Page H5977

Speaker: Read a letter from the Speaker wherein he appointed Representative Tenney to act as Speaker pro tempore for today.

Page H5923

Recess: The House recessed at 10:10 a.m. and reconvened at 12 noon.

Page H5924

Guest Chaplain: The prayer was offered by the Guest Chaplain, Reverend Terry Sanders, Victory House Ministry, Uniontown, PA.

Page H5924

Suspensions: The House agreed to suspend the rules and pass the following measures:

Amending the Federal Power Act with respect to the criteria and process to qualify as a qualifying conduit hydropower facility: H.R. 2786, amended, to amend the Federal Power Act with respect to the criteria and process to qualify as a qualifying conduit hydropower facility, by a $\frac{2}{3}$ yea-and-nay vote of 420 yeas to 2 nays, Roll No. 384; Page H5935–37, H5942–43

Extending the deadline for commencement of construction of a hydroelectric project: H.R. 2828, to extend the deadline for commencement of construction of a hydroelectric project; and

Pages H5937–38

Enhancing State Energy Security Planning and Emergency Preparedness Act of 2017: H.R. 3050, amended, to amend the Energy Policy and Conservation Act to provide Federal financial assistance to States to implement, review, and revise State energy security plans.

Pages H5938–39

Privileged Resolution—Intent to Offer: Representative Cicilline announced his intent to offer a privileged resolution.

Pages H5941–42

Committee Resignation: Read a letter from Representative Sarbanes wherein he resigned from the Committee on Oversight and Government Reform.

Page H5943

Committee Election: The House agreed to H. Res. 453, electing a Member to certain standing committees of the House of Representatives.

Page H5943

Ozone Standards Implementation Act of 2017: The House passed H.R. 806, to facilitate efficient State implementation of ground-level ozone standards, by a recorded vote of 229 yeas to 199 noes, Roll No. 391.

Pages H5943–68

Rejected the Cartwright motion to recommit the bill to the Committee on Energy and Commerce with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 191 yeas to 235 noes, Roll No. 390.

Pages H5966–67

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–26 shall be considered as an original bill for the purpose of amendment under the five-minute rule, in lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill.

Pages H5953–54

Rejected:

McNerney amendment (No. 6 printed in H. Rept. 115–229) that sought to strike the underlying bill and replace it with a grant program to benefit regions with the poorest air quality;

Pages H5960–62

Castor (FL) amendment (No. 1 printed in H. Rept. 115–229) that sought to halt implementation of the Ozone Standards Implementation Act of 2017 if the Clean Air Scientific Advisory Committee finds

that application could increase health risks to vulnerable populations including children, seniors, pregnant women, outdoor workers, and minority and low-income communities (by a recorded vote of 194 ayes to 232 noes, Roll No. 385);

Pages H5955–56, H5962–63

Tonko amendment (No. 2 printed in H. Rept. 115–229) that sought to strike subsection (b) of Section 3, which would allow EPA to consider technological feasibility when determining what level of pollution is safe (by a recorded vote of 182 ayes to 241 noes, Roll No. 386);

Pages H5956–57, H5963–64

Beyer amendment (No. 3 printed in H. Rept. 115–229) that sought to strike subsection (h) of section 3 (relating to exceptional events) (by a recorded vote of 191 ayes to 235 noes, Roll No. 387);

Pages H5957–58, H5964

Polis amendment (No. 4 printed in H. Rept. 115–229) that sought to close the loophole which prevents aggregating emissions from any oil or gas exploration or production well; additionally, it sought to require the EPA to add hydrogen sulfide to the list of hazardous air pollutants (by a recorded vote of 186 ayes to 242 noes, Roll No. 388); and

Pages H5958–59, H5964–65

McNerney amendment (No. 5 printed in H. Rept. 115–229) that sought to strike section 6 of the bill (by a recorded vote of 190 ayes to 236 noes, Roll No. 389).

Pages H5959–60, H5965

H. Res. 451, the rule providing for consideration of the bill (H.R. 806) was agreed to by a recorded vote of 235 ayes to 188 noes, Roll No. 383, after the previous question was ordered by a yea-and-nay vote of 231 yeas to 188 nays, Roll No. 382.

Pages H5927–35, H5940, H5940–41

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H5927.

Quorum Calls—Votes: Two yea-and-nay votes and eight recorded votes developed during the proceedings of today and appear on pages H5940, H5940–41, H5942–43, H5962–63, H5963, H5964, H5964–65, H5965, H5966–67, and H5967. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 6:55 p.m.

