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House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
October 24, 2017.

I hereby appoint the Honorable TREY HOLLINGSWORTH 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.

PUERTO RICAN HURRICANE VICTIMS

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

Mr. GUTIÉRREZ. Mr. Speaker, shortly after the President returned from his trip to Puerto Rico, I received a shipment in my office of paper towels. It didn't come with a note or an explanation, just 12 rolls of Viva. I guess there is a little irony maybe because it is in Spanish.

Maybe after watching the President entertain himself by tossing paper towels at hurricane victims in Puerto Rico, some well-intentioned person thought that giving paper towels to Puerto Ricans was an appropriate sign of respect—the gift you give to Puerto Ricans after a major disaster trying to cheer us up, Viva.

Having returned from my second trip to Puerto Rico since the hurricane, I can tell you one thing for sure: we need a lot more than paper towels from the President and this Congress.

This is Loiza. I was visiting with the mayor. I want you to look at the pictures. This woman here, she has a disabled adult sleeping on a wet mattress. Yes, sleeping on a wet mattress. That is the home in which she takes care of her son. Four weeks after the hurricane, children hiding behind barricades, homes destroyed.

This is Comerio where food, 4 weeks after the hurricane, because there is no food, has to be handed neighborhood to neighborhood, hilltop to hilltop, hamlet and village to village within the town.

See this? People sleep there on that bed without tarps because somehow we forgot that in a hurricane-destroyed society it might have—be a good idea to have something over your head. Of course, the President said he gave himself a 10. Tell that to the people who have lived there 4 weeks.

I just came back from this trip on Saturday. I am now not surprised that the congressmen, my colleagues, are taking day trips to Puerto Rico. Yes, that is what we do as Members of Congress, we get there at 9 o'clock during the Sun of the day, and we leave by 4 before the darkness comes because, of course, there is no electricity, and then they take us on a helicopter ride around the island. That is no way to visit.

You get off the plane and off the helicopter and you stay overnight when it is pitch black because that is the way 3.4 million American citizens live 1 month after the hurricane. That is how they live. So I don't know, maybe congressmen should stop taking day trips where they get there at 9 and leave by 4. Spend the night, get out of your comfort, and go talk to the American citizens that you are supposed to be representing.

America, see this? That is a horse stable, abandoned house where people live. I met a 13-year-old girl there with her mom and her 12-year-old brother. That is where they live. See this mom and the two children? No roof over their heads. Just a little tarp to keep one part of their house and no place to sleep.

See this man right here? He lives in this abandoned house in a little tent with a 2-month-old child and his wife, disabled in a wheelchair, and no electricity to run his air tank so that he can get the vital air that he needs to sustain his life.

This is what I saw, and this was without the help of the Federal Government because, if you ask for help, they will put you on a helicopter and take you on a nice tour and you will not talk or see anybody.

And I know there are some in America who say they should just do this for themselves. Well, guess what? They are citizens of the United States of America. They are a colony of the United States of America. And I would just ask America—there are over half a million people on that island who are homeless, whose homes have been destroyed, and our government—here is the one question people kept asking me no matter where I went, they said: Where is FEMA? Where is the help that we expect from the most powerful and richest Nation on the Earth in this moment of despair?

And soon it will be out of the headlines, and soon it will be out of the rotation, and we will try to forget, but they will continue to suffer.

I came back on a flight from Puerto Rico this past Saturday night filled

with people fleeing, and I met this wonderful woman who said to me: I have my child here. I am dropping her with my sister so that she can be free.

We would not allow this in Texas. We would not allow this in New Jersey. We would not allow this in Florida. We did not allow it even after a week in Katrina. Let's not allow it in Puerto Rico either.

A TRUE AMERICAN PATRIOT

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

Mr. EMMER. Mr. Speaker, I rise today to honor the career and service of Major General Richard C. Nash. Major General Nash recently retired after serving as adjutant general of the Minnesota National Guard for 7 years.

In his role as adjutant general, Nash had the important responsibility of overseeing Minnesota's Army and Air National Guard units, an important role where he saw great success. Having served in the Army National Guard since 1976, General Nash was selected for the job of general because of his experience and strong leadership during the conflict in Bosnia and the Iraq war.

During his time in the National Guard, as a testament to his hard work and commitment to our great Nation, General Nash has received many awards like the Bronze Star and the Meritorious Service Medal.

General Richard Nash is a true patriot whose service to our Nation has been a blessing to us all. I speak for all Minnesotans when I thank him for his dedication and wish him the best in his well-deserved retirement.

MINNESOTA'S HONORARY CAREGIVER

Mr. EMMER. Mr. Speaker, I rise to honor the life of Carlene Johnston and the beautiful partnership she shared with her loving husband, Dan Johnston.

Originally diagnosed with breast cancer in 2012, Carlene passed away in 2016, after a long and hard fight. Carlene's devoted husband, Dan, stood by his wife's side through every moment, keeping his marriage vow to love his wife in health and in sickness.

On the day that Carlene passed, Dan shared in a post that caring for his wife in her final days was easy, writing: When you're helping someone you love, it's not a burden.

As tribute to Dan's and Carlene's strong marriage and Dan's commitment to caring for his sick wife, Dan was awarded the Waconia Relay for Life's 2017 Honorary Caregiver Award.

Our most sincere condolences go out to the Johnston family, and we thank Dan for epitomizing love in its truest form. You are an amazing role model.

BRINGING THE WORLD EXPO TO MINNESOTA

Mr. EMMER. Mr. Speaker, I rise today to support Minnesota's bid to host the 2023 World Expo. I was proud to cosponsor and see both Chambers of Congress unanimously pass the U.S. Wants to Compete for a World Expo Act earlier this year to give Minnesota and the United States a chance to showcase the best we have to offer.

The President signed the Expo Act into law in May, and since then, the State Department, the Expo 2023 coalition, and the entire Minnesota delegation have been working hard to bring this prestigious international event back to the United States.

Now, as we near the November 15 announcement from the Bureau of International Expositions, Minnesota is one of the three finalists in the running to host the 2023 event with a proposed theme of ''Healthy People, Healthy Planet.''

I can think of no better place to hold such an event, as Minnesota is one of the healthiest States in the country, a hub for medical innovation and a world-class location to host the first Expo in the United States in more than 30 years.

I am grateful for the support of my colleagues in Congress and the President to make this opportunity a reality, and I look forward to putting the United States and the State of Minnesota back on the world stage as the host of the 2023 World Expo.

A TOP HONOR FOR SHERBURNE COUNTY

Mr. EMMER. Mr. Speaker, I rise today to congratulate the Sherburne County Sheriff's Office for receiving accreditation from the American Correctional Association. Sherburne County received this accreditation because of the quality of the county jail and the high standards the staff maintains.

The accreditation was actually earned by the 116 correctional officers who operate the jail and the strong leadership of Sherburne County Sheriff Joel Brott.

This is quite an accomplishment. In fact, out of Minnesota's 87 counties, only one other county jail in Minnesota received this accreditation. Congratulations to Sheriff Brott and his officers. We are proud to represent you and to work for you.

INFRASTRUCTURE FUNDING CRISIS

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

Mr. BLUMENAUER. Mr. Speaker, my Republican friends are going to be asked this month to embrace a budget and a tax proposal with highly disputed benefits. But what is not in dispute is it will add $1.5 trillion to the national debt and up to $4 trillion in cuts to programs Americans care deeply about, like Medicaid and Medicare.

There is a better way. I spent much of this last weekend in Orlando, Florida, with leaders of the American Trucking Association. These are people who understand the infrastructure crisis America faces because they and their employees deal with it every single day. Instead of cutting transportation funding or having some mythical program without details, they are willing to step up and invest more, raising their fuel taxes—they already pay about half the total cost of the Highway Trust Fund—to be able to make a difference.

And I would hope that Congress will look at that example, listen to those people, and be able to do its part.

In no small measure, because of the leadership of many small businesses and trucking associations around the country, over half the States, since 2012, have stepped up to raise their transportation resources, and the States are seeing the benefit. They are seeing the economic impact of the construction, and it is making a difference on the ground for people and communities.

It is important that the Federal Government does its part. We need to be there for projects that are multimodal, that are multi-State, and multiyear. That Federal partnership has played a vital role since the enactment of the Interstate Highway System in 1956.

The trucking industry was able to make the point that the public is already paying the cost, about $1,500 a year extra cost for the typical family for car maintenance and congestion.

The transportation industry is paying some $63 billion of cost every year due to congestion. For about $2 a week, from the average family, we could take critical steps to make sure that we address this infrastructure funding crisis.

If people really want to have some congressional action that will put people to work at family wage jobs, not the disputed trickle-down economics, it is undisputable that every $1.2 billion invested in infrastructure creates almost 30,000 jobs.

□ 1015

It creates almost about $2 billion of economic activity. For each $1.2 billion invested, it will reduce the deficit $200 million.

Mr. Speaker, it is past time that this Congress stops shirking its responsibility. We ought to be in partnership not just with the truckers, but with AAA, engineers, contractors, construction unions, local government, the vast array, the largest coalition of groups dealing with a controversial issue before Congress. If we would give 2 weeks to hear from these leaders across the country of this broad coalition, the case would be made and I think Congress would finally step up and do its job.

Our partners in the private sector, in State and local government, and people in the communities can expect Congress to be a partner to make our communities more livable, to make our families safer, healthier, and more economically secure.

I hope when some of our friends from the trucking industry join us this week on Capitol Hill, that Members will listen to their case and be able to have the courage to step up and invest in

our future. Our constituents deserve no less.

TEXAS TECH PEACE OFFICER FLOYD EAST, JR.

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

Mr. POE of Texas. Mr. Speaker, Officer Floyd East, Jr., of the Texas Tech Police Department recently responded to a routine student welfare check at the dormitory. Callers reported a 19-year-old individual named Hollis Daniels, who was acting erratically and potentially had a weapon.

So Officer East went to Daniel's dorm room, and he discovered drugs and drug paraphernalia. Hollis, the defendant, was arrested and taken to the station for a standard debriefing.

But that is when the intake procedure at the police station went haywire. The defendant was not adequately searched before booking. Suddenly, the dastardly criminal whipped out a gun and fired pointblank into 48-year-old Officer East's head, instantly killing him. This is a photograph of Officer East. Yet another peace officer, another guardian of the thin blue line, murdered for no reason.

The suspect then fled, going on the lam, taking Officer East's body cam with him. The university went on lockdown, anxiously waiting for the killer to be found. Sure enough, thanks to the quick actions of the Texas Tech police force, the outlaw was located on campus and apprehended again.

Officer East was an El Paso, Texas, native. He is survived by his wife, Carmen, and two daughters, Anna and Monica. The funeral was a solemn remembrance wrapped up with the release of over 1,000 black and blue balloons, which flooded the west Texas blue sky, all in Officer East's memory.

Peace officers from all over Texas, and even other States, showed up for the funeral. As the body passed the Army National Guard Armory, officers and military stood at attention and saluted Officer East's body.

Officer Floyd East began his career with the Texas Tech Police Department on December 1, 2014. He started as a security guard at Texas Tech University Health Sciences Center in El Paso, Texas.

While working as a security guard, he went on to school at El Paso Community College Law Enforcement Academy to obtain his basic peace officer license to be a peace officer in the State of Texas.

Court documents show that the defendant, when he was arrested, concealed a weapon in his pants; and when Officer East's back was turned, the coward drew the weapon and murdered Officer East. The weapon that he had was stolen.

The defendant is charged with capital murder, and a $5 million bond is set. May Texas justice occur.

Mr. Speaker, our men and women in blue voluntarily do everything they can to help protect and serve our communities, especially at our colleges and universities. For these remarkable men and women, their safety, like all peace officers, is never guaranteed. While the badge and the uniform represent safety for citizens, for some reason, in our society it becomes a target for other people, like this defendant.

Officer East worked with university students, helping protect young Texans eager to learn on their university campus. He was senselessly killed. There is never an answer for murder, except to hold the person who did the murder accountable.

The defendant's friends quickly jumped to the defendant's defense online, claiming Daniels was not a monster. Mr. Speaker, college students do make mistakes. A mistake is like missing class and sleeping in. Mistakes are not murdering people.

The defendant is totally responsible for his own actions. He can't blame the drugs, he can't blame the fact that he was young, or he can't blame the fact that he was not thinking right.

Mr. Speaker, I was a judge in Texas for 22 years and heard cases like the murder of Officer East. People are responsible for what they do. In our society, we cannot have this feeling that people are not responsible and that something else calls them to do things. People are totally responsible for the choices that they make.

I have heard all of the excuses. I have heard: ''Oh, I was too young.'' ''Oh, I was too old.'' ''I was on drugs.'' ''I was affluent.'' ''I wasn't affluent.'' I have heard all of the excuses.

There is no excuse. People, like this defendant, are responsible for their actions.

Officers like East are a cut above the rest of us, and they protect us from harm's way and they protect us from evildoers. He is of a rare breed, he is the Texas breed of law officers that sacrifice for the rest of us.

Taps have been played for Officer East. He has been laid to rest. We pray for his family, friends, and those officers in west Texas and Texas Tech University.

And that is just the way it is.

CALIFORNIA FIRES

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

Mr. THOMPSON of California. Mr. Speaker, the worst fire in the history of California has devastated nearly 300,000 acres, destroyed some 7,000 homes, caused billions of dollars in damage, burned to the ground many businesses, and, most sadly, taken the lives of 42 people; and that number may, in fact, rise.

This fire was like no other, propelled by winds that reached speeds of over 70 miles an hour. It moved so fast, burning at times 200 feet per second—that is three football fields every 30 seconds—that people had little time to escape their burning homes.

People fled with only their night clothes—no time to grab even their medication, important papers, or personal belongings. Thousands of families were displaced and will have to find housing, rebuild their homes and businesses, and rebuild their lives.

Over 100,000 people were evacuated during the late hours of the first night of this monster firestorm. Many of you saw the news coverage play out on your television. The most covered area in the news is an area in Santa Rosa called Coffey Park. This is it. There alone, some 1,300 homes were burned to the ground. This area is on the far western side of the fire-devastated area, a county away from where it started.

The winds were so high that they pushed the blaze across eight lanes of freeway and over two frontage roads to destroy the homes and the lives of these 1,300 families. The winds were so high that cars were not only burned beyond recognition, but they were flipped over. There is a metal garage door that remains stuck about 35 feet off the ground in the remains of a burned-out pine tree.

Leader MCCARTHY was with me in Coffey Park and saw firsthand the devastation. I want to thank the leader for his commitment to work with us to help our communities and the many people so devastated by this unprecedented disaster. I thank also the 11,000 firefighters, the many law enforcement, and National Guard that put their life on the line to stop the raging inferno and protect the lives of the people of my district and the other fire-threatened areas of California. Some of those first responders lost their own homes, but worked 24/7 to help others.

The response was awesome and truly appreciated. Mutual aid came from every county in California, States across our great country, Federal agencies, and from other countries. The actions of civilian heroes and heroines saved an untold number of lives and continue to make life tolerable to those affected by this fire disaster.

The fallout from the disaster will be felt for years, if not decades. You just can't rebuild 7,000 homes and neighborhoods overnight.

The heartbeat of our community—doctors, nurses, workers, teachers, CEOs, and small business owners—were burned out and must start over. My colleagues and I appreciate all of their words of comfort and offers to help. The people hurt by this monster fire will need all of our help. As we move forward, we have to work together to address this devastation that has befallen the people of my district and other parts of northern California.

Mr. Speaker, I yield to the gentleman from California (Mr. HUFFMAN).

Mr. HUFFMAN. Mr. Speaker, I have spent a lot of time with my friend, Congressman MIKE THOMPSON, over the past week because our districts neighbor each other. While the worst of this

fire was in Congressman THOMPSON's district, portions of that terrible Santa Rosa fire spilled over to affect my constituents, and I had a separate fire in Mendocino County, the Redwood Complex, that itself would have ranked among the top 20 wildfires in California history. The fact that all of these fires happened together is truly an unprecedented and a dreadful crisis.

Mr. Speaker, I thank Mr. THOMPSON. He has been everywhere in the region. I thank our local government partners, and I thank our colleagues, Minority Leader PELOSI, and Majority Leader MCCARTHY. The support has been bipartisan and it has been nationwide. FEMA has been on the ground along with first responders doing heroic work to get the recovery and the rebuilding process started. We are grateful for all of that, but we are only at the beginning.

If you want to see your government doing good work, go to the local assistance center in Santa Rosa or in Ukiah and watch how the wraparound services are there. Every need that these fire victims, these devastated families, can imagine is there to be met. But we are at the beginning, and we are going to need that support over a long-sustained period.

Mr. Speaker, I thank my colleagues for standing with us at this early stage of dealing with this crisis. We are going to need them over the long haul. We will be talking more about this going forward.

TAX REFORM

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

Mr. JENKINS of West Virginia. Mr. Speaker, everyone remembers the excitement of receiving that first paycheck and the feeling of accomplishment that hard work brings. We also remember just as vividly the disappointment we experienced when we saw just how much of our hard-earned money went to taxes.

It is a rite of passage that we have grown used to, but that doesn't mean it is right. Americans deserve to take home more of their pay.

That is exactly why we need tax reform, tax cuts, and tax simplification, and why I am working with President Donald Trump to make our tax system work for West Virginia's families.

Our tax framework would cut taxes for West Virginia's middle class families, double the standard deduction for individuals and couples, and create jobs by making small businesses and American companies more competitive.

West Virginia's families work hard and have been squeezed by our State's economic downturn. Under our tax framework and with the support of President Trump, help is on the way.

We will also make it easier and simpler for Americans—West Virginians—to file their taxes. Most families will be able to file their taxes just on a postcard, saving them both time and money.

Our plan for tax reform, our plan for tax cuts, our plan for tax simplification will help us build a better America, a better West Virginia, one where families have more opportunities, more jobs, and more money in their pockets.

□ 1030

NATURAL DISASTERS

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

Ms. PELOSI. Mr. Speaker, I join my colleagues Congressman THOMPSON and Congressman HUFFMAN in paying tribute to the first responders who responded to the fires in northern California and, indeed, in southern California as well.

The spirit of our community is so magnificent seeing people come together to help each other. I salute our colleague MIKE THOMPSON, who so much of his district was like an inferno, but much of his district is still thriving and one group helping another, and Mr. HUFFMAN there, side by side with him, the whole time.

This is very tragic. The loss of life is heartbreaking, the loss of livelihood is devastating, and the loss of homes, of course, takes a while to replace.

We have seen other natural disasters in the rest of the country, in Harvey and Irma and Maria and Nate, Puerto Rico, the Virgin Islands, Florida, Georgia, Alabama, Texas, and Louisiana. So many of the people of our country devastated in a short period of time.

So, in times of natural disaster, it is very important for the Federal Government to honor its social compact with the American people and to be there for them. I look forward to working in a bipartisan way for us to have the resources for FEMA to do its job and for the SBA to do its job to help businesses and homeowners recover their losses. And, again, pray; our hearts and prayers are with the families of those who lost their loved ones, their livelihoods, and some who are still in need of recovery.

REPUBLICANS' DEVASTATING TAX CUT PLAN

Ms. PELOSI. Mr. Speaker, I rise in opposition to the devastating tax cut plan that the Republicans are putting forth. If you are in the middle class, you will most likely be having your taxes increased. If you have a family member on Medicare or Medicaid, you will be, most likely, devastated by the impact of this.

This is a bill that the Republicans are putting forth that will add trillions of dollars to the national debt while they sing the praises of fiscal responsibility. The fiscal hawks have become an endangered species. No longer are they there to say: We are not going to borrow from our future in order to give tax cuts to the wealthiest people in our country.

Indeed, 80 percent of the Trump-GOP tax framework, the framework net tax cuts go to the top 1 percent of Americans. The top 1 percent of Americans get 80 percent of the Trump-GOP framework net tax cuts.

As they increase the deficit, anyone who might be haunted by the thought that, well, we better cut someplace, where do you think they are going to go? They will devastate Medicare. They will devastate Medicaid.

What does that mean in the lives of the American people? It means that middle class families in our country will be subsidizing tax cuts for the wealthiest families and wealthiest corporations in our country. This is completely wrong.

It will also have a devastating impact on our budget priorities. In our budget priorities, our budget should be a statement of our national values. What is important to us as a country should reflect what is in the budget: investments in education so that children and families can reach their aspirations, so that communities can reach their economic success, so that America continues to be number one globally, competitively, and so that we, again, have the resources to invest in science and technology and our national security to keep America number one.

Infrastructure, so talked about, infrastructure—build, build, build:

Build across America roads, bridges, broadband. Build water systems and the rest, all of the needs that we have.

Build the human infrastructure of America by investing in education and healthcare and the rest.

Build our democracy by making sure that our democratic process has the resources necessary to be conducted in a way where every person's vote is counted as cast.

So all of this is connected to governance, and all of this is harmed by the assault on our budget that this tax proposal will present.

Middle class taxes will increase. Middle-income families will pay more. Tens of millions of middle class families will pay higher taxes.

One of the ways they will is because of the great idea the Republicans have to stop the deduction for State and local taxes. This is a big hit on middle class families in our country.

It steals trillions of dollars, borrows from the future and from our children's future to give tax cuts to the wealthiest. Eighty percent of the GOP tax cuts go to the wealthiest 1 percent at the expense of our children and working families and our country's future.

It would devastate Medicare and Medicaid. After adding trillions to the deficit, the GOP will use the deficits to justify destroying Medicare and Medicaid. And they are on it. They are already, in the bill, saying that they are going to means test Medicare. It is in keeping with their theory that Medicare should wither on the vine.

Democrats are for A Better Deal, for real bipartisan tax reform. Any business will tell you that what they want

in tax reform is some level of certainty that this is going to last for a while. The only way to do that is to have bipartisanship at the table.