Committee Meetings

THE NEXT FARM BILL: PATHWAYS TO SUCCESS FOR SNAP HOUSEHOLDS

Committee on Agriculture: Subcommittee on Nutrition held a hearing entitled “The Next Farm Bill: Pathways to Success for SNAP Households”. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Appropriations: Full Committee held a markup on the Homeland Security Appropriations Bill, FY 2018; and the Interior, Environment, and Related Agencies Appropriations Bill, FY 2018. The Homeland Security Appropriations Bill, FY 2018; and the Interior, Environment, and Related Agencies Appropriations Bill, FY 2018 were ordered reported, as amended.

ESSA IMPLEMENTATION: EXPLORING STATE AND LOCAL REFORM EFFORTS

Committee on Education and the Workforce: Full Committee held a hearing entitled “ESSA Implementation: Exploring State and Local Reform Efforts”. Testimony was heard from Jacqueline Nowicki, Director, K–12 Education, Government Accountability Office; Gail Pletnick, Superintendent, Dysart Unified School District, Surprise, Arizona; Carey Wright, State Superintendent, Mississippi Department of Education; and a public witness.

POWERING AMERICA: EXAMINING THE STATE OF THE ELECTRIC INDUSTRY THROUGH MARKET PARTICIPANT PERSPECTIVES

Committee on Energy and Commerce: Subcommittee on Energy held a hearing entitled “Powering America: Examining the State of the Electric Industry through Market Participant Perspectives”. Testimony was heard from public witnesses.

EXAMINING HRSA’S OVERSIGHT OF THE 340B DRUG PRICING PROGRAM

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled “Examining HRSA’s Oversight of the 340B Drug Pricing Program”. Testimony was heard from Erin Bliss, Assistant Inspector General, Office of Evaluation and Inspections, Office of Inspector General, Department of Health and Human Services; Debra Draper, Director, Health Care, Government Accountability Office; and Krista M. Pedley, Director, Office of Pharmacy Affairs, Health Resources and Services Administration, Department of Health and Human Services.

THE COST OF BEING A PUBLIC COMPANY IN LIGHT OF SARBANES-OXLEY AND THE FEDERALIZATION OF CORPORATE GOVERNANCE

Committee on Financial Services: Subcommittee on Capital Markets, Securities, and Investment held a hearing entitled “The Cost of Being a Public Company in Light of Sarbanes-Oxley and the Federalization of

Corporate Governance”. Testimony was heard from public witnesses.

MANAGING TERRORISM FINANCING RISK IN REMITTANCES AND MONEY TRANSFERS

Committee on Financial Services: Subcommittee on Terrorism and Illicit Finance held a hearing entitled “Managing Terrorism Financing Risk in Remittances and Money Transfers”. Testimony was heard from public witnesses.

IMPLEMENTING THE GLOBAL FOOD SECURITY ACT

Committee on Foreign Affairs: Subcommittee Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled “Implementing the Global Food Security Act”. Testimony was heard from Theodore Lyng, Acting Special Representative for Global Food Security, Department of State; Beth Dunford, Assistant to the Administrator, Bureau for Food Security, U.S. Agency for International Development; and a public witness.

TRANSFORMING GPO FOR THE 21ST CENTURY AND BEYOND: PART 2

Committee on House Administration: Full Committee held a hearing entitled “Transforming GPO for the 21st Century and Beyond: Part 2”. Testimony was heard from Davita Vance-Cooks, Director, Government Publishing Office.

EXAMINING IMPACTS OF FEDERAL NATURAL RESOURCES LAWS GONE ASTRAY, PART II

Committee on Natural Resources: Subcommittee on Oversight and Investigations held a hearing entitled “Examining Impacts of Federal Natural Resources Laws Gone Astray, Part II”. Testimony was heard from public witnesses.

PROMOTING ONSHORE OIL AND GAS DEVELOPMENT IN ALASKA

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing entitled “Promoting Onshore Oil and Gas Development in Alaska”. Testimony was heard from public witnesses.

KING COVE ROAD LAND EXCHANGE ACT; PROMOTING INTERAGENCY COORDINATION FOR REVIEW OF NATURAL GAS PIPELINES ACT; PROMOTING CROSS-BORDER ENERGY INFRASTRUCTURE ACT

Committee on Rules: Full Committee held a hearing on H.R. 218, the “King Cove Road Land Exchange Act”; H.R. 2910, the “Promoting Interagency Coordination for Review of Natural Gas Pipelines Act”;

and H.R. 2883, the “Promoting Cross-Border Energy Infrastructure Act”. The Committee granted, by record vote of 7–3, a structured rule for H.R. 2910. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The rule waives all points of order against consideration of the bill. The rule makes in order as original text for the purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–28 and provides that it shall be considered as read. The rule waives all points of order against that amendment in the nature of a substitute. The rule makes in order only those further amendments printed in part A of the Rules Committee report. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in part A of the report. The rule provides one motion to recommit with or without instructions. In section 2, the rule grants a structured rule for H.R. 2883. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The rule waives all points of order against consideration of the bill. The rule makes in order as original text for the purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–29 and provides that it shall be considered as read. The rule waives all points of order against that amendment in the nature of a substitute. The rule makes in order only those further amendments printed in part B of the Rules Committee report. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in part B of the report. The rule provides one motion to recommit with or without instructions. In section 3, the rule grants a structured rule for H.R. 218. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. The rule

waives all points of order against consideration of the bill. The rule makes in order as original text for the purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–27 and provides that it shall be considered as read. The rule waives all points of order against that amendment in the nature of a substitute. The rule makes in order only those further amendments printed in part C of the Rules Committee report. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in part C of the report. The rule provides one motion to recommit with or without instructions. In section 4, the rule provides that it shall be in order at any time on the legislative day of July 20, 2017, for the Speaker to entertain motions that the House suspend the rules relating to the bill H.R. 2825, to amend the Homeland Security Act of 2002 to make certain improvements in the laws administered by the Secretary of Homeland Security, and for other purposes. Finally, section 5 of the rule provides that the Committee on Appropriations may, at any time before 5 p.m. on Friday, July 21, 2017, file privileged reports to accompany measures making appropriations for the fiscal year ending September 30, 2018. Testimony was heard from Representatives Young of Alaska, Upton, Rush, Flores, and Mullin.

PLANETARY FLAGSHIP MISSIONS: MARS ROVER 2020 AND EUROPA CLIPPER

Committee on Science, Space, and Technology: Subcommittee on Space held a hearing entitled “Planetary Flagship Missions: Mars Rover 2020 and Europa Clipper”. Testimony was heard from Jim Green, Director, Planetary Science Division, Science Mission Directorate, National Aeronautics and Space Administration; and public witnesses.

FAST ACT IMPLEMENTATION: IMPROVING THE SAFETY OF THE NATION’S ROADS

Committee on Transportation and Infrastructure: Subcommittee on Highways and Transit held a hearing entitled “FAST Act Implementation: Improving the Safety of the Nation’s Roads”. Testimony was heard from Walter Waidelich, Jr., Acting Deputy Administrator, Federal Highway Administration; Jack Danielson, Acting Deputy Administrator, National Highway Traffic Safety Administration; T. Bella

Dinh-Zarr, Member, National Transportation Safety Board; and a public witness.

MODERNIZATION OF THE NORTH AMERICAN FREE TRADE AGREEMENT

Committee on Ways and Means: Subcommittee on Trade held a hearing entitled “Modernization of the North American Free Trade Agreement”. Testimony was heard from public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, JULY 19, 2017

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Commerce, Science, and Transportation: to hold hearings to examine the nominations of Ajit Varadaraj Pai, of Kansas, Jessica Rosenworcel, of Connecticut, and Brendan Carr, of Virginia, each to be a Member of the Federal Communications Commission, 10 a.m., SD–G50.

Committee on Energy and Natural Resources: Subcommittee on National Parks, to hold hearings to examine S. 257, to clarify the boundary of Acadia National Park, S. 312, to redesignate the Saint-Gaudens National Historic Site as the “Saint-Gaudens National Historical Park”, S. 355, to amend the Federal Lands Recreation Enhancement Act to provide for a lifetime National Recreational Pass for any veteran with a service-connected disability, S. 391, to establish the African Burial Ground International Memorial Museum and Educational Center in New York, New York, S. 841, to designate the Veterans Memorial and Museum in Columbus, Ohio, as the National Veterans Memorial and Museum, S. 926, to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, S. 1073, to authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconveyance, S. 1202, to modify the boundary of the Little Rock Central High School National Historic Site, S. 1403, to amend the Public Lands Corps Act of 1993 to establish the 21st Century Conservation Service Corps to place youth and veterans in national service positions to conserve, restore, and enhance the great outdoors of the United States, S. 1438, to redesignate the Jefferson National Expansion Memorial in the State of Missouri as the “Gateway Arch National Park”, S. 1459, to establish Fort Sumter and Fort Moultrie National Park in the State of South Carolina, and S. 1522, to establish an Every Kid Outdoors program, 10:15 a.m., SD–366.