Go to the table. What will create growth? What will create good paying jobs? What will reduce the debt? This bill does exactly the worst.

Don't let them tell you that, even though they are adding trillions of dollars to the debt, that is going to be paid for by economic growth. It has never happened. Trickle-down economics, President Bush tried that. It was tried before. It has never done that. It has never paid for itself. In fact, it has only increased the national debt.

In that regard, Bruce Bartlett, who was an economist in the Reagan years as well as worked very closely with Jack Kemp in supply side economics as an advocate for supply side economics, said: We never said it would pay for itself. Anybody who tells you that these additions to the deficit will pay for themselves by growth, it is not true, it is nonsense, and, he said, BS.

Forgive me, Mr. Speaker. I am just quoting. I am just saying what he said.

So this is a moment of truth for our country. What are our values? How are they reflected in our budget? How do we grow the economy in a way that increases the paychecks of America's working families so that they have consumer confidence? they spend? they inject demand into the economy? they create jobs? they bring revenue to the Treasury?

How is it a good idea to cut education in order to give tax cuts to the wealthiest people in our country? Nothing brings more money to the Treasury than investments in education, early childhood, K–12, higher ed, postgrad, lifetime learning for our workers.

So, with stiff competition, mind you, having tax cuts which will steal from our budget investments in education is, with stiff competition, one of the worst ideas that the Republicans have to offer. But this is something that people should be alerted to, forgetting the policy and all the rest of it, what it means in your life.

Most likely, middle class family, you will pay more taxes. If you have a family member who is dependent on long-term healthcare, long-term care, whether in a nursing home or at home, most likely you will pay a price. If you have a family member who is on Medicare or if you are, Social Security disability, you will be affected by it.

The President said in his campaign the system is rigged. This is the rigging of the rig. This is taking the rig to a step that is almost impossible for us to return from. They take us down this road to ruin. They take us down this path to severe increase in the national debt to the tune of trillions of dollars, not even counting the debt service on it, at the cost of investments in our future, in our children, in our families, in fairness in our economy, in opportunity for America.

This is something that must be stopped, and we can start by stopping the assault on the State and local taxes deduction. Let's hold Members of Congress accountable for what they do that affects your pocketbook and your future.

We will be continuing this conversation for awhile, and we will have charts and the rest to visually demonstrate what this is.

Governance is about how you raise the money and how you invest it, and this is the dialogue that our country needs to hear very clearly for not only the policy aspects of it, but the personal consequences in their lives. This is a very bad deal for the American people, for middle class families.

Democrats want A Better Deal, better jobs, better pay, better future, and, by the way, to do this in a very bipartisan way.

REMEMBERING LUKE JOHNSON

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

Mr. FITZPATRICK. Mr. Speaker, I rise today to share the story of 22-year-old Luke Johnson, a graduate of Pennsbury High School in my home of Bucks County, Pennsylvania.

Luke was known for his quirky sense of humor and his laid-back demeanor. He was a football standout at Pennsbury and was named best defensive player of the year his senior year. He also wrestled. He played soccer, baseball, and could throw a Frisbee a mile.

Above all, Luke loved to be with his family and with his friends, and it was his tight-knit group who supported Luke as he battled the increasingly common enemy of opioid addiction.

On May 17, 2017, Luke lost his battle with this disease after many difficult years of trying to return to normal.

Throughout his fight, like so many, he was haunted by shame, loss of self-worth, and the stigma of being addicted to opioids. This pain was shared by his friends and family, affecting the entire community, who just wanted to help, to see Luke be Luke.

As he tried to work his way towards recovery, Luke's parents, Maureen and John, discovered the genesis of his addiction: a prescription opioid pill given to him on his first day in high school. It progressed further when he was offered opioids after football game wins during his junior and senior year in high school. Ultimately, he was offered and accepted the invitation to try heroin.

Imagine the difficulty for this family and millions like them. At first, Luke's family was dumbfounded, angry, and hurt. They had no idea the difficulty he was facing.

They mobilized to support Luke by placing him into a local rehabilitation facility, but later found out that their insurance would not cover inpatient treatment, so they sold their car for his initial recovery. However, when Luke came home, the people, places, and things from his old life triggered a relapse.

His parents hoped that a facility in Florida would remove these triggers from Luke's life and put him on the road to recovery. After several months of recovery in Florida, Luke was forced to find another place to live. This was the move, Mr. Speaker, that he was not ready to make. He died a few days later, before he had fully unpacked the few belongings that he had.

Following Luke's death, his parents established the Luke's HERO in ME Foundation in Yardley, Pennsylvania. Their goal is to help with the awareness, education, and to destigmatize opioid addiction. Ultimately, they want to ensure that other family, friends, and community networks can save their Luke.

Mr. Speaker, I include in the CONGRESSIONAL RECORD a letter I received from Luke's parents.

OCTOBER 17, 2017.

CONGRESSMAN FITZPATRICK: Thank you for speaking with me at the David's New Day event last weekend. Your support for the opioid crisis has been more than welcome. The recent news, spurred by the 60 Minutes investigation, suggests that there are very deep rooted issues that need to be addresses to fully confront this issue. In short, you and your colleagues have much work to do. If there is anything we can do to help, please let me know.

I have included my son's story below to go along with the funeral card I gave you. I hope putting names, faces and stories to the cause will help drive the needed change.

John Luke Johnson, always known as Luke or Lukey or Duke, was a handsome athlete with piercing blue eyes. He was known for his quirky sense of humor and ''chill'' demeanor. He loved his dog Ethel (aka Ed Rendell)—she was just as quirky as Luke—and It never ceased to amaze me how gentle and kind Luke was to Ethel and all animals. He was a good athlete, playing football (named Pennsbury's best defensive player his senior year), wrestled, played soccer and baseball. He could throw a Frisbee a mile. He loved to be with his friends. He had more friends than I could count. But, his best friends—Tyler (an Army Ranger), Fardin (a college student) and Christian D (recent college grad), Christian H (a college student) he loved most. Like his family, these friends supported and loved Luke; despite the pain and battle that comes with addiction, they stuck around until the very end. In Luke, we lost that good guy next door—that guy that everyone loved and enjoyed being with.

One May 17th, 2017, our son Luke lost his battle with this terrible disease only after suffering for a few, very difficult years trying to return to ''normal''. Throughout his battle he was haunted by shame, a loss of self-worth and the stigma of being an addict. This pain was shared by his family and friends. Our aspirations for him and the aspirations he had for himself were replaced by the day to day struggle against the emotional and physiological damage caused by this disease.

During the process of recovery, we learned about Luke's path to becoming an addict. It started with a female friend giving him a pill (an opioid) to try his first day of high school. She passed away of an overdose last year. It

progressed further with a mom rewarding football players with opioids after game wins during his junior and senior year. Ultimately, he was offered and accepted the invitation to try heroin.

Until Luke found himself fully addicted and came to us for help, the indications were almost silent. He had the normal ups and downs of a teen and at times indulged in alcohol and smoked pot. While we had many discussions about making good choices and the implications of drug and alcohol abuse, we were not aware of the opioid use and the changes to his brain. We are confident Luke was not aware of the permanency of his actions and what he would ultimately have to battle.

Initially, we were dumbfounded, angry and hurt. Our understanding was limited to the stereo-type junkie from the 70's and the ''just say no'' Dare program information we received during the elementary school assemblies. We had no clue about how the drug had changed his brain and the very real difficulty he was in. We were quickly enlightened by our daughter Alex, who had recently studied this in college.

We mobilized to support Luke by placing him into a local facility. Our insurance would not cover inpatient treatment (we were told only after a relapse) and we sold our car and scraped up the 20k it cost for his initial recovery. After a 24 day stay, Luke came home but soon returned to using—despite meetings and drug tests the triggers ''people places and things'', we learned, were very real.

We found a place in Florida for Luke and assumed that being away from the triggers was best for Luke. He lasted 3 or 4 months and returned home only to use again. After several months, Luke found another place and was in recovery and clean for 9 months. After the facility in Florida changed ownership (and the new staff now cared more for insurance money than keeping their charges clean), Luke was forced to find another place to live. This was a move he was not ready to make. He died a few days later, before he had fully unpacked the few belongings he had.

After Luke's death, we established the Luke's HEROin ME foundation. The goal of the foundation is to help with the awareness, education and to destigmatize opioid addiction; ultimately, so others can save their Luke. While we have much more to do, we have made progress in our local high school, have shared Luke's story on radio, in the press and have begun to organize events to meet our goals. We will push to have a national standard that can be applied uniformly across the country. We need to have more standards for rehab facilities, many of which have become corrupt machines that fuel relapse and overdose deaths.

With opioid overdose (and the more recent introduction of fentanyl and carfentanil into commonly used drugs) as the leading cause of death among our young people, we have little choice.

We would love to support you in any way in your endeavor to end the opioid crisis. We are in this for the long haul, and want to help save as many lives as we can.

JOHN AND MAUREEN JOHNSON.

Mr. FITZPATRICK. Mr. Speaker, with opioid overdose as the leading cause of death among our young people, we have little choice but to act.

When I met Luke's father, he gave me this picture of Luke, and he asked that we remember Luke as we work to end this epidemic.

I urge my colleagues to join me in this call to action.

□ 1045

IN DEFENSE OF AN HONORABLE WOMAN

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

Mr. AL GREEN of Texas. Mr. Speaker, it is always an honor to stand in the well of the House, and I am honored to do so today.

Mr. Speaker, I rise today to defend the Honorable FREDERICA WILSON. Mr. Speaker, I rise to defend her not because of her color. She is a person of African ancestry, but, Mr. Speaker, I don't rise to defend her color. I believe that it is not the color of skin but rather the character within that determines the worth of men and women, so I rise to defend her worth. I rise to defend who she is. I rise to defend her integrity, her honor, and her dignity. I rise to defend an honorable woman.

Mr. Speaker, I do so because, in this country, we have allowed public discourse to be degraded to the extent that the President of the United States of America would call a Member of Congress, an honorable woman, wacky. Mr. Speaker, this is not a wacky person. This is a person of honor and integrity and of intellect.

Mr. Speaker, she is a former principal. She didn't just show up in the Congress one day. She was a State representative and a State senator before coming to Congress.

I rise to defend her. I rise to defend her because, Mr. Speaker, it has been said that she is an empty barrel. Mr. Speaker, it is hard to believe that one who has served the country as well and as capable and as able that the maker of that statement would do so. But it says something about the influence that this President is having on people of honor and integrity. It says something about the influence that he is having on society. This is not an empty barrel. She is a person of intellect.

It has been said that she is all hat and no cattle. That is an insult. That is an insult because somehow someone is trying to send a signal that others will receive as a person who is an airhead. She is not an airhead. She is not a person who is all hat and no cattle. She has sponsored meaningful legislation. She has been in a fight to free many young women who have been taken captive. She is tenacious. She doesn't give out, she doesn't give up, she doesn't give in. She is a fighter, and I stand and I rise to defend her.

I do this, Mr. Speaker, because I believe that Carlyle is right: ''No lie can live forever.'' She has been lied on, Mr. Speaker.

I do so because I believe that William Cullen Bryant is right: ''Truth, crushed to Earth, shall rise again.'' There are people who have tried to bury the truth about this good woman in an earthly grave of lies.

Mr. Speaker, I rise to defend her because I believe that if we allow one person to go undefended in a circumstance like this, every person is at risk of being treated in a similar fashion. We are in some very difficult times, and many of us don't realize it. We have a person who is at the top who is setting a tone and tenor for the country who is demeaning the dignity and respect that his office commands.

Mr. Speaker, this has to stop. There are those who say wait until the next election. I am not one of them. I believe that the remedy for this kind of behavior and the impact that it is having on society is impeachment.

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 49 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

Rabbi David-Seth Kirshner, Temple Emanu-El, Closter, New Jersey, offered the following prayer:

As we embark on this sacred day of work to better the lives of all Americans, we ask that You, God, help instill these leaders of the 115th Congress with patience, wisdom, empathy, and respect to achieve and exceed our goals for today and for tomorrow. Help us demonstrate our gratitude for our service people and first responders who work as our partners in fulfilling our shared mission.

God, we ask You today to disseminate Your sunlight and shower down Your rain, which will help us cultivate the seeds of securing our freedoms, celebrating our democracy, and championing tolerance for now and forever.

May it be Your will that the generations to come that will live within and lead this great Nation can enjoy the blooming flowers and sweet fruits of our labors on this sacred day.

God, we ask You to bless this Congress and these United States of America.

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 Michigan (Mr. KILDEE) come forward and lead the House in the Pledge of Allegiance.

Mr. KILDEE led the Pledge of Allegiance as follows:

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

WELCOMING RABBI DAVID-SETH KIRSHNER

The SPEAKER. Without objection, the gentleman from New Jersey (Mr. GOTTHEIMER) is recognized for 1 minute.

There was no objection.

Mr. GOTTHEIMER. Mr. Speaker, I rise today to welcome to the U.S. House of Representatives my dear friend and my adopted rabbi, David-Seth Kirshner, the leader of Temple Emanu-El in my congressional district in Closter, New Jersey.

As a lifelong New Jersey resident, Rabbi Kirshner has dedicated his career to serving his family, community, and our country. Dori and David are proud and loving parents to Eve and Elias, and I am glad they are here. Rabbi Kirshner is a spiritual mentor to many and a man of deep faith, conviction, and conscience.

Temple Emanu-El has been a beacon of civic engagement, youth education, and community service in our State, and under Rabbi Kirshner's leadership, Temple Emanu-El has brought a warm and open atmosphere that will endure for generations to come, building on its 85-year history of service to our State.

Rabbi Kirshner and Temple Emanu-El call on each of us to do our part to engage in ''repair of the world,'' ''tikkun olam,'' to love your neighbor as yourself, and to fulfill God's commandments with the work of our hands.

In addition to his work as rabbi of Temple Emanu-El, Rabbi Kirshner is a leader among his colleagues, serving as the vice president of the New Jersey Board of Rabbis and as a member of the Chancellor's Rabbinic Cabinet at the Jewish Theological Seminary.

A strong advocate for the U.S.-Israel relationship, Rabbi Kirshner is on the New Jersey-Israel Commission. He is a believer that Israel is a key strategic ally and a defender of democracy and freedom against the evils of terror.

I would like to thank Rabbi Kirshner for praying with us today and representing all faiths of the Fifth Congressional District of New Jersey.

May God continue to bless the United States of America.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

2018 NATIONAL PRINCIPAL OF THE YEAR

(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, I am grateful to recognize Dr. Akil Ross, the principal of South Carolina's Chapin High School, as the 2018 National Principal of the Year. I appreciated being with Dr. Ross, alongside Chapin High School students, family, teachers, staff, board members, and community leaders last Friday as they surprised him with this fantastic news.

Dr. Ross works diligently each day to create an environment that allows students to rise to their full potential. At Chapin High School, he is known for promoting the six Rs, including ready to learn, respectful to others, and responsible to ourselves.

As a member of the House Committee on Education and the Workforce, I am both grateful and humbled to have such wonderful educators and students located in the Second Congressional District.

It is inspiring to work with leaders in the Second Congressional District who are building a great foundation for younger generations of South Carolina so they can leave high school ready for fulfilling lives.

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

NEED TO REJECT TAX BREAK

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

Mr. KILDEE. Mr. Speaker, I think all Americans and certainly Members of Congress agree that we need to simplify our Tax Code, make it easier for middle class families to get ahead and to stay ahead. Unfortunately, what we know about the Republican tax plan, as the details begin to leak out, go in a different direction.

This is a tax break, a big tax cut for billionaires at the expense of working families. According to the nonpartisan Tax Policy Center, a family making $50,000 could see their tax bill increase by as much as 380 percent—less money to set aside for retirement, less money to set aside for a child's education, less money to pay the bills that families who struggle work hard every month to pay, in order to fund a tax break for the wealthiest Americans.

5,400 families would get a $270 billion tax cut funded by increased taxes on people who work hard every day just to make ends meet. Just saying that this is tax relief for all Americans over and over again does not make it true. The details actually matter.

This is a big tax break for the wealthiest Americans. People like the Trumps and the DeVoses don't need more relief. We need to reject it.

TIME TO PASS NEW AUTHORIZATION FOR THE USE OF MILITARY FORCE

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

Mr. BANKS of Indiana. Mr. Speaker, earlier this month, four U.S. servicemembers were killed in Niger by Islamic militants. We thank these American heroes who paid the ultimate price for our country. Their service will never be forgotten.

As we learn more about this situation, many of my constituents have asked why American personnel are in Niger to begin with.

Today, we have U.S. servicemembers around the globe fighting or advising operations against ISIS, al-Qaida, and other terrorist groups on several continents. However, they are doing so under war authorization that Congress passed in 2001 and 2002, in the wake of the September 11 attacks.

Rather than continuing to fight ISIS under an authorization passed by Congress 16 years ago, it is time to pass a new authorization for the use of military force that is focused on present-day and future threats.

The authorizations passed by Congress in 2001 and 2002 are out of date. I have introduced new AUMF legislation that addresses the modern threats we face.

The Constitution grants Congress the power of declaring war, and we need to take that obligation seriously and debate these important issues. My bill is a good starting point.

TIME TO PASS THE DREAM ACT

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

Mr. AGUILAR. Mr. Speaker, we live in the land of opportunity where, if you are willing to set goals, work hard, and give back to your community, anything can be done.

This idea is the grandest of American traditions and is sewn into the fabric of everything that we do, yet we are failing to live up to our ideals.

A few weeks ago I met a college student in my district named Beatriz. Beatriz moved to the United States with her family when she was 3 years old. And while she wasn't born here, she told me: ''Today, I couldn't even tell you what my homeland looks like, Congressman.''

A good student, Beatriz earned good grades to get into college, but would not be able to afford it, except that she received financial aid from the State because she is ineligible from the Federal Government.

But her life was changed when she applied for DACA in high school. Beatriz was able to attend Cal State San Bernardino with the help of financial aid and is now on her way to becoming the first in her family to earn a college degree.

She said it is the most exciting experience to make progress and contribute to the economy. This is her home, Mr. Speaker. It is time that we pass the Dream Act.

HIGHLIGHTING THE 2017 MIAMI WALK TO END ALZHEIMER'S

(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 would like to highlight the 2017 Miami Walk to End Alzheimer's that will take place at Museum Park in downtown Miami on Saturday, November 4.

Alzheimer's is a devastating disease that impacts over 54,000 seniors in my county of Miami Dade and more than 500,000 individuals across the Sunshine State. It is not just the patients who suffer. Family members and caregivers also bear the brunt of this tragic and emotionally draining disease.

I know this personally, having lost my mother due to complications from Alzheimer's 6 years ago. The Miami Walk to End Alzheimer's plays an essential role in helping advance Alzheimer's care and research in our community and across our Nation.

This wonderful event is also important to patients, families, and caregivers as a reminder that they have the full support of our community as they battle this terrible disease.

I encourage everyone in our south Florida community to come out on November 4 and support and raise awareness for Alzheimer's.

OAKLAND COUNTY WATER MAIN BREAK AND INFRASTRUCTURE CRISIS

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

Mrs. LAWRENCE. Mr. Speaker, today I rise to address the infrastructure crisis our country is facing.

Today, in Oakland County, Michigan, in the heart of my district, we are struggling with a major water main break. In my district, schools are being closed and hospitals are transporting patients to nearby areas. It will be days before the region will receive access to reliable, safe drinking water.

This is not an isolated incident. We are not investing in our Nation's infrastructure. Not surprisingly, Michigan's infrastructure received a D grade from the American Society of Civil Engineers. This is unacceptable.

Lack of investment, lack of action is a matter of public health and public safety. It is a matter of life and death. It is obvious today in my district, but also in districts across this country.

Mr. Speaker, I urge my colleagues not to ignore this crisis. We need an infrastructure plan. Flint, Michigan, showed us that infrastructure is about the lives of American citizens. Let's work together to fix our Nation's infrastructure.

FUNDS GOING TO DEPARTMENT OF JUSTICE STARKIST CONSENT DECREE STAY ON THE ISLAND

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

Mrs. RADEWAGEN. Mr. Speaker, I rise in care and concern for my people in American Samoa in a time of need. I am humbled to represent them to you now.

Over this Thanksgiving, 2,000 of our families are being put out of work and small businesses will lose commerce as American Samoa's only large employer closes for a period of 6 weeks.

The Department of Justice Starkist Consent Decree requires payment of $6.3 million. Unfortunately, this money comes to Washington, D.C. The workers and their families lose their paychecks. The small businesses around them absorb losses. That is wrong. These funds should stay on the island to help them through this time.

In fact, a case won by Attorney General Talauega establishes the unique economic responsibility the U.S. has to American Samoa through the Deed of Cession.

American Samoa has high unemployment and low incomes. I ask my colleagues to join me in recognizing the burden our Federal Government is placing on American Samoa this Thanksgiving.

□ 1215

RESIGNATIONS AS MEMBER OF COMMITTEE ON FOREIGN AFFAIRS AND COMMITTEE ON HOMELAND SECURITY

The SPEAKER pro tempore laid before the House the following resignations as a member of the Committee on Foreign Affairs and the Committee on Homeland Security:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 24, 2017.

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

DEAR SPEAKER RYAN: Due to my election to the Committee on Energy and Commerce, this letter is to inform you that I resign my seats on the House Foreign Affairs Committee, and the House Homeland Security Committee. It has been a privilege and an honor to serve with Chairmen Royce and McCaul as a subcommittee chair.

Blessings in Liberty,

JEFF DUNCAN.

The SPEAKER pro tempore. Without objection, the resignations are accepted.

There was no objection.

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

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Republican Conference, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 579

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

COMMITTEE ON ENERGY AND COMMERCE: Mr. Duncan of South Carolina.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 469, SUNSHINE FOR REGULATIONS AND REGULATORY DECREES AND SETTLEMENTS ACT OF 2017, AND PROVIDING FOR CONSIDERATION OF H.R. 732, STOP SETTLEMENT SLUSH FUNDS ACT OF 2017

Mr. COLLINS of Georgia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 577 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 577

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. 469) to impose certain limitations on consent decrees and settlement agreements by agencies that require the agencies to take regulatory action in accordance with the terms thereof, 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 the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-34. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to

clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 732) to limit donations made pursuant to settlement agreements to which the United States is a party, 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 the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. The amendments recommended by the Committee on the Judiciary now printed in the bill shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

Mr. COLLINS of Georgia. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), 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. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include extraneous material on House Resolution 577, currently under consideration.

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

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I am pleased to bring this rule forward on behalf of the Rules Committee. The rule provides for consideration of H.R. 469, the Sunshine for Regulations and Regulatory Decrees and Settlements Act, and H.R. 732, the Stop Settlement Slush Funds Act.

The rule provides for 1 hour of debate equally divided and controlled by the chair and ranking member of the Judiciary Committee for each of the bills under consideration, and also provides for a motion to recommit on both bills. Additionally, the rule makes in order six amendments to each bill, respectively, representing ideas from Members on both sides of the aisle.

Yesterday, the Rules Committee received testimony from Judiciary Committee Chairman BOB GOODLATTE and Representative JAMIE RASKIN. In addition to the discussion of the underlying legislation at the Rules Committee, I previously joined my colleagues on the Judiciary Committee in a robust debate of the major components of these bills at Judiciary markups earlier this year.

I introduced H.R. 469 to address a problem that, unfortunately, has become all too common: the practice of regulating behind closed doors and absent public input through what is known as sue and settle agreements.

H.R. 469 also includes the Judgment Fund Transparency Act, introduced by Representative CHRIS STEWART, and the Article I Amicus and Intervention Act, introduced by Judiciary Committee Chairman BOB GOODLATTE.

The rule also provides for consideration of the Stop Settlement Slush Funds Act, which was introduced after an extensive investigation by the House Judiciary Committee found that the Department of Justice was systemically circumventing Congress and directing settlement money to activist groups.

The legislation provided for by today's rule strengthens the balance of power and Congress' Article I authority, which we have allowed executive agencies to erode over time.

Regardless of the political party in power, Congress has a constitutional obligation to carry out its duties and ensure that the legislative branch writes the law. When Congress fulfills its role as intended, the Federal Government is more responsive to the needs of the electorate and more accountable to our citizenry.

My legislation, the Sunshine for Regulations and Regulatory Decrees and Settlements Act, otherwise known as sue and settle, addresses the problem of regulation through litigation. We have seen this problem explode in recent years, particularly under the previous administration.

Mr. Speaker, I could offer you dozens of examples of this abuse, yet my time would expire long before I could list them all. A few particularly notable examples, however, highlight the enormous costs and burdens that regulation through litigation can impose on unsuspecting Americans.

The infamous Utility MACT and Boiler MACT rules resulted from sue and settle cases. They carry price tags of $9.6 billion and $3 billion in costs and compliance, respectively.

The Chesapeake Bay Clean Water Act rules boast a whopping $18 billion in compliance costs. These rules also resulted from covert sue and settle maneuvers.

I don't think it is fair to ask hard-working job creators, farmers, and ranchers of northeast Georgia—or anywhere in this Nation, for that matter—to foot the bills for policy that bureaucrats secretly put in place.

I am sad to report that the prevalence of these sue and settlement agreements have only grown in recent years. The second term of the previous administration brought us 77 sue and settle cases related to the Clean Air Act. By comparison, President Clinton's second term witnessed 27 sue and settle cases, and President Bush's second term saw 28 such cases.

But let me also say just right there, Mr. Speaker, that it doesn't matter which administration or which party is in the White House. This is not a bill that is designed to go for one party or another. It is simply saying that there is an Article I of the Constitution, and that is the legislative branch that writes the laws, and then the executive is to enforce the laws, not write them. I want to make it clear—and I know it is going to be talked about that this is not, but I do want to make it clear that this is for any administration.

The Obama administration's penchant for circumventing Congress and its constitutional authority was incredible, and its legacy has endured. The weight of these improper agreements hangs around the necks of American businesses, employees, farmers, and ranchers.

Fortunately, the Trump administration has recognized the impropriety of this practice and is taking steps to start curbing abuse of sue and settle agreements and the Federal rulemaking process. In fact, EPA Administrator Scott Pruitt recently issued a directive to increase public engagement in policymaking at the EPA.

This is a critical step and one that I applaud, but it doesn't negate the need for Congress to act decisively. In fact, it only highlights it. Congress has a right and an obligation to defend its constitutional prerogatives.

Like the Sunshine for Regulations and Regulatory Decrees and Settlements Act, the Judgment Fund Transparency Act will make our government more accountable to the people by providing real transparency. The Judgment Fund Transparency Act is based upon the principle that the American people have the right to know how their government is spending their hard-earned tax dollars.

The Judgment Fund was created over 50 years ago as a way to provide for efficient payment of lawful claims against the U.S., but it has become a permanent appropriation shrouded in secrecy.

While many payments out of the Judgment Fund are both legitimate and appropriate, the fund remains the subject of egregious abuse. For example, last year, the administration paid Iran $1.3 billion out of the Judgment Fund—primarily in the form of foreign currency—as a payment for the interest that had accrued on Iranian assets

that had been frozen because Iran sponsors terrorism without shame. As you might imagine, the Obama administration stonewalled congressional efforts to investigate those payments.

This much-needed legislation would not only ensure that such payments could not be hidden from Congress and the Americans they represents, it outright prohibits payments to state sponsors of terrorism and foreign terrorist organizations, which should be one of the least controversial actions ever to grace the floor of this House.

As I have said before, transparency and accountability are the best remedies for a government run amuck. Title III of H.R. 469, Chairman GOODLATTE's legislation, the Article I Amicus and Intervention Act, will further strengthen Congress' powers under Article I and, in doing so, will help restore checks and balances between the three branches of government.

When the Federal courts are deciding important matters regarding the Constitution, congressional powers, and Federal law, it is critical that Congress have the opportunity, should it deem the action necessary, to file an amicus or otherwise intervene in pending litigation.

The need for this legislation is compounded when, as was the case during the previous administration, the executive branch decides not to defend constitutionality of Federal law. This leads our adversarial legal system without anyone to litigate significant cases and shifts interpretation of the Constitution from the courts to the executive branch.

This provision will ensure that the House, like the Senate, has a statutory right to file amicus briefs or intervene when Congress' powers and responsibilities are called into question.

The Article I Amicus and Intervention Act, like the other bills contained in this measure, is an important step toward restoring government transparency, balance, and accountability.

Mr. Speaker, you might be able to detect a theme that is emerging here today. My colleagues and I are working hard to ensure the American people have a government by the people and for the people. We are working to restore the balance of powers that our forefathers put into place and to ensure that the executive overreach that was the hallmark of the previous administration won't be able to undermine transparency in the future.

In that vein, the rule also provides for consideration of the Stop Settlement Slush Funds Act. The Stop Settlement Slush Funds Act prevents the Department of Justice from subverting Congress' power of the purse by prohibiting settlements that direct payments to a nonvictim third party. Again, the misdirection of funds to irrelevant third parties is a problem that we have seen grow and that must be addressed.

Under the previous administration, the Department of Justice funneled nonvictim third party groups as much as $880 million. The Department of Justice did this by collecting money from parties who had broken the law and then using that money to create a slush fund for special interest groups rather than sending the money to victims of illicit activity.

The Department of Justice allowed the ''donations'' required under the settlements to count as double credit against defendants' payment obligations. Let me say that again. The Department of Justice allowed the ''donations'' required under the settlements to count as double credit against defendants' payment obligations.

Interestingly, in some settlements under the previous administration, credit for direct relief to consumers was counted only as dollar for dollar, indicating the importance the Department of Justice places on directing these funds to nonvictim third party groups.

The Department of Justice's policy move actually incentivized the funneling of money to nonvictim groups rather than the people who were injured. The slush fund scheme actually disadvantaged victims in favor of special interests.

□ 1230

For example, the Department of Justice negotiated settlement agreements to the tune of millions of dollars with major banks for misleading investors over mortgage-backed securities.

Then the Department of Justice said that banks or other parties that it settled with could meet some of their settlement obligations by making, again, donations to certain groups. The money went to these groups partially under the guise that those groups would provide services to the aggrieved parties.

In reality, this practice directs funds away from the victims and allows the Department of Justice to steer money to nonvictim third-party groups, usually politically motivated organizations.

Additionally, the parties that receive the funds, these nonvictim third-party organizations, aren't a part of the case at all. This means that they don't represent the victims and aren't subject to congressional oversight for the funds they receive. Even if most of these groups weren't activist groups, which many were, this scenario should concern everyone, Mr. Speaker. In fact, many of these groups are political or ideological in nature.

Under the previous administration, in the mortgage settlement cases, groups like the National Council of La Raza received more than $1 million in Department of Housing and Urban Development grants under these settlements.

I don't know about you, but I think when the DOJ requires a settlement, the funds should go to the victims involved in the case, including victims back home in northeast Georgia. If the victims cannot be found or if the problem cannot be directly rectified, then the settlement funds should go to the Treasury so that Congress, elected by individual Americans, can appropriately decide how to use them.

I don't think it is acceptable to shortchange victims to benefit special interest and politically friendly third-party organizations.

It is time to reassert congressional authority over this process so that hardworking folks are protected from more executive overreach and so that we can restore the separation of powers outlined in the Constitution.

I am here fighting to make sure that the Federal Government puts the hardworking Georgians whom I represent and the rest of the citizens of the United States—not special interests—first.

These bills help ensure that the American citizens have their voices heard, that they regain input into the system, and that the Federal Government is more transparent, accountable, and responsive to their needs.

I would encourage others who share that goal to support this rule and the underlying bills.

Again, as you look ahead for this, the thing that hopefully came out in this is that this is an Article I issue. This is simply about, over time, that has given a way from us in this body that we have done, that it is now time to reassess that, especially in light of the needs of the American people.

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

Mr. HASTINGS. Mr. Speaker, I yield myself such time as I may consume, and I thank my friend, the gentleman from Georgia, for yielding me the customary 30 minutes for debate.

Mr. Speaker, I am here today to debate the rule for consideration of H.R. 469, the Congressional Article I Powers Strengthening Act; and H.R. 732, the Stop Settlement Slush Funds Act, two Judiciary bills that are deficient in both process and in substance.

First, let me address the Congressional Article I Powers and Strengthening Act, a bill that my Republican friends purport will provide commonsense solutions to curbing regulatory abuse, but will, in fact, undermine the ability of Federal regulators to protect the health and safety of Americans, threaten the privacy of victims of government misconduct, and intrude on the Department of Justice's enforcement discretion, raising serious separation of powers concerns.

Mr. Speaker, just as appalling as the substance of this bill is the process by which we are considering it and many other bills deriving from the Judiciary Committee lately.

This bill is actually three Judiciary Committee bills wrapped in one Rules Committee print. However, one of the bills, H.R. 4070, was introduced last week without a hearing, without a markup, without notice to Democrats on the Judiciary Committee, and without consultation with constitutional

lawyers and experts and interested citizens.

This process is truly a slap in the face of regular order. A bill that has zero input from members on the Judiciary Committee or been the subject of any thoughtful discussion is suddenly on the House floor for a vote.

Interestingly, when I listened to my friend from Georgia, who I know is particularly serious about his approaches to legislation, I sat here and then I looked into the gallery, and there were 20 people who were seated there. I didn't see on the faces of those that I could see any understanding of one thing that he said, not because of the speed of his manner of speech, but because of the complexity of issues that give rise to us.

Among the things he said was transparency, accountability, and wanting to make sure that we, this body, exercise our prerogative with reference to for the people, by the people, and of the people.

I would imagine that people listening to this debate would want to believe that half of this body, half of the people who are represented in this country had input to this legislation. Let me tell you, People, they had none, zero. No Democrat had any input to this measure that I just discussed.

How can we expect Members of this body, let alone the American people, to have any idea as to what we are voting on with this measure and what its impact will be when it seems the path it took to getting a vote is based solely on the whim of the chairman of the Judiciary Committee?

Unfortunately, there is total disregard for even a semblance of regular order. That term is utilized a lot here, and, again, the American people, many of them, don't have a clue what we are talking about.

What we are talking about, basically, is matters that go to committees have hearings, have both sides have input, have witnesses who are experts or have responsibilities in that arena, and then the matter comes to the Rules Committee and is granted a bill of substance to come here to the floor, and that process is generally known by those of us with Congress-speak as regular order.

It is nothing new for the Republican-controlled Judiciary Committee, which has been the worst offender of regular order, when it comes to pushing for a closed process.

During the 115th Congress, bills coming to the floor from the Judiciary Committee were granted the most closed rules of any of the committees in this august body, eight closed rules. There is no committee chair in this Congress who has requested the Republican-controlled Rules Committee grant more closed rules than the chairman of the Judiciary Committee.

Indeed, this departure from a process that we refer to as regular order, from a process that allows input from outside experts and other witnesses, a process that allows both parties, if there is a hearing, to ask questions of those witnesses, this departure is astounding, and that is within the context of this Congress, which, in just the first 10 months, will soon become the most closed Congress in history.

I remember when I ran for office in 1992, I appeared a lot on radio stations. In many of those appearances, the opposition, not just my opponent, but the major party, had begun a drumbeat of the Democrats are not following regular order, they are having closed rules.

Little did I know in 1992, nor did I aspire when I came here, to be on the Rules Committee to have a better understanding, but I kept listening to this closed rule argument, and many persons lost their elections because of that.

If there is ever a time for us to address it, it would be now. We have that prerogative to be able to open up this process so that all Members can be involved.

When this Congress began, the distinguished Speaker of this body promised an open and transparent House. He called for a return to regular order. After what we have seen over the last 10 months, I shudder to think what the distinguished Speaker considers a closed process.

I might add, the next tier under closed is structured rules, which we are here today on, which, yet again, limits the number of activities by others, amendments, and other processes that would be appropriate.

Yesterday, when my colleague and I were in the Rules Committee, we had before us matters that were germane to this issue that were denied, that could have, under an open process, been made in order so that we could discuss it here today.

This Republican process, shutting out the voice and input of representatives of nearly half the country, is not just an affront to normal House procedure, which it is, it is downright undemocratic and emblematic of the Republican majority's true inability to govern.

Mr. Speaker, I turn to the second bill encompassed in this rule, H.R. 732, a bill as misguided and substantively unnecessary as the first bill was lacking in process. In fact, in the last Congress, a law professor testifying on an identical bill described it as a solution in search of a problem.

That was as true in the last Congress as it is in this one, which is too bad, because we do not lack in actual problems in desperate need of sensible solutions.

H.R. 732 would prevent Federal agencies from requiring third-party payments, such as those to charities, in settlement agreements with entities accused of wrongdoing.

Now, there in the report pointed out by the chairman of the Rules Committee yesterday shows the number of banks and mortgage companies and others that have violated the law and entered into settlements with the government for billions of dollars. Such payments, in excess of what the victims have agreed to, and the settlements that have been entered into and approved by judges, each one of these settlements, my friend said these payments may have gone to politically motivated—may be politically motivated organizations, and he cites to La Raza, which did receive money, but so did other charitable organizations: the New Christian Joy Full Gospel Baptist Church, the Catholic Charities of the Archdiocese of Chicago, the Catholic Charities Financial and Housing Counseling.

We sought yesterday while we were in the committee—I sought and asked staff to provide for me some of the organizations that my friends say may be politically motivated, or activists, as he referred to them, and it is 49 pages of organizations that were available to receive these funds, and, yes, some of them are liberal and also some of them are conservative organizations as we know them.

Such payments to charities are a common enforcement tool in settlements and have long been used to help provide communities with relief from systemic harm caused by illegal behavior.

Now, for example, following the 2008 financial crisis, in some of the settlement agreements with Wall Street banks, President Obama's Department of Justice required banks to donate money to charities committed to neighborhood stabilization and foreclosure prevention efforts, and this made perfect sense.

□ 1245

In the wake of the crisis, as many as 10 million families lost their homes to foreclosure. Both the Government Accountability Office and the Federal courts have long upheld this practice in settlement agreements. Perhaps unsurprisingly, my Republican colleagues considered these provisions to be an attempt by President Obama's administration to use, as they say, ''a slush fund,'' to enrich, ''liberal friends,'' despite the fact that certified charities eligible to receive these payments encompass liberal and conservative groups alike.

They even launched an investigation which yielded no credible evidence to substantiate their claims. Yet, despite the GAO, the Federal courts, and a Republican-led investigation showing no wrongdoing, we are considering this bill today to ban this longstanding legal practice aimed at assisting communities in the wake of suffering systemic abuse—abuse that I will underline again, and even say slowly, hurt Democrats and Republicans.

I suppose the only question left to ask my Republican friends is, 10 months into the new administration, nearly a year after the last election, why are they continuing to conduct

pointless and partisan oversight of the Obama administration?

Let me see if I can make this clear. President Obama is no longer the President of the United States, nor is Bill Clinton or George Bush. The President of the United States now is a new individual who we have to deal with, and it would be helpful if we were to address some of the matters ongoing that this particular administration is deserving of oversight.

I know that President Obama was a useful foil for many in the Republican Party when it came to messaging and campaigning, but he is not the President anymore. He won his two elections. That is the past. This bill represents nothing but the Republican majority grasping at straws and trying their best to turn their oversight attention away from doing their duty and providing oversight of the Trump administration.

Today, two new inquiries, I don't even have the time or wouldn't take the time to go into the inquiries that ain't going nowhere, have been announced, certainly as a distraction to many of the negatives that come out by virtue of this particular Congress not having done anything. It is the do-nothing Congress on steroids.

If there was ever an administration that needed rigorous oversight, it is the current one. In just 10 months, we have had reports of gratuitous use of private jets, the use of private email servers by senior staff, and I might add that one of those things identified today is they are going to go after Hillary or have oversight hearings on Hillary Clinton's emails. Enough already. Hillary Clinton lost her election, and lost with the emails as well, but we have current staff who are using private email servers. Given your history, should that not at least pique your oversight interest?

Spending tens of millions of taxpayers' dollars to use Mar-a-Lago for official meetings, waste, cronyism, the list goes on and on and on. How about oversight of a little, old company in Montana that doesn't have any successful history getting a $200 million no-bid contract in Puerto Rico to reestablish those facilities there? Out of Montana, little, old company, $200 million, no-bid. You got it. You go forward. You talk about waste and cronyism. And what do we get from the Republicans? Deafening silence.

Mr. Speaker, I find it ironic that we are considering the rule for a bill today entitled Article I Powers Strengthening Act when this Republican Congress has shown they can't even undertake the basic Article I duty of providing oversight of the executive. They don't need to strengthen Article I, they need to just start doing their jobs in the first place.

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

Mr. COLLINS of Georgia. Mr. Speaker, I yield 5 minutes to the gentleman from Utah (Mr. STEWART) from the Second District. He is a sponsor of the Judgment Fund Transparency Act.

Mr. STEWART. Mr. Speaker, I thank the chairman for bringing up H.R. 469, which includes, as indicated, the text of my bill, the Judgment Fund Transparency Act.

The purpose of this act is really very simple. Actually, contrary to previous arguments, the rule of this and the intent of this is so simple. It is simply for government transparency. This bill will go a long way in providing our constituents and taxpayers a better idea of how their tax dollars are spent.

Now, heaven knows, and for heaven's sake, those of us here, we certainly know, the Federal Government isn't perfect. It is prone to errors that can cause harm to individuals or organizations from time to time, and when these errors are particularly egregious, the government is sued and damages are awarded to those who are harmed.

Early on, in fact, this Congress spent a large part of its time doing nothing but sorting through claims and making appropriations to pay those claims. In fact, not even 100 years ago, much of this body's work consumed only that topic, and it wasn't until 1956 that Congress established the Judgment Fund and gave authority to the Treasury Department to resolve these claims in ''a permanent and definite appropriation.'' That simply has been abused.

In keeping with the law's requirement to report on the fund from time to time, the Treasury Department files a yearly report of the Judgment Fund with Congress, and also maintains a web page that can be searched.

Now, this sounds good. Right? But the cryptic and otherwise limited information related to each payout has made the database almost entirely worthless. There is no information on what the government did wrong. There is no information on the claimant. In fact, journalists and transparency groups revealed in the last few months that from 2009 to 2015, the government paid out more than $25 million to unnamed or redacted recipients. A $25 million secret. We don't know who was paid, we don't know why they were paid, and, in some circumstances, we don't know how much they were paid.

Now, we are all familiar with the previous administration's decision to take $1.3 billion out of the fund, convert it to cash, and deliver it to Iran, yet this isn't the only egregious use of this fund.

Three years ago, The New York Times reported on what was likely an illegal billion-dollar payout to thousands of farmers who had never even sued the government. This isn't just unacceptable, it is crazy. It is horrible government. It is the type of thing that makes people resent the Federal Government.

This bill aims to clarify and to reduce that. It aims to clean up the ambiguity that exists between the current law and provide much-needed transparency. It would require the Treasury to make public any payment from the Judgment Fund and to include very simple things that common sense would surely demand: the name of the agency named in the judgment, the name of the plaintiff, the amount they were paid, any other fees such as attorneys' fees or interest, and then finally a brief description of the facts which led to the claim.

The Judgment Fund Transparency Act may not prevent bad decisions by all government employees or government agencies, but it will shine a light on those decisions to the American people. This is about helping to increase the amount of trust between the American people and a government that they simply don't trust. We give them reasons not to trust us. Let's bring accountability and transparency to that.

Mr. Speaker, I urge the House to vote ''yes'' on the rule and ''yes'' on passage of this crucial bill.