Committee on Environment and Public Works: to hold hearings to examine S. 1514, to amend certain Acts to reauthorize those Acts and to increase protections for wildlife, 10 a.m., SD-406.

Committee on Foreign Relations: to hold hearings to examine the nominations of Luis E. Arreaga, of Virginia, to be Ambassador to the Republic of Guatemala, and Sharon Day, of Florida, to be Ambassador to the Republic of Costa Rica, both of the Department of State, 2 p.m., SD-419.

Subcommittee on Western Hemisphere, Transnational Crime, Civilian Security, Democracy, Human Rights, and Global Women's Issues, to hold hearings to examine the collapse of the rule of law in Venezuela, focusing on what the United States and the international community can do to restore democracy, 4:15 p.m., SD-419.

Committee on Health, Education, Labor, and Pensions: business meeting to consider the nominations of Marvin Kaplan, of Kansas, and William J. Emanuel, of California, both to be a Member of the National Labor Relations Board, 10 a.m., SD-430.

Committee on Homeland Security and Governmental Affairs: business meeting to consider the nomination of David P. Pekoske, of Maryland, to be an Assistant Secretary of Homeland Security; to be immediately followed by a hearing to examine the Postal Service's actions during the 2016 campaign season, focusing on implications for the Hatch Act, 10 a.m., SD-342.

Committee on Veterans' Affairs: to hold hearings to examine the nominations of Thomas G. Bowman, of Florida, to be Deputy Secretary, Brooks D. Tucker, of Maryland, to be an Assistant Secretary (Congressional and Legislative Affairs), and James Byrne, of Virginia, to be General Counsel, all of the Department of Veterans Affairs, and Michael P. Allen, of Florida, Amanda L. Meredith, of Virginia, and Joseph L. Toth, of Wisconsin, each to be a Judge of the United States Court of Appeals for Veterans Claims, 1:30 p.m., SR-418.

Select Committee on Intelligence: to hold hearings to examine the nominations of Susan M. Gordon, of Virginia, to be Principal Deputy Director of National Intelligence, Robert P. Storch, of the District of Columbia, to be Inspector General of the National Security Agency, Department of Defense, and Isabel Marie Keenan Patelunas, of Pennsylvania, to be Assistant Secretary for Intelligence and Analysis, Department of the Treasury, 9 a.m., SH-216.

Full Committee, to hold closed hearings to examine certain intelligence matters, 2 p.m., SH-219.

House

Committee on Agriculture, Full Committee, hearing entitled "The State of Infrastructure in Rural America", 10 a.m., 1300 Longworth.

Committee on Appropriations, Full Committee, markup on the State, Foreign Operations, and Related Programs Appropriations Bill, FY 2018; and the Labor, Health and Human Services, Education, and Related Agencies Appropriations Bill, FY 2018; and Report on the Revised Interim Suballocation of Budget Allocations, FY 2018, 9:30 a.m., 2359 Rayburn.

Committee on the Budget, Full Committee, markup on the Concurrent Resolution on the Budget for Fiscal Year 2018, 10 a.m., 1334 Longworth.

Committee on Education and the Workforce, Full Committee, markup on H.R. 2823, the "Affordable Retirement Advice for Savers Act", 2:30 p.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Digital Commerce and Consumer Protection, markup on legislation on the Highly Automated Vehicle Testing and Deployment Act of 2017, 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Monetary Policy and Trade, hearing entitled "Restricting North Korea's Access to Finance", 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on the Western Hemisphere, hearing entitled "Implementing the U.S.-Caribbean Strategic Engagement Act", 2 p.m., 2172 Rayburn.

Subcommittee on Terrorism, Nonproliferation, and Trade, markup on H.R. 425, the "FTO Passport Revocation Act of 2017"; and H.R. 1196, the "Counterterrorism Screening and Assistance Act of 2017", 2 p.m., 2200 Rayburn.

Subcommittee on Terrorism, Nonproliferation, hearing entitled "Saudi Arabia's Troubling Educational Curriculum", 2:15 p.m., 2200 Rayburn.

Committee on the Judiciary, Subcommittee on Immigration and Border Security, hearing entitled "Agricultural Guestworkers: Meeting the Growing Needs of American Agriculture", 2 p.m., 2141 Rayburn.