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

Mr. Speaker, I am ready to have my friend understand that I am getting close to closing. I don't think I have any speakers, but I do have words that I wish to put forward right now.

It is shameful that we would be in a position where the DACA program is being threatened without a single thought to the consequences this decision would have on the 800,000 young lives this program protects.

While this may appear to be off message with regard to the measures that are before us, the minority is given an opportunity to present what is called a previous question, and it can be on matters germane to the thoughts of the minority and can be on any subject that they choose. In this instance, we choose to, with the previous question, address DACA.

Do the American people even want DACA to end? The answer is clearly no. According to a Politico/Morning Consult poll, support for allowing these immigrants to remain in the United States spans across party lines: 84 percent of Democrats, 74 percent of Independents, and 69 percent of Republicans think they should stay. Congress must act to protect our DREAMers.

Mr. Speaker, here is a chance to rectify the President's decision and restore the American people's faith in this institution.

If we defeat the previous question, I am going to offer an amendment to the rule to bring up H.R. 3440, the Dream Act. This bipartisan bicameral legislation would help thousands of young people who are Americans in every way except on paper.

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

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

There was no objection.

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

Mr. COLLINS of Georgia. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. ALLEN), from Georgia's 12th Congressional District, to speak on these issues of Article I.

Mr. ALLEN. Mr. Speaker, I rise today to support my fellow Georgian's, Congressman DOUG COLLINS, bill, H.R. 469.

One of the biggest complaints I hear about the Federal Government is the lack of accountability or these backroom deals. One glaring example of this is what is referred to as sue and settlement litigation.

Under previous administrations, left-leaning groups would sue a Federal agency to try and enact regulatory changes without going through the normal rulemaking process. Both parties, the Federal Government and special interest groups, settle in court with an already-agreed-upon deal.

Regulatory rules are then made quickly without any public notice or the input of any other relevant parties but carry the rule of law.

These new rules are often the most burdensome and cost our businesses billions of dollars each year. This doesn't sound like draining the swamp to me.

H.R. 469 stops these unfair arrangements by requiring agencies to publicly post and report to Congress on sue and settlement complaints, consent decrees, and settlement arrangements. It also prohibits the same-day filing of complaints and settlement agreements in cases seeking to compel agency action.

Congressman COLLINS' legislation, the Sunshine for Regulations and Regulatory Decrees and Settlements Act, will provide greater accountability and transparency to the American public, while stopping special interests from improperly influencing our Nation's regulatory regime. We must uphold a fair and transparent regulatory process. The American people demand this from us.

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

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

Mr. Speaker, earlier I mentioned that there were 49 pages—I didn't realize how extensive it really was—of organizations that were eligible to receive funds under the Justice Department's prerogative. It includes organizations that did, in fact, receive these funds.

□ 1300

They come from a wide array of organizations in our respective communities that, in my judgment, have on-the-ground ability to be efficient and to make sure that the expenditure of those funds benefit those who have suffered from systemic inequities by large organizations.

Mr. Speaker, I include in the RECORD a portion of these organizations that were eligible to receive funds under the Justice Department's prerogative.

AGENCY NAME

Money Management International, Anchorage, AK.; Neighborworks Anchorage Formerly Anchorage Neighborhood Housing Services; Organized Community Action Programs Inc.—Covington County; Birmingham Urban League, Inc.; Gateway Financial Freedom/CCCS of Central Alabama; Jefferson County Committee for Economic Opportunity; Jefferson County Housing Authority; NACA (Neighborhood Assistance Corporation of America) Birmingham. AL; Neighborhood Housing Services of Birmingham, Inc.; United Way of Central Alabama, Inc.; United Way of Central Alabama, Inc.; Community Action Partnership of North Alabama—Cullman Branch; Community Action Partnership of North Alabama, Inc.; Community Action Agency of Northwest Alabama, Inc.; Hale Empowerment and Revitalization Organization (HERO); Organized Community Action Programs Inc.—Butler County; Organized Community Action Programs Inc.—Lowndes County; CCCS of Tennessee River Valley; Community Action Partnership, Huntsville/Madison & Limestone Counties. Inc.; Family Services Center, Inc.

CCCS of Mobile—Jackson; Telamon Corporation; CCCS of Mobile; Center for Fair Housing; Mobile Housing Board; CCCS of Alabama—Montgomery; Legal Services Alabama Inc; CCCS of Mobile—Montrose AL; Community Action Partnership of North Alabama—Moulton Branch; Organized Community Action Programs Inc.—Dale County; Housing Authority of the City of Prichard; Community Action Agency of Northwest Alabama—Franklin County; Organized Community Action Programs Inc.—Crenshaw County; Community Action Agency of Northwest Alabama—Colbert County; Organized Community Action Program, Inc.; Community Service Programs of West Alabama, Inc.; Organized Community Action Programs Inc.—Bullock County; Credit Counseling of Arkansas—Bentonville; Mississippi County, Arkansas Economic Opportunity Commission, Inc.; Hope Enterprise Corporation.

Family Service Agency—CCCS; Arkansas River Valley Area Council, Inc.; Money Management International El Dorado; Credit Counseling of Arkansas; Crawford Sebastian Community Development Council; Credit Counseling of Arkansas Fort Smith; Northwest Regional Housing Authority; Southern Bancorp Community Partners; Jonesboro Urban Renewal and Housing Authority Housing and Community Development Organization (JURHA HCDO; Arkansas Development Finance Authority; Better Community Development, Inc.; Community Resources Technicians, Inc.; Family Service Agency—CCCS; In Affordable Housing, Incorporated; NACA (Neighborhood Assistance Corporation of America) Little Rock, AR; Southern Bancorp Community Partners; Universal Housing Development Corporation; Credit Counseling of Arkansas—Springdale; Southeastern Arizona Governments Organization; Community Action Human Resources Agency.

Housing Solutions of Northern Arizona, Inc.; Money Management International, Inc. Flagstaff, AZ; Northern Arizona Council of Governments; Administration of Resources and Choices; Money Management International, Inc. Glendale, AZ; Western Arizona Council of Governments (WACOG)—Kingman Branch Office; Housing Counseling and Education Services; Money Management International, Inc. Mesa, AZ; Springboard—Mesa; Chicanos Por La Causa—Nogales; Nogales Community Development Corporation; Chicanos Por La Causa, Phoenix; City of Phoenix Neighborhood Services Department; Community Housing Resources of Arizona; Desert Mission Neighborhood Renewal; Greater Phoenix Urban League; Labor's Community Service Agency; Money Management International Phoenix Phone Center; Money Management International, Inc. Phoenix, AZ Central.

NACA (Neighborhood Assistance Corporation of America) Phoenix, AZ; Neighborhood Housing Services of Phoenix; NID-HCA Phoenix Randolph; Take Charge America; Money Management International, Inc. Prescott, AZ; Campesinos Sin Fronteras; Comite De Bien Estar, Inc.; Credit Advisors Foundation; Money Management International, Inc. Phoenix, AZ—North; Housing America Corporation; Greenpath Debt Solutions; Money Management International, Inc. Tempe, AZ; Newtown Community Development Corporation; Administration of Resources and Choices; Catholic Community Services of So. Arizona, Inc. DBA Pio Decimo Center; Chicanos Por La Causa-Tucson; Family Housing Resources; Money Management International, Inc. Tucson, AZ—SE; Money Management, Inc. Tuscon, AZ—NW; Old Pueblo Housing Development, Inc.

Southern Arizona Legal Aid, Inc.; Southwest Fair Housing Counsel; The Primavera Foundation, Inc.; Tucson Urban League; Northern Arizona Council of Governments; Western Arizona Council of Governments (WACOG); Western Arizona Council of Governments NCOA HECM; Consumer Credit Counseling Service of Orange County; CCCS of the North Coast; CCCS of Kern and Tulare Counties; Community Housing Council of Kern Co.; Consumer Credit Counseling Service of Orange County; Korean Resource Center; Surepath Financial Solutions; Consumer Credit Counselors of Kern and Tulare Counties; Money Management International Chula Vista; California Rural Legal Assistance—Coachella; Clearpoint Credit Counseling Solutions—Commerce Branch; Catholic Charities of the East Bay; Eden Council for Hope and Opportunity (ECHO).

Money Management International Concord; National Asian American Coalition (Formerly Known as Mabuhay Alliance); California Rural Legal Assistance—Delano; Able Works; Springboard—El Cajon; California Rural Legal Assistance—El Centro; Inland Fair Housing and Mediation Board—El Centro Branch (Imperial County); Community Housing Works; Pacific Community Services Fairfield; Consumer Credit Counseling Service of Orange County; Money Management International Fremont; Project Sentinel; California Rural Legal Assistance—Fresno; Clearpoint Credit Counseling Solutions Inc.—Fresno Branch; Community Housing Council of Fresno; Housing Authority of the City of Fresno; California Rural Legal Assistance—Gilroy; Project Sentinel; Clearpoint Credit Counseling Solutions—Glendale Branch; Clearpoint Credit Counseling Solutions—Granada Hills Branch.

NACA (Neighborhood Assistance Corporation of America) Los Angeles, CA; Eden Council for Hope and Opportunity (ECHO); Springboard—Hemet; Inland Fair Housing and Mediation Board—Indio Branch (Riverside County); Amador Tuolumne Community Action Agency; Springboard—Ladera; Clearpoint Credit Counseling Solutions—Lakewood Branch; California Rural Legal Assistance—Lamont; Pure Hearts R Us Housing Corporation; Eden Council for Hope and Opportunity (ECHO); Tri-Valley Housing Opportunity Center; Home Preservation and Prevention (HPP Cares); Operation Hope Inc.—Long Beach Branch; Springboard—Long Beach; East La Community Corporation (ELACC); Korean Churches for Community Development; Korean Resource Center; Los Angeles Neighborhood Housing Services,

Inc; New Economics for Women; NID-HCA Reeves;

Operation Hope, Inc; Operation Hope, Inc.—La Branch; Shalom Center for T.R.E.E. of Life; Thai Community Development Corp.; Watts Century Latino Org.; West Angeles Community Development Corp.; California Rural Legal Assistance—Madera; California Rural Legal Assistance—Marysville Office; Operation Hope, Inc.—Maywood Branch; National Asian American Coalition (Formerly Known As Mabuhay Alliance); California Rural Legal Assistance—Modesto; Community Housing and Shelter Services; Habitat for Humanity, Stanislaus County; Project Sentinel; Montebello Housing Development Corp.; California Rural Legal Assistance—Monterey; Fair Housing Council of Riverside County, Inc.; Project Sentinel; Eden Council for Hope and Opportunity (ECHO); Habitat for Humanity East Bay/Silicon Valley.

Money Management International Oakland; NACA (Neighborhood Assistance Corporation of America) Oakland, CA; National Association of Real Estate Brokers—Investment Division, Inc; NID-HCA Oakland Main Branch; Operation Hope, Inc.—Oakland Branch; The Spanish Speaking Unity Council of Alameda County, Inc. (The Unity Council); Faith Based Community Development Corporation; Money Management International Oceanside; Inland Fair Housing and Mediation Board; Neighborhood Partnership Housing Services, Inc.; Neighborhood Housing Services of Orange County; California Rural Legal Assistance—Oxnard; Ventura County Community Development Corporaton; Fair Housing Council of Riverside County, Inc.; Eden Council for Hope and Opportuntiy (ECHO); California Rural Legal Assistance—Paso Robles; Pacific Community Services, Inc.; Operation Hope, Inc.—Poway Branch; Hometown Community Development Corp, Dba Homestrong USA; Housing Opportunities Collaborative—Inland Empire Branch.

Community Housing Development Corporation of North Richmond; Richmond Neighborhood Housing Services, Inc.; Community Connect; Fair Housing Council of Riverside County, Inc.; Springboard—Shine Center (Latham); Springboard Non Profit Consumer Credit Management Inc.—HPF Affiliate; Springboard Non—Profit Consumer Credit Management, Inc.; Clearpoint Credit Counseling Solutions—Sacramento Branch; Sacramento Home Loan Counseling Center; Sacramento Neighborhood Housing Services, Inc.; California Rural Legal Assistance—Salinas; Housing Resource Center of Monterey County; Clearpoint Credit Counseling Solutions—San Bernardino Branch; Neighborhood Housing Services of The Inland Empire, Inc.; NID-HCA Inland Empire J. Jackson; Bayside Community Center; Clearpoint Credit Counseling Solutions—San Diego Branch; Community Housing Works; Housing Opportunities Collaborative; Housing Opportunities Collaborative—Branch for San Diego/Imperial Counties; Money Management International San Diego.

National Asian American Coalition (Formerly Known as Mabuhay Alliance); Navicore Solutions—San Diego, CA; Neighborhood House Association; San Diego Urban League; Union of Pan Asian Communities; Asian Incorporated; CCCS of San Francisco; Consumer Credit Counseling Service of San Francisco—HPF Affiliate; Mission Economic Development Association (MEDA); Project Sentinel; San Francisco Housing Development Corporation; Neighborhood Housing Services Silicon Valley; Project Sentinel; Santa Clara County Asian Law Alliance; Surepath Financial Solutions—San Jose; NID-HCA San Leandro—Chambers; California Rural Legal Assistance—San Luis Obispo; Peoples' Self Help Housing; Fair Housing of Marin; Clearpoint Credit Counseling Solutions—Santa Ana Branch.

Consumer Credit Counseling Service of Orange County; Housing Opportunities Collaborative—Orange County Branch; Legal Aid Society of Orange County; Orange County Fair Housing Council, Inc.; California Rural Legal Assistance—Santa Barbara; Project Sentinel; California Rural Legal Assistance; California Rural Legal Assistance—Santa Maria; Wise & Healthy Aging; California Rural Legal Assistance;

Catholic Charities, Diocese of Santa Rosa; CCCS of San Francisco; Centro Familia Esperanza; Operation Hope Inc.—South Gate Branch; California Rural Legal Assistance—Stockton; Clearpoint Credit Counseling Solutions—Stockton Branch; NID-HCA A. Jones; Visionary Home Builders of California; Project Sentinel; Northern Circle Indian Housing Authority, United Native Housing Development Corp.

City of Vacaville Department of Housing Services; Cabrillo Economic Development Corporation; Inland Fair Housing and Mediation Board—Victorville Branch (San Bernardino County); CCCS of Kern and Tulare Counties; Community Services and Employment Training, Inc. (CSET); Self Help Enterprises; California Rural Legal Assistance—Oceanside; Surepath Financial Solutions—Watsonville; Rural Community Assistance Corporation; Community Resource and Housing Development Corporation—Alamosa; City of Aurora Community Development Division; Boulder County Housing Authority; Greenpath, Inc.; Upper Arkansas Area Council of Governments; CCCS of Greater Dallas—Colorado Springs; Adams County Housing Authority; Colorado Housing and Finance Authority; Colorado Housing Assistance Corporation; Del Norte Neighborhood Development Corporation (NDC); Denver Housing Authority.

Greenpath, Inc.; Money Management International Denver, Aurora Branch; NACA (Neighborhood Assistance Corporation of America) Denver, CO; NEWSED CDC; Northeast Denver Housing Center; Southwest Improvement Council; Housing Solutions for the Southwest; Regional Housing Alliance La Plata Homes Fund; Brothers Redevelopment, Inc.; Greenpath Debt Solutions; Neighbor to Neighbor; Northeast Colorado Housing, Inc.; Tri-County Housing & Community Development Corporation; Neighbor to Neighbor; Grand Junction Housing Authority; Greenpath Debt Solutions; Money Management International Highlands Ranch; Douglas County Housing Partnership; Boulder County Housing Authority; Neighbor to Neighbor.

Catholic Charities of the Diocese of Pueblo, CO; Neighborworks of Pueblo; Summit County Family Resource Center; San Miguel Regional Housing Authority; Community Resources and Housing Development Corporation; Money Management International Westminster; Bridgeport Neighborhood Trust; Housing Development Fund, Inc.—Bridgeport Branch; Housing Development Fund—Danbury Branch; Financial Counselors of America Connecticut Branch; Money Management International East Hartford; Community Renewal Team, Inc.; Hartford Areas Rally Together; Housing Education Resource Center; Mutual Housing Association of Greater Hartford, Inc.; NACA (Neighborhood Assistance Corporation of America) Hartford, CT; Urban League of Greater Hartford, Inc.; Money Management International Milford; Neighborhood Housing Services of New Britain, Inc.; Greater New Haven Community Loan Fund.

Mutual Housing of South Central CT, Inc.// Neighborworks New Horizons; Neighborhood Housing Services of New Haven; Catholic Charities, Norwich, CT; Connecticut Housing Finance Authority; Housing Development Fund, Inc.; Urban League of Southern Connecticut; Neighborhood Housing Services of Waterbury, Inc.; National Council on Aging (NCOA); Asian American Homeownership Counseling; Carecen—Central American Resource Center; Greater Washington Urban League; Homefree—USA Washington DC Branch; Housing Counseling Services, Incorporated; Latino Economic Development Corporation; Lydia's House; Manna, Inc. Marshall Heights Community Development Organization; NACA (Neighborhood Assistance Corporation of America) Washington, DC; National Capacd; National Community Reinvestment Coalition.

National Community Reinvestment Coalition, Inc.; National Council of La Raza; National Foundation for Credit Counseling, Inc.; Neighborhood Reinvestment Corp. DBA Neighborworks America; NID-HCA Williams; Operation Hope, Inc.—DC Branch; United Planning Organization; United Planning Organization—Anacostia Center; United Planning Organization—Petey Greene Community Svc. Center; United Planning Organization Shaw Community Svc. Center; University Legal Services; University Legal Services; CCCS of Maryland and Delaware; Delaware State Housing Authority; First State Community Action Agency, Inc.; National Council on Agricultural Life and Labor Research Fund, Inc. (NCALL Research, Inc.); First State Community Action Agency, Inc; National Council on Agricultural Life and Labor Research Fund, Inc. (NCALL, Research, Inc.); Hockessin Community Center; First State Community Action Agency, Inc.

National Council on Agricultural Life and Labor Research Fund, Inc. (NCALL Research, Inc.); YWCA Delaware; Telamon Corporation; CCCS of Delaware Valley, DBA Clarifi; CCCS of Delaware Valley, Inc. DBA Clarifi; CCCS of Maryland and Delaware; Delaware Community Reinvestment Action Council; Housing Opportunities of Northern Delaware, Inc.; Interfaith Community Housing of Delaware; Neighborhood House, Incorporated; West End Neighborhood House; Homes in Partnership, Inc.; We Help Community Development Corporation; Florida Cooperative Extension—Holmes County Cooperative Extension Service (Terminated); Boynton Beach Faith Based CDC; Catholic Charities Diocese of Venice, Inc.; Manatee Community Action Agency, Inc. F/K/A Manatee Opportunity Council, Incorporated; Florida Cooperative Extension Levy County Cooperative Extension Service; Florida Cooperative Extension—Hernando County Cooperative Extension Service; All-American Foreclosure Solutions, Inc.

Cape Coral Housing Development Corporation; Florida Cooperative Extension—Washington County Cooperative Extension Service (Terminated); Bright Community Trust, Inc.; Clearwater Neighborhood Housing Services, Inc.; Consumer Credit and Budget Counseling, DBA National Foundation for Debt Management; Consumer Credit and Budget Counseling, DBA National Foundation for Debt Management; Housing Services of Central Florida; Tampa Bay Community Development Corporation; Homes in Partnership, Incorporated; Credit Card Mgmt Svcs, Inc. D/B/A Debthelper.Com; Florida Cooperative Extension—Brevard County Cooperative Extension Service; Florida Cooperative Extension—Brevard County Cooperative Extension Service (Duplicate); CCCS of West FL; Florida Cooperative Extension Dixie County Cooperative Extension Service; Florida Cooperative Extension—Pasco County Cooperative Extension Service (Terminated); Adopt A Hurricane Family, Inc. DBA Crisis Housing Solutions; Apprisen—CCCS—Davie; Florida

Cooperative Extension—Broward County Cooperative Extension; Central Florida Community Development Corporation; Community Legal Services of Mid-Florida, Inc.

Mid-Florida Housing Partnership, Inc.; Florida Cooperative Extension—Walton County Cooperative Extension Service; Florida Cooperative Extension—Volusia County Cooperative Extension Service; H.E.L.P. Community Development Corp.; Affordable Housing by Lake, Inc; Centro Campesino, Farmworkers Center, Inc.; New Visions Community Development Corporation; Urban League of Broward County Main Office; Urban League of Broward County (Branch Office); Affordable Homeownership Foundation Inc; Home Ownership Resource Center of Lee County; Housing Authority of the City of Ft. Myers; Lee County Housing Development Corporation; CCCS of West FL; City of Gainesville Housing Division; Florida Cooperative Extension; Florida Cooperative Extension—Alachua County Cooperative Extension Service; Florida Cooperative Extension—Alachua County Cooperative Extension Service (Duplicate); Neighborhood Housing & Development Corporation; CCCS of the Midwest.

Community Housing Partners Corporation; Community Legal Services of Mid-Florida, Inc.—Inverness Office; Black Bottom/Springfield Human Development Corporation, DBA St. Joseph Homeownership; Community Home Ownership Center, Inc. F/K/A Jacksonville FL Chapter Assoc. of Housing Counselors & Agencies CDC; Family Foundations of Northeast Florida, Inc.; Florida Cooperative Extension—Duval County Cooperative Extension Service; Greenpath, Inc.; Habitat for Humanity of Jacksonville, Inc.; Jacksonville Area Legal Aid, Inc.; Jacksonville Urban League; NACA (Neighborhood Assistance Corporation of America) Jacksonville, FL; Operation New Hope CDC; Wealth Watcher, Inc; Community Legal Services of Mid-Florida, Inc.—Kissimmee Office; Florida Cooperative Extension—Osceola County Cooperative Extension Service; The Agriculture and Labor Program, Inc.; Florida Cooperative Extension—Columbia County Extension Service; Springboard—Lake Mary; Catholic Charities of Central Florida; Keystone Challenge Fund, Inc.

Florida Cooperative Extension—Pinellas County Cooperative Extension Service; Broward County Housing Authority; Florida Cooperative Extension—Citrus County Cooperative Extension Service; Debt Management Credit Counseling Corp; Debt Management Credit Counseling Corp; Debt Management Credit Counseling Corp.; Florida Cooperative Extension—Suwannee County Cooperative Extension Service; Greenpath Debt Solutions; Florida Cooperative Extension—Baker County Cooperative Extension Service (Duplicate); Florida Cooperative Extension—Baker County Cooperative Extension Service (Terminated); Florida Cooperative Extension—Madison County Cooperative Extension Service (Terminated); Community Housing Initiative, Inc; Cuban American National Council, Inc.—Miami; Little Haiti Housing Association, Inc.; Neighborhood Housing Services of South Florida; Real Estate, Education and Community Housing, Inc.; SER Jobs for Progress; Miami Beach Community Development Corp; NID-HCA Florida Felton; Housing Development Corporation of SW Florida, Inc.

Mr. HASTINGS. Mr. Speaker, I do want to acknowledge that my friend from Georgia does have a companion bill in the other body. I believe it is S. 333. I would—like I will when the Georgia-Florida game comes up—make a wager with my friend that that bill ain't going nowhere. But, anyway, we are here talking about it, so my wager with the gentleman will be under appropriate measures. I wish he and I could go to Jacksonville together at what they say is the greatest cocktail party in the world.

Mr. Speaker, I just mentioned that at least one of the bills wrapped up in today's, in my view, nonsense, ought to continue to be described as a solution in search of a problem. I am not fully convinced that the observation is not an apt one for the whole lot of bills before us today. As I just mentioned, this is particularly disturbing as this country has real problems which need real solutions.

The Children's Health Insurance Program has expired, and there seems to be little to no will on the other side of the aisle to right this wrong at this time. Sure, we hear possibilities of a solution. When I came back this week, I thought that we would certainly address it. September 30 was when it expired. Yet we and, more importantly, millions of children and organizations wait for an answer.

We know that we are fast approaching a government shutdown, but instead we come to the floor week after week forced to debate ridiculous bills that, in substance, are well-thought-out by the persons presenting them, but, in reality, are not going to become law and are nothing more than talking points of the day, when these things that we should be addressing are going unmet.

We need to reauthorize the Federal Aviation Administration, yet the answer to this issue evades my friends across the aisle. We need to reauthorize the National Flood Insurance Program, yet we wait.

We need to address the crippling epidemic that is gun violence in this country. We need to remember that not even a month ago, this man out in Las Vegas took aim from the 32nd floor of a hotel and rained terror down upon thousands of innocent people enjoying a music festival. The weapons of war he used that night are just as readily available today as the day he bought them.

Finally, I understand people may want to forget the following, but we cannot, and I will not let you forget that there are millions of people across the United States Virgin Islands and Puerto Rico, and there are thousands in Florida and in Texas who are still awaiting visits from FEMA.

On the plane up yesterday, I was reading a 3-page-long article addressing, right in my community, the fact that people are sitting waiting for FEMA's response. I continue to raise at the same time that these hurricanes in Texas, southwest Louisiana, the Virgin Islands, and Puerto Rico have occurred, forest fires in California and Montana and Oregon have occurred, and we haven't addressed drought in other areas that occurred. Just last week, tornadoes occurred in Oklahoma. We have these disasters occurring.

I heard my colleague earlier today during morning hour make a presentation regarding a main burst in Detroit, Michigan, and that they don't have in her area sufficient drinking water. We know that the Flint, Michigan, matter isn't resolved.

This past weekend, I busted a tire on a bumpy-hole road, and we need to fix our roads in this country. This Capital ought to be called the ''Pothole of the World.''

Yet we stand here day after day discussing things that are going nowhere when people in Puerto Rico and the Virgin Islands are craving electricity, opening schools with no electricity, moving people from hospitals. We need safe drinking water all over this country. They need for us to show compassion and at least some decency with reference to humanity with those concerns.

Mr. Speaker, I urge a ''no'' vote on the rule and the underlying legislation, and I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there are many things that this body can do better. My friend from Florida outlined his opinion of what those may be. He also outlined his opinion of what will be a nice Georgia victory come Saturday, this weekend, in Jacksonville. I do appreciate his acknowledgement of what will be coming.

But I think there are also some other things that we need to discuss, and we can talk about that. I will take, first off, the issue of the Judiciary Committee on which I serve, which I believe, frankly, I have the privilege of serving on what I believe are two of the hardest-working and longest-hour committees on this Hill, and that is the Rules Committee and the Judiciary Committee. Chairman GOODLATTE is very thoughtful.

We can disagree, Mr. Speaker, and I can understand my friend's frustration on issues of closed bills which do come and have been under both parties, but today's bills are not one of those. These two bills both have amendments that are offered on the floor by both parties. There are Republican amendments and there are Democrat amendments. This is not one of those.

So I think, from the perspective of how process and regular order—and we can go through those—I would stand with my chairman and Chairman GOODLATTE on that issue that we are working toward, and it is something that really matters here.

I think also, as we look at this, it is talking about grasping of straws. One of the things is we can get sidelined many times on looking at what could be or want to be and what we want to focus on. But also, it is a matter—as I come down here in this role many times, let's focus on the line right now, let's focus on the minute ahead, let's focus on the next vote, and that is

talking about these bills in this process.

I thought it was interesting to say that these are solutions in search of a problem. It is really interesting to me that, undoubtedly, these solutions in search of a problem—I think the problem is when they have, especially under sue and settle, $9.6 billion annual cost, $500 million in the first year cost; Oil and Gas Rule, $738 million annually; $632 million annually for the Florida Nutrient Standards and Estuary Flowing Waters Rule; Boiler MACT, $3 billion. I mean, I could go on. And $90 billion for reconsideration of 2008 ozone.

Let's make it very clear what sue and settle does. Sue and settle does not take the power for an agency to enter into a consent decree. Consent decrees are used often. The problem with this one is that when you have two parties on the same page suing, in essence, what amounts to one so that they can get a desired result without talking to the others who were affected, that is just wrong.

It is like me taking another congressman, or you, Mr. Speaker, and saying: You know, let's work out a deal.

But the reality is it is going to affect my friend from across the aisle, but we are not going to tell him. We are simply going to say: We are going to work our deal out. We are going to go to the Court. We are going to get the Court to sign off on it and we are going to implement everything that we have without proper insight and oversight.

That is all that we are asking for. It is called fairness. I am not sure how you could be against that, unless you like the idea of writing regulatory law in cubicles down the street instead of here on the floor of the House.

The other issue I see here is this issue of slush funds. We have talked about this, and the gentleman put 10 pages into the RECORD. He can put 49 into the Record; he can put 550 into the RECORD of eligible agencies for this money.

The problem is not eligible agencies. Number one, they are not victims. Number two, they are not part of the suit, yet we are giving it at sometimes double the rate to the offenders. Those that the Justice Department said were doing wrong—let's get this clear. Like in the housing issue—said you are doing wrong in this mortgage issue.

But what we are going to do, instead of giving the money at 1:1 back to victims, we are going to give it at 2:1 if you go to our preferred charity in donation form. It sounds like to me the only people who are getting problematic here are the victims of it; and the others of these pages of people who may or may not have political leanings or religious leanings or anything else, they are the recipient of the lottery.

They said, ''We will go help these people; give us money,'' instead of saying this is an issue that needs to be dealt with in a settlement to the victims.

It also has been said that this is just giving money to help those in those areas so that they can get back on their feet. But it also went further than that. There were two instances in particular that I can come up with: the Housing Council, which this body said we are not funding any longer, yet the administration used these donations to circumvent the appropriations process and fund it. That is not the role of the executive branch. That is an article I role.

The electric vehicle subsidy, $2 billion, again, this body said no. They said: No worries. We will go get a settlement. We will just take the donations and we will fund something that Congress has already said no on.

So it is easy to paint with broad strokes and say this is not important, this does not matter. But for some of us it does matter.

Those stories—why people are so upset when they look at this town is they just remember what their old civic books told them: that there was a Congress, there was an executive branch, and there was a judicial branch; each required all to do their part.

If we decide that it is too far down the road, let's bind the hands of the executive branch. We will do whatever. This is nothing except Congress saying this is what we are going to do. It is saying, this is what matters for us. And we may call it cheap; we may call it little; we may call it solutions in search of a problem, but you talk about the businessowners and the industries and the States who had to pay out on these sue and settle agreements.

When you talk about the millions—the billions that were sent to Iran, I think there will be a lot of people, when you look at both sides of this case, who will say: Yes, Congress, I want you to stop this because this is the way it should be set up.

That is why these bills are on the floor today. That is why we are taking them up. That is the reason we are bringing them forward.

Mr. Speaker, I urge my colleagues to support the rule and the underlying bill.

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

AN AMENDMENT TO H. RES. 577 OFFERED BY MR. HASTINGS

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

SEC. 3. 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. 3440) to authorize the cancellation of removal and adjustment of status of certain individuals who are long-term United States residents and who entered the United States as children 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 the Judiciary. 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. 4. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 3440.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

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

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

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

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule

[a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

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

Mr. COLLINS of Georgia. 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. HASTINGS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adopting the resolution, if ordered; and suspending the rules and passing H.R. 2142.

The vote was taken by electronic device, and there were—yeas 228, nays 189, not voting 15, as follows:

[Roll No. 572]

YEAS—228

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buck
Bucshon
Budd
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
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
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—189

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

NOT VOTING—15

Barletta
Barragán
Bass
Bridenstine
Buchanan
Burgess
Carson (IN)
Huizenga
Long
Lowenthal
Marchant
Reed
Roskam
Trott
Wilson (FL)

□ 1337

Mmes. NAPOLITANO, MURPHY of Florida, Mses. SANCHEZ, SHEA-PORTER, Messrs. GALLEGO, and AL GREEN of Texas changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. REED. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 572.

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 227, noes 190, not voting 15, as follows:

[Roll No. 573]

AYES—227

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

Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
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—190

Adams
Aguilar
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (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
Loebsack
Lofgren
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
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
Yarmuth

NOT VOTING—15

Barletta
Barragán
Bass
Bridenstine
Brooks (AL)
Buchanan
Burgess
Griffith
Huizenga
Long
Loudermilk
Lowenthal
Rooney, Francis
Trott
Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1344

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.

MOMENT OF SILENCE FOR VICTIMS OF CALIFORNIA WILDFIRES

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

Mr. THOMPSON of California. Mr. Speaker, the worst fires in the history of California have devastated nearly 300,000 acres, destroyed some 8,000 homes, caused billions of dollars in damage, burned to the ground many businesses, and, most sadly, taken the lives of 42 people—and that number may very well rise.

These fires were like no other, propelled by winds that reached speeds of over 70 miles per hour. The worst of the fires were in my district. They moved so fast, burning at times 200 feet per second. That is three football fields every 30 seconds.

People had little time to escape their burning homes. They fled with only the clothes on their back and, in some cases, with their homes already in flames.

The most covered area on the news is a neighborhood in my district in Santa Rosa called Coffey Park. There, alone, the entire neighborhood, some 1,300 homes, were burned to the ground. The winds were so high that they pushed the blaze across eight lanes of freeway and over two frontage roads to destroy the homes and lives of those 1,300 families.

Eleven thousand firefighters, thousands of law enforcement and National Guard soldiers put their lives on the line to stop the raging inferno and protect Californians in the line of the fire. Some of those first responders lost their own homes, but they worked 24/7 to help others. The actions of civilian heroes and heroines saved an untold number of lives.

The fallout from this disaster will be felt for years, if not decades. You can't just rebuild 8,000 homes and entire neighborhoods overnight.

My colleagues and I from California appreciate all of your words of comfort and offers to help, and the people hurt by this monster fire will need all of our help.

Mr. Speaker, I ask that the House now observe a moment of silence for those who lost their lives in this terrifying fire and to show our commitment to help rebuild the lives of the many thousands of people who have lost everything.

INTERNATIONAL NARCOTICS TRAFFICKING EMERGENCY RESPONSE BY DETECTING INCOMING CONTRABAND WITH TECHNOLOGY ACT

The SPEAKER pro tempore (Mr. HULTGREN). 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. 2142) to improve the ability of U.S. Customs and Border Protection to interdict fentanyl, other synthetic opioids, and other narcotics and psychoactive substances that are illegally imported into the United States, and for other purposes, 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 Pennsylvania (Mr. FITZPATRICK) 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 412, nays 3, not voting 17, as follows:

[Roll No. 574]

YEAS—412

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Beatty
Bera
Bergman
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buck
Bucshon
Budd
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Conyers
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
Dent
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
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
Hultgren
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
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)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Loudermilk
Love
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)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—3

Amash
Jones
Sherman

NOT VOTING—17

Barletta
Barragán
Bass
Beyer
Bridenstine
Buchanan
Burgess
Comstock
DeSantis
Doggett
Frankel (FL)
Huizenga
Hunter
Long
Lowenthal
Trott
Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1355

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.

MAKING IN ORDER AMENDMENT IN LIEU OF AMENDMENT NO. 2 PRINTED IN PART A OF HOUSE REPORT 115–363 DURING CONSIDERATION OF H.R. 469, SUNSHINE FOR REGULATIONS AND REGULATORY DECREES AND SETTLEMENTS ACT OF 2017

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 469, pursuant to House Resolution 577, the amendment I have placed at the desk be in order in lieu of the amendment printed in part A of House Report 115–363 and numbered 2.

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

The Clerk read as follows:

AN AMENDMENT OFFERED IN LIEU OF AMENDMENT NO. 2 PRINTED IN PART A OF HOUSE REPORT NO. 115–363 OFFERED BY MR. CONYERS OF MICHIGAN

Page 3, line 17, strike ''; and'' and insert '', other than an excepted consent decree or settlement agreement;''.

Page 4, line 4, strike the period and insert ''; and''.

Page 4, insert after line 4 the following:

(6) the term ''excepted consent decree or settlement agreement'' means a covered consent decree or covered settlement agreement that prevents or is intended to prevent discrimination based on race, religion, national origin, or any other protected category.

Mr. COLLINS of Georgia (during the reading). Mr. Speaker, I ask unanimous consent to waive the reading.

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

There was no objection.

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

There was no objection.

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 votes objected to under clause 6 of rule XX.

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

FAMILY OFFICE TECHNICAL CORRECTION ACT OF 2017

Mr. BARR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3972) to clarify that family offices and family clients are accredited investors, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3972

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 ''Family Office Technical Correction Act of 2017''.

SEC. 2. ACCREDITED INVESTOR CLARIFICATION.

(a) IN GENERAL.—Subject to subsection (b), any family office or a family client of a family office, as defined in section 275.202(a)(11)(G)–1 of title 17, Code of Federal Regulations, shall be deemed to be an accredited investor, as defined in Regulation D of the Securities and Exchange Commission (or any successor thereto) under the Securities Act of 1933.

(b) LIMITATION.—Subsection (a) only applies to a family office with assets under management in excess of $5,000,000, and a family office or a family client not formed for the specific purpose of acquiring the securities offered, and whose purchase is directed by a person who has such knowledge and experience in financial and business matters that such person is capable of evaluating the merits and risks of the prospective investment.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. BARR) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 3972, the Family Office Technical Correction Act, which passed out of the House Financial Services Committee earlier this month with the unanimous support of my Republican and Democratic colleagues.

This timely legislation provides a technical clarification that makes it very apparent that family offices are considered accredited investors under regulation D.

Under Dodd-Frank, a family office or, in other words, a company that only has family clients, is owned by the family, and is not a public investment adviser can give financial advice to family members without the office registering under the Investment Advisers Act.

□ 1400

The rationale behind this was that family members will look out for one another. Thus, this legislation, for the same reason, allows family offices to count as accredited investors, which would allow them to make private placement investments.

The end result is that more capital will be available for investment in

businesses, resulting in more jobs and greater economic opportunity for Americans of all walks of life.

I want to thank Representative CAROLYN MALONEY and Chairman HENSARLING for their leadership on this important legislation, and I urge my colleagues in the House to support the Family Office Technical Correction Act.

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

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

Mr. Speaker, H.R. 3972 would expand the definition of ''accredited investor'' to organizations known as family offices and their family clients.

Family offices manage the financial interests of wealthy families. Deeming family offices and family clients to be accredited investors would allow them to more easily invest in private, unregistered security offerings.

Today, each family client, family member, and associated employees and entities must independently meet the accredited investor definition. This would require, for example, that each individual in a family independently meet certain income or net worth thresholds.

As I understand it, this process can be cumbersome for private funds that may lose their private, unregistered status if they fail to appropriately verify their investors as accredited or otherwise qualified to invest in private offerings. If there is any doubt, a private fund could deny a family office or family client the opportunity to invest.

This bill seeks to remedy that problem by recognizing that family offices and family clients are financially sophisticated in their own right. Thanks to an amendment by Representative MALONEY that was unanimously accepted during the committee markup, the bill ensures that these family offices and family clients have the financial wherewithal and knowledge to invest as accredited investors in typically risky, illiquid private security offerings.

Specifically, the bill would apply the same standards currently in place for trusts so that, number one, the family office must have more than $5 million in assets; two, the family office and family clients must not be formed for the specific purpose of acquiring the securities offered; and, three, the family office and family client must be dedicated—or directed, rather, by a sophisticated person.

These restrictions limit the potential unintended consequences of the bill so that, for example, someone who could not otherwise meet the accredited investor test alone could not circumvent the rules by investing with another family member as a ''family office.''

They would also prevent estranged family members, who could be up to 10 generations removed, from investing as an accredited investor without receiving any services of or otherwise being affiliated with the family office.

I support the bill, and I reserve the balance of my time.

Mr. BARR. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. HENSARLING), the chairman of the Financial Services Committee.

Mr. HENSARLING. Mr. Speaker, I thank the gentleman from Kentucky.

This did pass our committee on a unanimous basis.

I want to thank the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) for her leadership and for her other areas of leadership on our committee. As a very senior Democrat, her counsel is always important; her leadership is always important.

This is indeed, as was described, Mr. Speaker, in many respects, a technical correction that needed to take place. We need to ensure that our family offices, that those investment funds can be put to their highest and best use to help grow the economy.

I was happy that the ranking member used the phrase ''unintended consequences'' because, indeed, Mr. Speaker, from time to time, there are unintended consequences of regulation.

We do wish to ensure that these family offices that otherwise meet the definition of accredited investors have the full range of investment opportunities before them. This bill will do this.

Again, it came out on a strong bipartisan, indeed, a unanimous basis from the Financial Services Committee, and so I would urge all Members of the House to adopt it.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), the author of the bill and the sponsor of the bill.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I rise today in support of H.R. 3972, and I am very thankful to gentleman from Texas (Mr. HENSARLING), the chairman, and the gentlewoman from California (Ms. MAXINE WATERS), the ranking member, for their support and assistance on this legislation.

This bill is very simple. It makes what I consider to be a technical fix to the rules for family offices.

Family offices are entities that are established by wealthy families to manage their own money and to provide financial services to their family members.

The original family office was created by John D. Rockefeller 135 years ago and still exists in the district that I represent. So family offices have a long and storied history in this country and have become important sources of liquidity for our markets.

It is also important to note that family offices do not pose a systemic risk and did not cause any problems in the financial crisis, so they don't pose any safety and soundness risk to the financial system.

Family offices aren't regulated by the SEC as investment advisers because they don't have traditional clients or outside investors. They invest money in their funds like most investment advisers.

A family office is just that: a family office managing its own family money. Their clients are primarily family members, and disputes between family members are better handled either internally by the family or through State courts, which have laws to govern disputes between family members.

Prior to Dodd-Frank, the SEC had been exempting family officers and offices from the Advisers Act for decades on a case-by-case basis. In Dodd-Frank, we codified the exemption for family offices and required the SEC to write a rule formally defining ''family offices.'' The SEC finalized that rule in 2011, so family offices, to meet the SEC's definition, do not have to register with the SEC or as investment advisers.

However, a problem has now come up that we did not anticipate. We assumed that every family client or a member of the family would qualify as a sophisticated accredited investor under the SEC rules. But it turns out that there are very limited circumstances in which a family client of a family office may not actually qualify as an individual accredited investor.

For example, a 19- or 20-year-old member of a wealthy family may be in his or her first job after school and may not be making enough money to qualify as an accredited investor, which is over $200,000, annually.

The real problem is, under the rules we have now, if just one of these family clients—a young person, in most cases—in a family office is not an accredited investor, then the entire family office is not considered an accredited investor and, thus, cannot buy any securities that are limited to accredited investors, like privately issued stocks or bonds. My bill would fix this by just clarifying that all family offices and family clients are, in fact, accredited investors.

The bill does not allow that any 19- or 20-year-old can go out on their own and buy securities. It is limited to accredited investors that can only be done through the family office.

The bill also includes some important limitations: The family office has to have at least $5 million in assets, which is the same limitation that applies to trusts in the current accredited investor rule. The family office also has to have its investments directed by a sophisticated investment professional, which provides yet another layer of protection.

So, really, this bill is very narrowly tailored and provides what I consider to be a technical fix that will allow family offices to better serve their own family members.

I urge my colleagues to support this bill.

Mr. BARR. Mr. Speaker, I continue to reserve the balance of my time.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield back the balance of my time.

Mr. BARR. Mr. Speaker, I have no further requests at this time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. BARR) that the House suspend the rules and pass the bill, H.R. 3972, 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.