Committee on Natural Resources, Full Committee, hearing on H.R. 424, the "Gray Wolf State Management Act of 2017"; H.R. 717, the "Listing Reform Act"; H.R. 1274, the "State, Tribal, and Local Species Transparency and Recovery Act"; H.R. 2603, the "SAVES Act"; and H.R. 3131, the "Endangered Species Litigation Reasonableness Act", 10 a.m., 1324 Longworth.

Subcommittee on Water, Power and Oceans, hearing entitled "Exploring the Successes and Challenges of the Magnuson-Stevens Act", 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Full Committee, markup on H.R. 378, the "Bonuses for Cost-Cutters Act of 2017"; H.R. 2897, to authorize the Mayor of the District of Columbia and the Director of the National Park Service to enter into cooperative management agreements for the operation, maintenance, and management of units of the National Park System in the District of Columbia, and for other purposes; H.R. 2989, the "Friedrick Douglass Bicentennial Commission Act"; H.R. 3031, the "TSP Modernization Act of 2017"; H.R. 3210, the "Securely Expediting Clearances Through Reporting Transparency Act of 2017"; H.R. 3243, the "FITARA Enhancement Act of 2017"; and H.R. 3244, to amend title 5, United States Code, to provide for annual surveys of Federal employees, and for other purposes, 10 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Full Committee, hearing on "Energy Innovation: Letting Technology Lead", 10 a.m., 2318 Rayburn.

Committee on Small Business, Full Committee, hearing entitled "Reversing the Entrepreneurship Decline", 11 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, hearing entitled “Building a 21st Century Infrastructure for America: Implementation of the Water Resources Reform and Development Act of 2014 and the Water Resources Development Act of 2016”, 10 a.m., 2167 Rayburn.

Committee on Veterans’ Affairs, Full Committee, markup on H.R. 95, the “Veterans’ Access to Child Care Act”; H.R. 282, the “Military Residency Choice Act”; H.R. 918, the “Veteran Urgent Access to Mental Healthcare Act”; H.R. 1058, the “VA Provider Equity Act”; H.R. 1690, the “Department of Veterans Affairs Bonus Transparency Act”; H.R. 1848, the “Veterans Affairs Medical Scribe Pilot Act of 2017”; H.R. 2006, the “VA Procurement Efficiency and Transparency Act”; H.R. 2749, the “Protecting Business Opportunities for Veterans Act of 2017”; H.R. 2772, the “SEA Act”; H.R. 2781, the “Ensuring Veteran Enterprise Participation in Strategic Sourcing Act”; H.R. 3218, the “Harry W. Colmery Veterans Educational Assistance Act of 2017”; and to require

the Secretary of Veterans Affairs to carry out a pilot program to provide educational assistance to certain former members of the Armed Forces for education and training as physician assistants of the Department of Veterans Affairs, to establish pay grades and require competitive pay for physician assistants of the Department, and for other purposes, 10 a.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Oversight, hearing entitled “Efforts to Combat Waste, Fraud, and Abuse in the Medicare Program”, 10 a.m., 1100 Longworth.

Subcommittee on Tax Policy, hearing entitled “How Tax Reform Will Simplify Our Broken Tax Code and Help Individuals and Families”, 2 p.m., 1100 Longworth.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine illicit cigarette smuggling in the Organization for Security and Co-operation in Europe region, 9:30 a.m., SD-106.

Next Meeting of the SENATE
9:30 a.m., Wednesday, July 19

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Wednesday, July 19

Senate Chamber

Program for Wednesday: Senate will continue consideration of the nomination of John Kenneth Bush, of Kentucky, to be United States Circuit Judge for the Sixth Circuit, and vote on the motion to invoke cloture on the nomination at approximately 10:30 a.m.

House Chamber

Program for Wednesday: Consideration of H.R. 2910—Promoting Interagency Coordination for Review of Natural Gas Pipelines Act (Subject to a Rule). Consideration of H.R. 2883—Promoting Cross-Border Energy Infrastructure Act (Subject to a Rule). Consideration of H.R. 218—King Cove Road Land Exchange Act (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Bonamici, Suzanne, Ore., E1013
Boyle, Brendan F., Pa., E1014
Clarke, Yvette D., N.Y., E1009
Courtney, Joe, Conn., E1010
Dingell, Debbie, Mich., E1007, E1012
Duncan, John J., Jr., Tenn., E1012
Estes, Ron, Kans., E1008
Gutiérrez, Luis V., Ill., E1008

Issa, Darrell E., Calif., E1009
Jackson Lee, Sheila, Tex., E1007, E1008, E1011
Khanna, Ro, Calif., E1011
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