OTTO WARMBIER NORTH KOREA NUCLEAR SANCTIONS ACT

Mr. BARR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3898) to require the Secretary of the Treasury to place conditions on certain accounts at United States financial institutions with respect to North Korea, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3898

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 ''Otto Warmbier North Korea Nuclear Sanctions Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) On June 1, 2016, the Department of the Treasury's Financial Crimes Enforcement Network announced a Notice of Finding that the Democratic People's Republic of Korea is a jurisdiction of primary money laundering concern due to its use of state-controlled financial institutions and front companies to support the proliferation and development of weapons of mass destruction (WMD) and ballistic missiles.

(2) The Financial Action Task Force (FATF) has expressed serious concerns with the threat posed by North Korea's proliferation and financing of WMD, and has called on FATF members to apply effective countermeasures to protect their financial sectors from North Korean money laundering, WMD proliferation financing, and the financing of terrorism.

(3) In its February 2017 report, the U.N. Panel of Experts concluded that—

(A) North Korea continued to access the international financial system in support of illicit activities despite sanctions imposed by U.N. Security Council Resolutions 2270 (2016) and 2321 (2016);

(B) during the reporting period, no member state had reported taking actions to freeze North Korean assets; and

(C) sanctions evasion by North Korea, combined with inadequate compliance by member states, had significantly negated the impact of U.N. Security Council resolutions.

(4) In its September 2017 report, the U.N. Panel of Experts found that—

(A) North Korea continued to violate financial sanctions by using agents acting abroad on the country's behalf;

(B) foreign financial institutions provided correspondent banking services to North Korean persons and front companies for illicit purposes;

(C) foreign companies violated sanctions by maintaining links with North Korean financial institutions; and

(D) North Korea generated at least $270 million during the reporting period through the violation of sectoral sanctions.

(5) North Korean entities engage in significant financial transactions through foreign bank accounts that are maintained by non-North Korean nationals, thereby masking account users' identity in order to access financial services.

(6) North Korea's sixth nuclear test on September 3, 2017, demonstrated an estimated explosive power more than 100 times greater than that generated by its first nuclear test in 2006.

(7) North Korea has successfully tested submarine-launched and intercontinental ballistic missiles, and is rapidly progressing in its development of a nuclear-armed missile that is capable of reaching United States territory.

SEC. 3. CONDITIONS WITH RESPECT TO CERTAIN ACCOUNTS AND TRANSACTIONS AT UNITED STATES FINANCIAL INSTITUTIONS.

(a) CORRESPONDENT AND PAYABLE-THROUGH ACCOUNTS HELD BY FOREIGN FINANCIAL INSTITUTIONS.—

(1) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act, the Secretary of the Treasury shall prescribe regulations to prohibit, or impose strict conditions on, the opening or maintaining in the United States of a correspondent account or a payable-through account by a foreign financial institution that the Secretary finds knowingly facilitates a significant transaction or transactions or provides significant financial services for a covered person.

(2) PENALTIES.—

(A) CIVIL PENALTY.—A person who violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under this subsection shall be subject to a civil penalty in an amount not to exceed the greater of—

(i) $250,000; or

(ii) an amount that is twice the amount of the transaction that is the basis of the violation with respect to which the penalty is imposed.

(B) CRIMINAL PENALTY.—A person who willfully commits, willfully attempts to commit, or willfully conspires to commit, or aids or abets in the commission of, a violation of regulations prescribed under this subsection shall, upon conviction, be fined not more than $1,000,000, or if a natural person, may be imprisoned for not more than 20 years, or both.

(b) RESTRICTIONS ON CERTAIN TRANSACTIONS BY UNITED STATES FINANCIAL INSTITUTIONS.—

(1) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act, the Secretary of the Treasury shall prescribe regulations to prohibit a United States financial institution, and any person owned or controlled by a United States financial institution, from knowingly engaging in a significant transaction or transactions with or benefitting any person that the Secretary finds to be a covered person.

(2) CIVIL PENALTY.—A person who violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed under this subsection shall be subject to a civil penalty in an amount not to exceed the greater of—

(A) $250,000; or

(B) an amount that is twice the amount of the transaction that is the basis of the violation with respect to which the penalty is imposed.

SEC. 4. OPPOSITION TO ASSISTANCE BY THE INTERNATIONAL FINANCIAL INSTITUTIONS AND THE EXPORT-IMPORT BANK.

(a) INTERNATIONAL FINANCIAL INSTITUTIONS.—The Bretton Woods Agreements Act (22 U.S.C. 286 et seq.) is amended by adding at the end the following:

''SEC. 73. OPPOSITION TO ASSISTANCE FOR ANY GOVERNMENT THAT FAILS TO IMPLEMENT SANCTIONS ON NORTH KOREA.

''(a) IN GENERAL.—The Secretary of the Treasury shall instruct the United States Executive Director at the international financial institutions (as defined under section 1701(c) of the International Financial Institutions Act) to use the voice and vote of the United States to oppose the provision of financial assistance to a foreign government, other than assistance to support basic human needs, if the President determines that, in the year preceding consideration of approval of such assistance, the government has knowingly failed to prevent the provision of financial services to, or freeze the funds, financial assets, and economic resources of, a person described under subparagraphs (A) through (E) of section 7(2) of the Otto Warmbier North Korea Nuclear Sanctions Act.

''(b) WAIVER.—The President may waive subsection (a) for up to 180 days at a time with respect to a foreign government if the President reports to Congress that—

''(1) the foreign government's failure described under (a) is due exclusively to a lack of foreign government capacity;

''(2) the foreign government is taking effective steps to prevent recurrence of such failure; or

''(3) such waiver is vital to the national security interests of the United States.''.

(b) EXPORT-IMPORT BANK.—Section 2(b) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)) is amended by adding at the end the following:

''(14) PROHIBITION ON SUPPORT INVOLVING PERSONS CONNECTED WITH NORTH KOREA.—The Bank may not guarantee, insure, or extend credit, or participate in the extension of credit in connection with the export of a good or service to a covered person (as defined under section 7 of the Otto Warmbier North Korea Nuclear Sanctions Act).''.

SEC. 5. TREASURY REPORTS ON COMPLIANCE, PENALTIES, AND TECHNICAL ASSISTANCE.

(a) QUARTERLY REPORT.—

(1) IN GENERAL.—Not later than 120 days following the date of the enactment of this Act, and every 90 days thereafter, the Secretary of the Treasury shall submit a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate that includes—

(A) a list of financial institutions that, in the period since the preceding report, knowingly facilitated a significant transaction or transactions or provided significant financial services for a covered person, or failed to apply appropriate due diligence to prevent such activities;

(B) a list of any penalties imposed under section 3 in the period since the preceding report; and

(C) a description of efforts by the Department of the Treasury in the period since the preceding report, through consultations, technical assistance, or other appropriate activities, to strengthen the capacity of financial institutions and foreign governments to prevent the provision of financial services benefitting any covered person.

(2) FORM OF REPORT; PUBLIC AVAILABILITY.—

(A) FORM.—The report required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(B) PUBLIC AVAILABILITY.—The unclassified portion of such report shall be made available to the public and posted on the website of the Department of the Treasury.

(b) TESTIMONY REQUIRED.—Upon request of the Committee on Financial Services of the

House of Representatives or the Committee on Banking, Housing, and Urban Affairs of the Senate, the Under Secretary of the Treasury for Terrorism and Financial Intelligence shall testify to explain the effects of this Act, and the amendments made by this Act, on North Korea's access to finance.

(c) INTERNATIONAL MONETARY FUND.—Title XVI of the International Financial Institutions Act (22 U.S.C. 262p et seq.) is amended by adding at the end the following:

"SEC. 1629. SUPPORT FOR CAPACITY OF THE INTERNATIONAL MONETARY FUND TO PREVENT MONEY LAUNDERING AND FINANCING OF TERRORISM.

''The Secretary of the Treasury shall instruct the United States Executive Director at the International Monetary Fund to support the use of the administrative budget of the Fund for technical assistance that strengthens the capacity of Fund members to prevent money laundering and the financing of terrorism.''.

(d) NATIONAL ADVISORY COUNCIL REPORT TO CONGRESS.—The Chairman of the National Advisory Council on International Monetary and Financial Policies shall include in the report required by section 1701 of the International Financial Institutions Act (22 U.S.C. 262r) for the fiscal year following the date of the enactment of this Act a description of—

(1) the activities of the International Monetary Fund in the most recently completed fiscal year to provide technical assistance that strengthens the capacity of Fund members to prevent money laundering and the financing of terrorism, and the effectiveness of the assistance; and

(2) the efficacy of efforts by the United States to support such technical assistance through the use of the Fund's administrative budget.

SEC. 6. SUSPENSION AND TERMINATION OF PROHIBITIONS AND PENALTIES.

(a) SUSPENSION.—The President may suspend, on a case-by-case basis, the application of any provision of this Act, or provision in an amendment made by this Act, for a period of not more than 180 days at a time if the President certifies to Congress that—

(1) the Government of North Korea has—

(A) committed to the verifiable suspension of North Korea's proliferation and testing of WMD, including systems designed in whole or in part for the delivery of such weapons; and

(B) has agreed to multilateral talks including the Government of the United States, with the goal of permanently and verifiably limiting North Korea's WMD and ballistic missile programs; or

(2) such suspension is vital to the national security interests of the United States, with an explanation of the reasons therefor.

(b) TERMINATION.—

(1) IN GENERAL.—On the date that is 30 days after the date on which the President makes the certification described under paragraph (2)—

(A) section 3, subsections (a) and (b) of section 5, and section 6(a) of this Act shall cease to have any force or effect;

(B) section 73 of the Bretton Woods Agreements Act, as added by section 4(a), shall be repealed; and

(C) section 2(b)(14) of the Export-Import Bank Act of 1945, as added by section 4(b), shall be repealed.

(2) CERTIFICATION.—The certification described under this paragraph is a certification by the President to the Congress that—

(A) the Government of North Korea—

(i) has ceased to pose a significant threat to national security, with an explanation of the reasons therefor; or

(ii) is committed to, and is taking effective steps to achieving, the goal of permanently and verifiably limiting North Korea's WMD and ballistic missile programs; or

(B) such termination is vital to the national security interests of the United States, with an explanation of the reasons therefor.

SEC. 7. DEFINITIONS.

For purposes of this Act:

(1) TERMS RELATED TO NORTH KOREA.—The terms ''applicable Executive order'', ''Government of North Korea'', ''North Korea'', ''North Korean person'', and ''significant activities undermining cybersecurity'' have the meanings given those terms, respectively, in section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202).

(2) COVERED PERSON.—The term ''covered person'' means the following:

(A) Any designated person under an applicable Executive order.

(B) Any North Korean person that facilitates the transfer of bulk cash or covered goods (as defined under section 1027.100 of title 31, Code of Federal Regulations).

(C) Any North Korean financial institution.

(D) Any North Korean person employed outside of North Korea, except that the Secretary of the Treasury may waive the application of this subparagraph for a North Korean person that is not otherwise a covered person and—

(i) has been granted asylum or refugee status by the country of employment; or

(ii) is employed as essential diplomatic personnel for the Government of North Korea.

(E) Any person acting on behalf of, or at the direction of, a person described under subparagraphs (A) through (D).

(F) Any person that knowingly employs a person described under subparagraph (D).

(G) Any person that facilitates the import of goods, services, technology, or natural resources, including energy imports and minerals, or their derivatives, from North Korea.

(H) Any person that facilitates the export of goods, services, technology, or natural resources, including energy exports and minerals, or their derivatives, to North Korea, except for food, medicine, or medical supplies required for civilian humanitarian needs.

(I) Any person that invests in, or participates in a joint venture with, an entity in which the Government of North Korea participates or an entity that is created or organized under North Korean law.

(J) Any person that provides financial services, including through a subsidiary or joint venture, in North Korea.

(K) Any person that insures, registers, facilitates the registration of, or maintains insurance or a registration for, a vessel owned, controlled, commanded, or operated by a North Korean person.

(L) Any person providing specialized teaching, training, or information or providing material or technological support to a North Korean person that—

(i) may contribute to North Korea's development and proliferation of WMD, including systems designed in whole or in part for the delivery of such weapons; or

(ii) may contribute to significant activities undermining cybersecurity.

(3) FINANCIAL INSTITUTION DEFINITIONS.—

(A) FINANCIAL INSTITUTION.—The term ''financial institution'' means a United States financial institution or a foreign financial institution.

(B) FOREIGN FINANCIAL INSTITUTION.—The term ''foreign financial institution'' has the meaning given that term under section 1010.605 of title 31, Code of Federal Regulations.

(C) NORTH KOREAN FINANCIAL INSTITUTION.—The term ''North Korean financial institution'' includes—

(i) any North Korean financial institution, as defined in section 3 of the North Korea Sanctions and Policy Enhancement Act of 2016 (22 U.S.C. 9202);

(ii) any financial agency, as defined in section 5312 of title 31, United States Code, that is owned or controlled by the Government of North Korea;

(iii) any money transmitting business, as defined in section 5330(d) of title 31, United States Code, that is owned or controlled by the Government of North Korea;

(iv) any financial institution that is a joint venture between any person and the Government of North Korea; and

(v) any joint venture involving a North Korean financial institution.

(D) UNITED STATES FINANCIAL INSTITUTION.—The term ''United States financial institution'' has the meaning given the term ''U.S. financial institution'' under section 510.310 of title 31, Code of Federal Regulations.

(4) KNOWINGLY.—The term ''knowingly'' with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. BARR) and the gentlewoman from California (Mrs. MAXINE WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

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

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

There was no objection.

Mr. BARR. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I am pleased to sponsor H.R. 3898, the Otto Warmbier North Korea Nuclear Sanctions Act, which imposes the most far-reaching financial sanctions ever directed at North Korea.

Since 2006, North Korea has undertaken six nuclear tests and, earlier this summer, test-launched intercontinental ballistic missiles capable of reaching United States territory. The most recent nuclear device that the country detonated on September 3 had an estimated explosive power 10 times greater than the bomb dropped at Hiroshima. We must not allow the North to threaten a U.S. city with such weapons.

In short, Mr. Speaker, this bill would impose secondary sanctions on foreign financial institutions that do business with virtually anyone that trades with North Korea. In addition, H.R. 3898 would essentially cut off Pyongyang's ability to earn hard currency through North Korean laborers working abroad, and it would use our leverage at the IMF, the World Bank, and other international financial institutions to incentivize countries to crack down on North Korea's illicit activities.

As many of my colleagues know, North Korea is already subject to both U.S. and international sanctions, the latter deriving from a series of U.N. Security Council resolutions. These sanctions have fallen short, however, for two main reasons:

First, they have not given sufficient attention to North Korea's enablers in third countries, especially foreign banks and middlemen in China, Southeast Asia, and other parts of the world.

Second, even though U.N. Security Council resolutions are supposed to bind U.N. members to enforce them, implementation has been weak. As the U.N. Panel of Experts concluded earlier this year, member nations' compliance with sanctions has been so lax that North Korea retains access to the international financial system.

As the Trump administration has made clear, U.N. sanctions are a floor, not a ceiling, for U.S. action. H.R. 3898 embodies this principle through the use of secondary sanctions.

Here is how such sanctions would work, Mr. Speaker:

The front companies and middlemen that North Korea relies on in third countries still need banks. Those banks, in turn, use correspondent or payable-through accounts held at U.S. financial institutions to process international transactions. It is counterproductive for U.S. policy to permit foreign banks to do business in America as well as business that ultimately helps North Korea. It is time for those banks to choose between aiding and abetting the North Korean Government or standing for peace with America and its allies.

□ 1415

H.R. 3898 forces foreign banks to make that choice. Foreign banks can either do business benefiting North Korea or business with the United States. They cannot do both.

Under an executive order issued in September, the President authorized the Treasury Department to levy sanctions on foreign banks that finance North Korean trade. While this was a crucial step forward, H.R. 3898 would widen the net still further.

Under this legislation, Congress would be codifying mandatory sanctions on foreign banks. If someone is dealing with North Korea, there is nowhere to run or hide: a foreign financial institution is subject to sanctions for doing business with you, even if that bank claims that it is not directly financing the trade.

H.R. 3898 also covers more economic activity than any previous sanctions on North Korea, including the current U.N. sanctions round. That means this bill goes after banks involved with petroleum, labor, and virtually any kind of investment or North Korean use of shipping vessels.

In addition, H.R. 3898 targets the knowledge and technological support that North Korea needs for its weapons program and hacking activities. Pyongyang's threats against cybersecurity are critical for the regime to get its hands on financing.

The goal, Mr. Speaker, is to show North Korea that the path they are on has devastating costs and leads to nowhere regardless. H.R. 3898 provides an off-ramp for North Korea if the country wants sanctions relief, but it is up to Pyongyang to take it. Until then, the sanctions we will be passing today hold tremendous economic pain in store for the Kim Jong-un regime and its foreign enablers.

Finally, Mr. Speaker, we are honored to dedicate this bill to the memory of Otto Warmbier, a young man who traveled to North Korea to understand the country with his own eyes, and whose life was cut short by the regime's brutality. Otto was a student at the University of Virginia, my alma mater, and a special community that continues to mourn the loss of this special young man. Otto held out his hand in friendship to the people of North Korea, as we do. It is Pyongyang's nuclear ambitions, though, that threaten what Otto represented: a world of openness, understanding, and a desire for peaceful relations between our country and North Korea. It is fitting that this legislation bears Otto's name, and that its goals embody his spirit.

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

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

First, allow me to say that I am very pleased that, by naming this legislation after Otto Warmbier, we are able to honor him and let his family know that we will not forget him. Nor will we forget the brutal, lethal treatment of this young, decent American student by the Government of North Korea.

There is simply no justification for the fury with which the Kim regime turned the massive power of the state on this young American man, who is alleged to have done nothing more than take a poster from a hotel. It is this kind of brutality—and the ongoing fundamental depravity of the North Korean regime—that will keep it from being a member of the global community of nations.

This is also why the rapid acceleration in the scale and range of North Korea's nuclear and missile programs is so alarming, including the launch of two intercontinental ballistic missiles in July, one of which experts believe could have had the capacity to reach the continental United States. Then, in September, the regime tested its sixth nuclear explosive device, and, according to U.S. and international estimates, this thermonuclear test was significantly higher in magnitude and yield than any previous test.

This has led to a bipartisan consensus in the Financial Services Committee that a new policy towards North Korea involving a maximum pressure campaign of financial isolation is the best chance we have to resolve this situation peacefully.

Such a strategy must entail a dramatically greater level of pressure than North Korea has faced to date, one strong enough to change Kim Jong-un's calculus about whether he is safer with or without his nuclear program.

The legislation before us today, H.R. 3898, calls for just such a U.S. strategy towards North Korea—and it is one that has the advantage of presenting an option other than a military-first response. As many experts have called for, this legislation takes a page from the Iran sanctions playbook by mandating the use of secondary sanctions, which were widely credited with forcing Iran to the negotiating table.

In the context of North Korea, an American program of secondary sanctions wouldn't just ban U.S. companies from doing business with North Korea, it would also force companies, individuals, banks, and governments to make a choice: stop doing business with North Korea and its enablers or be cut off from the global financial system.

Although we saw in the Iran context just how powerful this approach can be when carefully fashioned as part of a broad coalition, we must remember that sanctions alone are not a strategy. Sanctions are a tool, and in order for them to work, they must be linked to a broader strategic effort, with the high level of skill in their design and implementation, and with a clear understanding of the policy goals we are trying to achieve.

According to Adam Szubin, who formerly served as the Under Secretary of the Treasury for Terrorism and Financial Crimes, when Congress adopted a series of secondary sanction measures in 2010, aimed at containing Iran's nuclear program, the administration was already staffed, well-resourced, and ready to immediately deploy senior officials around the world.

Specifically, senior Treasury, White House, and State Department officials traveled around the world to explain the new U.S. sanctions regime and pressure governments, bankers, traders, and companies to enforce these sanctions in a tough and meaningful way.

Today, there is widespread recognition that a successful strategy to isolate and pressure North Korea must not only entail the effective implementation of sanctions, but also arguably an even more complex and sophisticated degree of statecraft in order to coordinate with our allies, and, in particular, to convince China that we have shared objectives when it comes to addressing the increasing destabilizing North Korean threat.

It is extremely concerning, therefore, that President Trump has shown virtually no capacity or willingness for the hard work necessary to secure concessions from North Korea, or enlist China and other key players to do their part to isolate the Kim regime. In fact, President Trump's reckless threats, his vow to destroy the Kim regime, his

name-calling, warmongering, and rejection of diplomacy contradict key administration officials, and leading experts, who continue to stress the importance of imposing pressure on the Kim regime. It also demonstrates a Commander in Chief who lacks the discipline and quality of leadership it takes to convince our allies to join us in dealing with the North Korean threat.

Given the high-stakes objectives; the lack of a unified, coherent policy from the executive branch; and concern about U.S. credibility on the global stage, I am pleased that, on this critical issue, Members from both sides of the aisle were able to come together behind a concrete strategic objective to force Pyongyang into nuclear diplomacy with the goal of permanently and verifiably limiting North Korea's WMD and ballistic missile programs.

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

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

Mr. BARR. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. HENSARLING), the chairman of the Financial Services Committee.

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

Mr. Speaker, I rise in strong support of H.R. 3898, the Otto Warmbier North Korea Nuclear Sanctions Act, which our committee, the Financial Services Committee, passed on a unanimous basis.

I thank the gentleman from Kentucky (Mr. BARR), who is leading this debate today, for his leadership on our committee and for this bill. I also thank his ranking member, Ms. MOORE, the gentlewoman from Wisconsin, for her work on this bipartisan bill as well.

I also think that it is a good and proper thing, Mr. Speaker, that this bill is named after Otto Warmbier, a young life that was tragically ended far too soon, who, in his untimely demise, has become an international symbol of the crushing brutality of the North Korean regime.

So it is with his memory that this bill is designed. And, simply put, Mr. Speaker, the bill before us today represents the toughest set of financial sanctions ever directed against the nuclear armed North Korean regime, a regime that still represents a clear and present danger to the global community.

The sanctions our committee is bringing to the House today target foreign financial institutions that, in some way, are connected to North Korea's economic activity—activity that ultimately allows this rogue regime to both develop and proliferate weapons of mass destruction.

Under H.R. 3898, those foreign financial institutions are going to be confronted with a choice. As my colleague from Kentucky put it, they can either do business that benefits North Korea or they can do business with the United States, they cannot do both.

Given the far-reaching impact of the sanctions, our committee does not take them lightly. They are reserved for the gravest threats to our national security, and their application should be targeted at clear and achievable goals. That is why H.R. 3898 cuts off virtually any path that North Korea can take to generate hard currency, yet it holds out the prospect of sanctions relief, if there are real and verifiable limits to the regime's weapons program.

As punishing as these sanctions will be, there is a way out for North Korea, if it chooses to take it, and that is to comply. Otherwise, the Kim regime and its foreign enablers will learn that hostility towards America carries enormous cost.

Mr. Speaker, I again thank the gentleman from Kentucky for his effort, and I urge all of my colleagues to support this vitally needed legislation.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank the ranking member for yielding and for her leadership on this committee.

Mr. Speaker, I rise today in support of H.R. 3898.

In August, I was part of a congressional delegation led by Senator MARKEY that visited South Korea, Japan, and the border between China and North Korea. It is just a short drive from Seoul, a city of about 10 million people, to the DMZ, which is the border line with North Korea. Standing there, you understand and see firsthand that even though the United States would prevail unquestionably in any armed conflict, the casualties suffered by South Korea would be horrendous.

Later, I hosted a meeting with Congresswoman WAGNER with South Korean Foreign Minister Kang here in the Congress. From these two meetings, I came back more convinced than ever that we have to leave no stone unturned to solve the most dangerous problem of our times peacefully through negotiations.

I firmly believe that the only way to drive North Korea to the negotiation table is to increase the financial pressure on this reckless rogue regime, which is what this bill does. It is one of the toughest sanction bills financially we have ever considered, and may be the toughest.

The fact that the dollar is the world's Reserve currency gives our country a very important bit of leverage. Companies doing business all over the world want to be paid, need to be paid, in dollars, not in any other currency. So if we restrict international and U.S. financial institutions from doing business with North Korea, then no matter how determined they might be to continue their destabilizing reckless course, they simply will not be able to get the dollars to buy the tools of terror that they need on the international market.

□ 1430

This is not the kind of action we should ever take lightly. This is not a tool to use, an action to take indiscriminately. But in this rare case, in the case of North Korea, such action is not only justified, it is necessary for the defense of our Nation and the defense of other nations.

If North Korea cannot buy the materials necessary to build long-range, nuclear-tipped missiles because they just don't have the dollars, then every country, every person on this globe can breathe a little easier and be a little safer.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from New York.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, this is really an urgently needed bill that not only directly addresses our own security needs, but also does a great service to the community of nations.

I would like to thank my friend, Mr. BARR, for all of his creative and hard work on this bill. I thank Chairman HENSARLING and Ranking Member WATERS for their leadership and support.

Mr. Speaker, I urge my colleagues to support this important bill.

Mr. BARR. Mr. Speaker, I, too, appreciate the bipartisan work on this piece of legislation, but I just do have to respond to my friend, the gentlewoman from California, and her comments about the Trump administration and the shift in policy.

It is hard to dispute that President Trump's public statements and official actions on North Korea have gotten Beijing's attention in a way that previous American Presidents have not. President Trump's tough rhetoric and tough talk on North Korea matches a shift in policy away from strategic patience to one that uses enhanced pressure through sanctions and the credible threat of military force to give substance and meaning to our diplomacy.

Even the Democrat witness in our hearing on this legislation admitted that the President's strong language had made a difference in giving us additional leverage in our negotiations with China.

Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. WENSTRUP).

Mr. WENSTRUP. Mr. Speaker, I strongly urge my colleagues to support Mr. BARR's legislation, the Otto Warmbier North Korea Nuclear Sanctions Act.

North Korea has continued to prove a dangerous and destabilizing force to the northeast Asian region, as well as to the United States and its allies. Its repeated missile tests, nuclear weapons tests, and heinous human rights violations demand that the United States continue its diplomatic and economic isolation campaign.

Today's bill is named for my constituent, Otto Warmbier, from Wyoming, Ohio, in the greater Cincinnati area.

Otto passed away on June 19 after spending 18 months in detention by the North Korean regime, the brutality of which was far beyond human decency or civility. The pain and heartache endured by Otto, his family, and his friends can never be undone or erased, but Congress can continue to take action by passing H.R. 3898 today and imposing the most far-reaching sanctions yet to be directed at North Korea.

There is no simple solution to countering such complex national security threats, but it is critical that we utilize both economic and diplomatic tools to hold hostile regimes like North Korea accountable when they act repeatedly and aggressively against our interests, our allies, our citizens, and our security.

Mr. Speaker, I strongly and sincerely urge support of this bill by every Member of this Chamber.

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

To my colleague on the opposite side of the aisle who was responding to part of my statement, of course there are many in this country who worry about President Trump's reckless threats, his promise of fire and fury, his vow to destroy the Kim regime, his name-calling, warmongering, and rejection of diplomacy.

It directly contradicts his leading Cabinet officials who continue to stress the importance of imposing pressure on the Kim regime. It also demonstrates a Commander in Chief who lacks the discipline and the capacity to convince our allies to join us in dealing with the North Korean threat.

The SPEAKER pro tempore. The gentlewoman is reminded not to engage in personalities toward the President.

Ms. MAXINE WATERS of California. The gentlewoman will happily not engage in personalities except to say that the rhetoric to call Kim Jong-un the little rocket man is not productive and it does not do us well.

We have a situation in which nearly every high-level official in the U.S. Government believes the threats posed by the North Korean nuclear and missile programs must be front and center in U.S. national security decisionmaking.

This is a time for U.S. diplomatic and foreign policy efforts to be aggressively focused on intensifying economic and diplomatic coordination with our allies and China in a strategy that would entail sophisticated policymaking capacity and coordination across the U.S. Government. Instead, a week ago, in a move that I believe history will strongly condemn, President Trump refused to recertify the Iran nuclear deal, throwing into question continued U.S. support for the landmark nuclear accord.

Whether you support or hate the Iran nuclear deal, it is widely viewed, at least so far, as successfully containing Iran's nuclear ambitions, and will for many years.

There can be no question that President Trump's threat to walk away from the international nuclear accord will have a direct and profoundly negative effect on our ability to convince Kim Jong-un or our allies that America will honor any commitment to integrate North Korea into the global community if it gives up its nuclear and missile programs.

In short, the President's threat to withdraw from the Iran nuclear deal undermines our credibility as a negotiating partner and throws into question the prospect of any effective nuclear diplomacy with North Korea. At a time when we are facing a nuclear crisis with North Korea, raising questions about our commitment to the Iran nuclear deal not only defies strategic logic, but it also undermines our national security.

On that issue, I would welcome, as I do with the legislation before us today, a stronger, more unified, bipartisan front.

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

Mr. BARR. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. ROTHFUS), the vice chairman of the Financial Institutions Subcommittee.

Mr. ROTHFUS. Mr. Speaker, I thank the gentleman from Kentucky for yielding.

Mr. Speaker, I rise in strong support of this bipartisan legislation sponsored by my friend and colleague, Mr. BARR from Kentucky.

This legislation sends a clear message to the rest of the world: you can either do business with the United States and the free world or you can do business with the brutal dictatorship of Kim Jong-un and the Democratic People's Republic of North Korea. You cannot deal with both.

Mr. Speaker, the gravest threat facing our Nation today is North Korea, the world's worst perpetrator of human rights. Kim's contempt for human life animates both his human rights record and his nuclear ambitions.

Just this past June, we learned how Kim's regime tortured University of Virginia student Otto Warmbier. His parents, Cindy and Fred, went public with the details of their son's suffering in September during an interview with CNN.

These are just a few of the details that Fred and Cindy shared in that interview: ''Halfway up the stairs, we hear this loud, guttural howling, inhuman sound.''

They found him strapped to a stretcher. He has a shaved head. His eyes are darting around. He is blind, he is deaf, he is on a feeding tube. His bottom teeth looked like they had been taken with a pair of pliers and rearranged. His mother, Cindy, described how his hands and legs were totally deformed.

Otto's story serves as a very real and very tangible reminder, and teaches a new generation of Americans of what happens under totalitarian governments and communist dictators.

Now, as the brutal Kim regime continues its nuclear quest, the same barbarism that killed Otto threatens all Americans. This July, the dictatorship claimed they had the capacity to send an intercontinental ballistic missile anywhere in the world. In September, they conducted their sixth nuclear weapons test and claimed to have detonated a hydrogen bomb that could be mounted on an intercontinental ballistic missile. These actions must not be ignored.

This legislation adds secondary sanctions to those passed in May. It not only prevents persons from trading with, facilitating trade with, investing in or participating in a joint venture with a North Korean entity, but it also targets foreign financial institutions from aiding in such actions. Simply put, this bill forces banks to cut off all participation with North Korea-related business interests, freezing out the capital that funds North Korea.

Mr. Speaker, 56 years ago, at the height of the Cold War, when another godless communist regime threatened the world, President Kennedy reminded us of America's exceptional nature and consequent leadership in the world. His inaugural address included this reflection: ''And yet the same revolutionary beliefs for which our forebears fought are still at issue around the globe—the belief that the rights of man come not from the generosity of the state, but from the hand of God.''

Mr. Speaker, I urge my colleagues to support this legislation not just for Otto and his family, but for all those who might be harmed by North Korea if we do not act now.

Mr. Speaker, I again thank the gentleman from Kentucky for his leadership on this vital issue.

Ms. MAXINE WATERS of California. Mr. Speaker, I reserve the balance of my time.

Mr. BARR. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. HILL), a distinguished member of the Financial Services Committee.

Mr. HILL. Mr. Speaker, I thank our distinguished subcommittee chairman for yielding. I am proud to support my colleague from Kentucky on his bill, H.R. 3898, the Otto Warmbier North Korea Nuclear Sanctions Act.

I think it is important for all of us in this Chamber to know, as well as the people across this country, that there is no daylight between the two political parties in this capital, and there is no daylight between the United States Government and our Allied Governments around the world in working together to develop sanction regimes both bilaterally here in the United States and multilaterally across the world to end this nuclear threat.

For 24 years, Mr. Speaker, we have had three Presidencies—we are in our

fourth Presidency—dealing with this issue. This issue has not been handled. We have not sanctioned this regime. We have not enforced those sanctions. We have not obtained multilateral sanctions. We have not ever given the Kim dictatorship one reason to think that our government and our allied friends around the world are serious about ending the nuclear threat from North Korea.

Mr. Speaker, I thank my friend from Kentucky for standing up in the Financial Services Committee and leading the way for secondary sanctions. I thank my friends, Chairman ROYCE and Ranking Member ENGEL in the Foreign Affairs Committee, for their work with this administration to end this threat to not only north Asia, our economic allies, our national security allies, but also our friends around the world.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I reserve the balance of my time.

Mr. BARR. Mr. Speaker, I yield 2 minutes to the gentleman from North Carolina (Mr. BUDD), a member of the Financial Services Committee.

Mr. BUDD. Mr. Speaker, I rise today in support of Representative BARR's bill, the Otto Warmbier North Korea Nuclear Sanctions Act.

Mr. Speaker, how is it that a tiny, isolated country like North Korea has the ability to fund and develop a nuclear weapons program with the capability to strike American soil?

The answer to that question is found in part through correspondent and payable-through accounts, which are tools used by North Korea to bypass the existing U.S. and U.N. sanctions against them.

Non-North Korean actors use these accounts to fund the government through shell and front companies. While these sanctions are implemented in good faith, it is time to acknowledge that sometimes they just don't work.

There is some good news, Mr. Speaker. If enacted, this bill requires the Treasury Secretary to impose strict conditions on those who knowingly do business with North Korea through those accounts.

We have also seen the United Nations take action recently by banning North Korea's export of iron ore, which is another legitimate step in stopping the continued development of their nuclear weapons program.

Finally, the Trump administration's executive orders will help us more easily target companies that do business with North Korea.

These actions, plus the enactment of this legislation, will create the most debilitating sanctions package Pyongyang and their financial surrogates have ever seen.

Of all the positive things in this bill, though, I am most excited by the language amending the Bretton Woods Agreement Act to instruct U.S. executive directors at international financial institutions, like the IMF and the World Bank, to use our ''voice and vote'' to oppose financial assistance to governments that knowingly support the Kim regime.

□ 1445

The United States has long used its economic influence, a more aggressive element of soft power, to advance an agenda that liberates the oppressed in the darkest corners of the world like North Korea.

Mr. Speaker, I thank the gentleman from Kentucky for introducing this bill, and I urge its adoption.

Mr. BARR. Mr. Speaker, may I inquire how much time is remaining.

The SPEAKER pro tempore. The gentleman from Kentucky has 3 minutes remaining, and the gentlewoman from California has 7 minutes remaining.

Mr. BARR. Mr. Speaker, I yield 1½ minutes to the gentleman from Indiana (Mr. HOLLINGSWORTH), another distinguished member of the Financial Services Committee.

Mr. HOLLINGSWORTH. Mr. Speaker, I, too, rise in strong support of this legislation.

Every single week, I make phone calls to Hoosiers back home, and I hear every night on those phone calls how hard they are working to build a better and brighter future for themselves, for their families, and for their children; but they understand that, in order to have a brighter, better future, they must have a future. I hear on the phone every single night how concerned they are that there won't be a future with all that they see, all that they read, all that they hear about these threats from North Korea.

We in Congress have heard their pleas to do something, that enough is enough, that threats against Guam, that ICBMs flying off the Peninsula, that nuclear tests, that the time has come for decisive action, and decisive action is what we are taking here.

The toughest financial sanctions ever put in place, that is what this bill does, and that is what we need to put in place to ensure that we demand real change from North Korea, that we demand that they stop threatening Americans and the American way of life.

Mr. Speaker, I support this legislation, support the work that is being done to confront this challenge once and for all, and this bill demands the question: Will you do business with the United States or will you do business with North Korea?

Mr. Speaker, I am excited to stand up in support of this legislation.

Ms. MAXINE WATERS of California. Mr. Speaker, I yield back the balance of my time.

Mr. BARR. Mr. Speaker, I yield the balance of my time to the gentleman from Indiana (Mr. MESSER), another distinguished member of the Financial Services Committee.

Mr. MESSER. Mr. Speaker, I want to thank my colleague from Kentucky for his leadership and my colleague from Indiana for his leadership on this legislation as well.

Mr. Speaker, from day one, President Trump's message to North Korea has been clear: the U.S. will not tolerate any North Korean actions that threaten American lives.

Hoosiers appreciate President Trump's leadership and understand the crisis we face. North Korea is an erratic and brutal regime. We simply cannot accept a world in which North Korea has nuclear weapons that can reach American shores.

Unfortunately, with each missile test, we are moving closer to that world becoming a reality. That is why I am proud to work with my colleague from Kentucky and other colleagues on the Otto Warmbier North Korean Nuclear Sanctions Act. With this bill, we will give foreign financial institutions a clear choice: you can either do business with Kim Jong-un in North Korea, or you can do business with the United States—but not both.

By imposing the toughest financial sanctions ever on North Korea, this bill cuts off crucial resources that the regime relies on to finance its weapons program.

Mr. Speaker, I urge my colleagues to support this measure, help us meet the North Korean threat head-on, and do what is necessary to protect our country.

Mr. BARR. 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 Kentucky (Mr. BARR) that the House suspend the rules and pass the bill, H.R. 3898, 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. BARR. 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.

STRENGTHENING CYBERSECURITY INFORMATION SHARING AND COORDINATION IN OUR PORTS ACT OF 2017

Mr. MCCAUL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3101) to enhance cybersecurity information sharing and coordination at ports in the United States, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3101

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 ''Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act of 2017''.

SEC. 2. IMPROVING CYBERSECURITY RISK ASSESSMENTS, INFORMATION SHARING, AND COORDINATION.

The Secretary of Homeland Security shall—

(1) develop and implement a maritime cybersecurity risk assessment model within 120 days after the date of the enactment of this Act, consistent with the National Institute of Standards and Technology Framework for Improving Critical Infrastructure Cybersecurity and any update to that document pursuant to Public Law 113–274, to evaluate current and future cybersecurity risks (as such term is defined in section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148));

(2) evaluate, on a periodic basis but not less often than once every two years, the effectiveness of the maritime cybersecurity risk assessment model under paragraph (1);

(3) seek to ensure participation of at least one information sharing and analysis organization (as such term is defined in section 212 of the Homeland Security Act of 2002 (6 U.S.C. 131)) representing the maritime community in the National Cybersecurity and Communications Integration Center, pursuant to subsection (d)(1)(B) of section 227 of such Act;

(4) establish guidelines for voluntary reporting of maritime-related cybersecurity risks and incidents (as such terms are defined in section 227 of such Act) to the Center (as such term is defined subsection (b) of such section 227), and other appropriate Federal agencies; and

(5) request the National Maritime Security Advisory Committee established under section 70112 of title 46, United States Code, to report and make recommendations to the Secretary on enhancing the sharing of information related to cybersecurity risks and incidents, consistent with the responsibilities of the Center, between relevant Federal agencies and—

(A) State, local, and tribal governments;

(B) relevant public safety and emergency response agencies;

(C) relevant law enforcement and security organizations;

(D) maritime industry;

(E) port owners and operators; and

(F) terminal owners and operators.

SEC. 3. CYBERSECURITY ENHANCEMENTS TO MARITIME SECURITY ACTIVITIES.

The Secretary of Homeland Security, acting through the Commandant of the Coast Guard, shall direct—

(1) each Area Maritime Security Advisory Committee established under section 70112 of title 46, United States Code, to facilitate the sharing of cybersecurity risks and incidents to address port-specific cybersecurity risks, which may include the establishment of a working group of members of Area Maritime Security Advisory Committees to address port-specific cybersecurity vulnerabilities; and

(2) that any area maritime transportation security plan and any vessel or facility security plan required under section 70103 of title 46, United States Code, approved after the development of the cybersecurity risk assessment model required by paragraph (1) of section 2 include a mitigation plan to prevent, manage, and respond to cybersecurity risks (as such term is defined in section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148)).

SEC. 4. VULNERABILITY ASSESSMENTS AND SECURITY PLANS.

Title 46, United States Code, is amended—

(1) in section 70102(b)(1)(C), by inserting ''cybersecurity,'' after ''physical security,''; and

(2) in section 70103(c)(3)(C), by striking ''and'' after the semicolon at the end of clause (iv), by redesignating clause (v) as clause (vi), and by inserting after clause (iv) the following:

''(v) prevention, management, and response to cybersecurity risks; and''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. MCCAUL) and the gentleman from Texas (Mr. VELA) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. MCCAUL).

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise today in support of the Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act.

More than $1.3 trillion in cargo travels through American seaports along our coasts every year. A safe but constant and unrestricted flow of goods and services through our maritime transportation system have played a vital role in allowing the United States to become the global superpower it is today. To put it simply, our seaports are the gateways to our economic survival.

Unfortunately, as our port systems increasingly benefit from new technology, high-capacity information technology, and computer systems, they are also increasingly finding themselves in the crosshairs of those who are waging a cyber war against the United States. These attacks originate from rogue hackers, terrorist groups, and adversarial nation-states, and America is a constant target.

In recent years, China successfully stole over 20 million security clearances from OPM. Russia has waged a cyber war against our political system. Equifax had a breach that jeopardized sensitive information on over 43 million people.

In June, the Port of Los Angeles, one that several of our committee members will be visiting next week, was briefly shut down because of a cyber attack. This is one of our busiest ports, and it is estimated that it cost nearly $300 million in economic damage. We must do more to strengthen cybersecurity of these essential maritime hubs.

Fortunately, we have that opportunity. The legislation before us requires the Department and the Secretary of Homeland Security to implement a risk assessment model which focuses on cybersecurity vulnerabilities and risk. This assessment will be reviewed periodically so we can determine the best security practices to implement at each port.

The bill also requires that the DHS Secretary work with the National and Area Maritime Security Advisory Committees to analyze and share cyber risks and to report to Congress measures that have been taken to improve cybersecurity at our Nation's ports. This bill will strengthen the security of our homeland and protect our economic assets.

Mr. Speaker, I want to thank Congresswoman TORRES and other members of the Homeland Security Committee for their hard work on this issue. I urge my colleagues to support this commonsense bill, and I reserve the balance of my time.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, October 19, 2017.

Hon. MICHAEL T. MCCAUL,
Chairman, Committee on Homeland Security, Washington, DC.

I write concerning H.R. 3101, the Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act of 2017. This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Transportation and Infrastructure will forego action on the bill. However, this is conditional on our mutual understanding that foregoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. Further, this is conditional on our understanding that mutually agreed upon changes to the legislation will be incorporated into the bill prior to floor consideration. Lastly, should a conference on the bill be necessary, I request your support for the appointment of conferees from the Committee on Transportation and Infrastructure during any House-Senate conference convened on this or related legislation.

Finally, I would ask that a copy this letter and your response acknowledging our jurisdictional interest be included in the bill report filed by the Committee on Homeland Security, as well as in the Congressional Record during consideration of the measure on the House floor, to memorialize our understanding. I look forward to working with the Committee on Homeland Security as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC, October 19, 2017.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for your letter regarding H.R. 3101, the ''Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act of 2017.'' I appreciate your support in bringing this legislation before the House of Representatives, and accordingly, understand that the Committee on Transportation and Infrastructure will forego further consideration of the bill.

The Committee on Homeland Security concurs with the mutual understanding that by foregoing consideration of this bill at this time, the Committee on Transportation and

Infrastructure does not waive any jurisdiction over the subject matter contained in this bill or similar legislation in the future. In addition, should a conference on this bill be necessary, I would support your request to have the Committee represented on the conference committee. Further, the Committee on Homeland Security agrees that mutually agreed upon changes to the legislation will be incorporated into the bill prior to floor consideration.

I will insert copies of this exchange in the report on the bill and in the Congressional Record during consideration of this bill on the House floor. I thank you for your cooperation in this matter.

Sincerely,

MICHAEL T. MCCAUL,
Chairman.

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

Mr. Speaker, I stand today in support of H.R. 3101, the Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act.

Port facilities serve as a vital economic function for our Nation and the communities in which they are located. The approximately 360 commercial maritime ports operating across the United States handle more than $1.3 trillion in cargo, annually.

To facilitate and maintain this level of economic activity, the maritime sector increasingly relies on technology to facilitate the movement of cargo into and through port facilities. Collectively, navigation, operations, and communication technologies enhance the competitiveness, safety, and reliability of the U.S. maritime sector.

However, as port operations have become more automated, exposure to cyber threats and attacks have also increased. This homeland security threat is not unique to the maritime sector. In fact, since 2003, the Government Accountability Office has warned about the vulnerability of critical infrastructure and has called on the Federal Government to support efforts to bolster cybersecurity.

To better protect port facilities from cyber attacks, Congress must ensure that expertise in both the private and public sector is leveraged effectively. H.R. 3101 would direct DHS to be more proactive in how it addresses cybersecurity risks at our Nation's ports.

The first step in reducing cyber vulnerabilities is identifying the weak points in network security through risk assessments. H.R. 3101 requires these assessments. The bill directs the Coast Guard to provide port facilities with guidelines on how to report cybersecurity risks in order to enhance the ability of both the Coast Guard and port operators to respond effectively to such attacks.

By promoting cybersecurity information sharing and coordination between public and private partners at maritime facilities, H.R. 3101 seeks to make a positive difference in how quickly terminal and port operators are able to prevent, mitigate, and recover from such attacks.

H.R. 3101, if enacted, will help foster an environment in which DHS, the Coast Guard, ports, and port stakeholders work together to enhance the cybersecurity at our Nation's ports.

Lastly, I would like to note the bipartisan support for this bill in the Homeland Security Committee. I thank Chairman MCCAUL, Ranking Member THOMPSON, and my colleague Congresswoman TORRES for their hard work and leadership in this matter.

Mr. Speaker, when this bill was considered last Congress and earlier this fall, committee colleagues on both sides of the aisle agreed that H.R. 3101 is a timely and worthwhile measure to support. I urge my colleagues to support H.R. 3101.

Mr. Speaker, I yield 5 minutes to the gentlewoman from California (Mrs. TORRES).

Mrs. TORRES. Mr. Speaker, before I begin, I want to thank the chairman and also Ranking Member THOMPSON and Ranking Member VELA and all of their committee staff for their great work and support of this very important legislation. We would not be here today without their commitment to keeping our ports safe. Thank you.

Mr. Speaker, you can't turn on the television or visit your favorite website without seeing cyber threats dominating the news. All industries, including our own Federal agencies, have been targets, costing our economy dearly and exposing the personal information of hundreds of millions of employees.

This is a growing problem that is not going away. Rather, these threats are becoming more common and more severe. From the interference in our elections to attacks on government workers, email hacks, and the theft of credit card information, cyber threats are everywhere, and it is time that we modernize the Federal Government's planning and response to these threats.

In June, a Danish shipping company was infected with malware that affected 17 of its shipping container terminals worldwide. The virus spread to 2 million computers within a 2-hour period. As a result, the largest terminal at the Port of Los Angeles shut down for 4 days from the cyber attack.

A recent study estimated the cost of a shutdown of the Port of Los Angeles and Long Beach at $1 billion per day to the local economy.

More than $1.3 trillion in cargo moves, annually, through our Nation's 360 commercial ports, and many of the goods that enter through the Port of Los Angeles and the Port of Long Beach come to my district before being shipped to the rest of the country.

With this much economic activity and the increased use of cyber technology to manage port operations ranging from communications and navigation to engineering, safety, and cargo, it is critical to protect our maritime cyber infrastructure.

□ 1500

It is time that Congress modernize our Federal agencies. This is why I am proud to bring the Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act to the floor today.

This legislation would improve information sharing and cooperation in addressing cybersecurity risks at our Nation's ports through several measures: setting standards for reporting, providing guidance to ports, bringing port representatives to the table for future planning, and modernizing how the Coast Guard addresses cyber threats.

Mr. Speaker, these are commonsense measures. This bill has bipartisan support. The Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act passed the House unanimously last year, and I am confident that passage today will push the Senate into action.

This legislation is supported by the Port of Los Angeles, Congressional PORTS Caucus chairs, and it is endorsed by the Maritime & Port Security Information Sharing and Analysis Organization. I urge my colleagues to support this legislation because we simply can't afford not to. Ports are too critical to our economy and our Nation.

Mr. MCCAUL. Mr. Speaker, I have no other speakers. If the gentleman from Texas has no other speakers, I am prepared to close once the gentleman does.

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

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

H.R. 3101 will help improve the way we manage cybersecurity risks at our Nation's commercial maritime ports. With the increased need for and use of technology at maritime facilities, it is in our national and economic interest for there to be better cyber information sharing and coordination efforts at our Nation's ports.

By assessing cyber risks at individual port facilities and establishing countermeasures to mitigate these risks, the U.S. maritime sector will be better prepared to protect these important centers of economic activity.

Mr. Speaker, I encourage my colleagues to support H.R. 3101, and I yield back the balance of my time.

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

I once again urge my colleagues to support this important legislation. I want to thank Congresswoman TORRES for her strong leadership on this bill, Mr. VELA, Ranking Member THOMPSON.

Mr. Speaker, we have passed over 50 bills out of my committee, out of the House floor, and sent them to the Senate, where they still sit there with no action whatsoever. And when it comes to homeland security measures, I believe that it is dangerous to do nothing, and I urge the Senate to take up action on this bill and the other 50 bills that we have sent over to the Senate.

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

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 3101, the Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act of 2017.

I thank Congresswoman TORRES for introducing this important piece of legislation that addresses security at our nation's ports.

H.R. 3101 requires the Department of Homeland Security (DHS) to facilitate increased information sharing about cybersecurity among maritime interests.

The bill requires DHS to:

Develop, implement, and continually review a maritime cybersecurity risk assessment model to evaluate current and future cybersecurity risks;

Seek input from at least one information sharing and analysis organization representing maritime interests in the National Cybersecurity and Communications Integration Center;

Establish voluntary reporting guidelines for maritime-related cybersecurity risks and incidents;

Request that the National Maritime Security Advisory Committee report and make recommendations to DHS about methods to enhance cybersecurity and information sharing among security stakeholders from federal, state, local, and tribal governments; public safety and emergency response agencies; law enforcement and security organizations; maritime industry participants; port owners and operators; and maritime terminal owners and operators; and

Ensure that maritime security risk assessments include cybersecurity risks to ports and the maritime border of the United States.

As a senior member of the House Committee on Homeland Security and former Ranking Member of the Committee's Subcommittee on Border and Maritime Security, I am well aware of the hard work that the Houston Port Authority, and the Department of Homeland Security has done to secure the port, its workers, and the millions of tons of imports and exports that traverse the waters of the Port of Houston each week.

According to the U.S. Department of Transportation the U.S. maritime border covers 95,000 miles of shoreline with 361 seaports.

Ocean transportation accounts for 95 percent of cargo tonnage that moves in and out of the country, with 8,588 commercial vessels making 82,044 port calls in 2015.

The Port of Houston is a 25-mile-long complex of diversified public and private facilities located just a few hours' sailing time from the Gulf of Mexico.

In 2012, ship channel-related businesses contributed 1,026,820 jobs and generated more than $178.5 billion in statewide economic activity.

In 2014, among U.S. ports the Port of Houston was ranked:

1st in foreign tonnage;

Largest Texas port with 46 percemt of market share by tonnage and 95 percent market share in containers by total TEUS in 2014;

Largest Gulf Coast container port, handling 67 percent of U.S. Gulf Coast container traffic in 2014;

2nd in total foreign cargo value (based on U.S. Dept. of Commerce, Bureau of Census).

The Government Accountability Office (GAO) reports that the Port of Houston port, and its waterways, and vessels are part of an economic engine handling more than $700 billion in merchandise annually.

The Port of Houston houses approximately 100 steamship lines offering services that link Houston with 1,053 ports in 203 countries.

The Port of Houston is a $15 billion petrochemical complex, the largest in the nation and second largest worldwide.

These statistics clearly communicate the potential for a terrorist attack using nuclear or radiological material may in some estimations be low, but should an attack occur the consequences would be catastrophic, and for this reason we cannot be lax in our efforts to deter, detect and defeat attempts by terrorists to perpetrate such a heinous act of terrorism.

The Department of Homeland Security (DHS) plays an essential role in domestic defense against the potential smuggling of a weapon of mass destruction in a shipping container or the use of a bomb-laden small vessel to carry out an attack at a port.

Earlier this year, a global malware attack occurred that caused significant harm to international shipping giant A.P. Moller-Maersk.

That attack revealed serious vulnerabilities in our nation's maritime security, which is still being assessed.

The only way port operations were able to resume following the attack at one of our nation's busiest ports was to revert to a manual system to process cargo and ships.

This was not the first time that cyber criminals used technology against port operations.

Approximately $1.3 trillion in cargo passes through our nation's 360 commercial ports.

The convenience, precision and accuracy provided by digital technology in processing cargo through our nation's ports adds to their capacity to manage tonnage.

Securing cyber technology to manage port operations, ranging from communication and navigation to engineering, safety, and cargo, is critical to protect our nation's maritime cyber infrastructure.

Government leaders and security experts are concerned that the maritime transportation system could be used by terrorists to smuggle personnel, weapons of mass destruction, or other dangerous materials into the United States.

They are also concerned that ships in U.S. ports, particularly large commercial cargo ships or cruise ships, could be attacked by terrorists.

A large-scale terrorist attack at a U.S. port, experts warn, could not only cause local death and damage, but also paralyze global maritime commerce.

This is of particular concern at the Port of Houston, which is the busiest port in the nited States in terms of foreign tonnage, second-busiest in the United States in terms of overall tonnage, and fifteenth-busiest in the world.

DHS, through U.S. Customs and Border Protection, the Transportation Security Administration, and the U.S. Coast Guard, administers several essential programs that secure our Nation's ports and waterways.

I include in the RECORD a letter dated March 30, 2017, that I sent to the Chair and Ranking Member of the Committee on Homeland Security requesting a field hearing on the topic of port security.

I ask my colleagues join me in voting to pass H.R. 3101, the Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act of 2017.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 30, 2017.

Hon. MICHAEL MCCAUL,
Chair, House Committee on Homeland Security, House of Representatives, Washington, DC.

Hon. BENNIE THOMPSON,
Ranking Member, House Committee on Homeland Security, House of Representatives, Washington, DC.

DEAR CHAIRMAN MCCAUL AND RANKING MEMBER THOMPSON: Your leadership to secure the homeland from terrorist attacks by putting the needs of the nation first in matters before the Committee is commendable. I am writing to request that as Chair and Ranking Member that you invite senior members of the Committee to join you for a meeting with Houston Port facility security and industrial manufacturing professionals to discuss the work and industry that takes place at that port.

The issue of port security remains integral to our Committee's work, and this opportunity for you, and senior members of the committee to learn more about modern ports is appreciated. Ports are indispensable to our nation's economic health as engines of commercial transportation as well as the gateway for food and essential goods to the nation's interior. The evolution of major ports, like the Port of Houston into co-location sites for manufacturing means port security challenges have expanded.

Thank you for your work to secure our nation from terrorist threats by keeping the committee abreast of the most critical security issues facing our nation. I look forward to your positive reply to this request.

Very truly yours,

SHEILA JACKSON LEE,
Member of Congress.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. MCCAUL) that the House suspend the rules and pass the bill, H.R. 3101, 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.

STOP SETTLEMENT SLUSH FUNDS ACT OF 2017

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 732.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 577 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. 732.

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

□ 1504

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. 732) to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes, with Mr. LUCAS 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.

General debate shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Michigan (Mr. CONYERS) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

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

Last Congress, the House Judiciary Committee commenced an investigation into the Obama Justice Department's pattern or practice of requiring settling defendants to donate money to third-party groups. In its final 2 years, the Obama DOJ directed nearly $1 billion to third parties entirely outside of Congress' spending and oversight authority.

All along, the Obama Justice Department strained to deny the obvious problem: that mandatory donation provisions create opportunities to play favorites. Deputy Associate Attorney General Geoffrey Graber testified that the Department was not ''in the business of picking and choosing which organization may or may not receive any funding under the agreement.''

But internal DOJ documents tell a different story. They show that, contrary to Graber's sworn testimony, the donation provisions were structured to aid the Obama administration's political friends and exclude conservative groups.

From the outset, Graber's boss, Associate Attorney General Tony West, was keenly interested in choosing the organizations that would receive settlement money. In the lead-up to the first troubling settlement, West's deputy emailed the Office of Legal Counsel asking: ''Can you explain to Tony the best way to allocate some money toward an organization of our choosing?''

Explaining the final settlement to the press team, West's deputy wrote that the donation provisions require banks to ''make donations to categories of entities we have specified, as opposed to what the bank might normally choose to donate to.''

Sure enough, Congress received testimony, in 2016, that the donation beneficiaries were Obama administration allies. These include the Neighborhood Assistance Corporation of America, whose director calls himself a bank terrorist.

But aiding their political allies was only the half of it. The evidence of the Obama DOJ's abuse of power shows that Tony West's team went out of its way to exclude conservative groups.

On July 8, 2014, 6 days before DOJ finalized its settlement with Citi, Tony West's top deputy circulated a draft of the agreement's mandatory donation terms. A senior official from the Office of Access to Justice, who had been working closely with Tony West to direct settlement money to legal aid organizations, responded, requesting a word change.

She explained that the rewording would achieve the aim of ''not allowing Citi to pick a statewide intermediary like the Pacific Legal Foundation,'' which she explained, ''does conservative property-rights free legal services.'' The change was made.

It is not every day in congressional investigations that we find a smoking gun. Here we have it.

Unfortunately, the chief architect of this outrage was lauded, not punished. The recipients of the donations, from which PLF was excluded, circulated an email seeking ways to recognize ''Tony West who, by all accounts, was the one person most responsible for including the donation provisions.''

One organization replied: ''Frankly, I would be willing to have us build a Tony West statue and then we could bow down to this statue each day after we get our $200,000-plus.''

Mr. West's abuse of power stands in stark contrast to the reassertion of integrity by the current Attorney General Jeff Sessions. Attorney General Sessions shut down the use of mandatory donations to benefit outside groups, barring the practice through a policy directive issued earlier this year.

This legislation, however, remains necessary because history shows that we cannot rely on the current DOJ policy remaining in place. In point of fact, in 2009, the incoming Obama administration reversed course from previous DOJ guidance that had started imposing limits on settlement payments to nonvictims. This reversal led to the abuses I highlighted.

H.R. 732 is a bipartisan bill that would make the ban on settlement payments to nonvictim third parties binding on future administrations. The bill makes clear that payments to provide restitution for actual harm directly caused, including harm to the environment, are permitted.

It was obvious, from the outset, that mandatory donation provisions create opportunities for abuse; that such abuses actually occurred is now proven.

Mr. Chairman, I call on my colleagues from both sides of the aisle to support this good governance measure, and I reserve the balance of my time.

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

Mr. Chairman, the Stop Settlement Slush Funds Act would prohibit the Federal Government from entering into or enforcing any settlement agreement requiring donations to remediate harms that are not ''directly and proximately'' caused by a wrongdoer's unlawful conduct.

I, regretfully, oppose this measure for several reasons. To begin with, the bill would prohibit these types of settlement agreements even though they have been successfully used to remedy various harms, particularly those caused by reckless corporate actors.

For example, these settlement agreements helped facilitate an effective and comprehensive response to the predatory and fraudulent mortgage lending activities of financial institutions that nearly caused the economic collapse of our Nation, and that led to the Great Recession.

In fact, settlement agreements with two of these culpable financial institutions, Bank of America and Citigroup, required a donation of less than 1 percent of the overall settlement amount to fund foreclosure prevention and remediation programs to help harmed consumers.

Now, contrary to the majority's claim, the Justice Department did not use any of these settlement agreements to fund active groups. Notwithstanding the production of hundreds of pages of documents by the Justice Department, along with hundreds of pages of documents produced by private parties, we have not seen a shred of evidence that the government included unlawful or politically motivated terms in its settlement agreements with Bank of America or Citigroup.

The majority also asserts that these settlement agreements are used by the Justice Department and other agencies to circumvent the congressional appropriations process. But existing law already prevents agencies from augmenting their own funds.

By law, donations included in settlement agreements must have a clear nexus to the prosecutorial objectives of the enforcement agency. And both the Government Accountability Office and the Congressional Research Service have concluded that settlement agreements providing for secondary remediation do not violate Congress' constitutional power of the purse.

Finally, H.R. 732 would prevent the remediation of systemic harms in civil and criminal enforcement actions.

These settlement agreements allow parties to resolve their civil or criminal liability by voluntarily remediating the harms caused by their unlawful conduct. For some types of unlawful conduct, such as discrimination based on race or religion, secondary remediation of harms may be the only remedy available for systemic violations of the law.

□ 1515

The victims of such conduct are typically not themselves parties to the underlying action. Therefore, secondary remediation in the form of voluntary compliance and training programs serves as an important tool in these cases to protect victims of discrimination. Yet H.R. 732 would effectively prohibit such relief.

Given these serious problems and some others presented by the bill, I strongly am led to oppose H.R. 732.

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

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

At this time, I would like to include in the RECORD a number of exhibits:

Exhibit A, in which under oath we had testimony that said the Department of Justice did not want to be in the business of picking or choosing organizations that may or may not receive any funding under an agreement.

Yet, exhibit B, in which the number three at Department of Justice under President Obama said, ''Can you explain to Tony the best way to allocate money toward organizations of our choosing,'' in a $9 billion settlement.

And in exhibit C, in which they specifically said they had concerns, including not allowing Citibank to pick a statewide intermediary like Pacific Legal Foundation that does conservative causes.

EXHIBIT A

Chairman GOODLATTE. Well, let me just add that this committee will not stand silent, nor will, I am sure, the Financial Service Committee, and you can expect that this will escalate if you do not provide the documentation that we requested over 2 months ago.

Secondly, did anyone at the Department of Justice ever consider the serious appearance of impropriety in requiring banks to make available to activist organizations the lion's share of funding that Congress has previously cut off to them? That is one of the reasons why we want to see the communications. We want to know what considerations went into making this decision to take this action.

Mr. GRABER. Thank you, Mr. Chairman. Again, understand the concern. And I can tell you that one of the reasons that the Department wanted to use a preexisting list, the one that I believe you are referring to, the HUD approved counseling agency list, is because that list is preexisting. The Department did not want to be in the business of picking and choosing which organization may or may not receive any funding under the agreement.

Chairman GOODLATTE. No, but it is the Congress' responsibility to appropriate funds, and the Congress' responsibility to be picking and choosing who gets appropriations for expenditures. And we want to know what connection there is between the fact that cuts were made and . . .

EXHIBIT B

From: Taylor, Elizabeth G. (OAAG)
Sent: Wednesday, November 06, 2013 10:58 AM
To (OLC); Seitz, Virginia A (OLC)
Cc: Martinez, Brian (OAAG); Graber, Geoffrey (OAAG) (OLC)
Subject: back again with questions

I'm sorry to be a pest. We keep tinkering with the settlement agreement and I want to make sure that we are doing it right. I also am not sure that I am a good messenger between you and Tony because he asks me follow up questions that I'm not sure I can answer. Do you have a few minutes today to meet with Tony and let him ask you questions directly?

Here are our current issues:

Can you explain to Tony the best way to allocate some money toward an organization of our choosing? We have been discussing having the agreement provide that JPM agreed to pay $9 billion but that, if, by the time we sign the settlement agreement, JPM has given $60 million to x organization, they will only have to pay $8.04 billion. I think that's ok. We understand that we would have no control over what x organization does with the money.

Thanks

EXHIBIT C PART I

From: Frimpong, Maame Ewusi-Mensah (OAAG)
Sent: Wednesday, July 09, 2014 1:07 PM
To: (A2J)
Subject: RE: new language

Thanks! We made the proposal. They had one question whenever you have a moment.
From: (A2J)
Sent: Wednesday, July 09, 2014 9:47 AM
To: Frimpong, Maame Ewusi Mensah (OAAG)
Subject: RE: new language

You go girl. The prospective settlement was on NPR this morning, in case you didn't have your radio on . . .

Acting Senior Counselor for Access to Justice
U.S. Department of Justice
From: Frimpong, Maame Ewusi Mensah (OAAG)
Sent: Wednesday, July 09, 2014 9:42 AM
To: (A2J)
Subject: RE: new language

Cool. I will keep you posted.
From (A2J)
Sent: Wednesday, July 09, 2014 9:34 AM
To: Frimpong, Maame Ewusi Mensah (OAAG)
Cc (A2J)
Subject: RE: new language
Importance: High

Got it. Ok, this will hopefully address the concerns we'd like to avert:

Donations to state-based Interest on Lawyers' Trust Account (IOLTA) organizations (or other statewide bar-association affiliated intermediaries) that provide funds to legal aid organizations, to be used for foreclosure prevention legal assistance and community redevelopment legal assistance.

Concerns include: a) not allowing Citi to pick a statewide intermediary like the Pacific Legal Foundation (does conservative property-rights free legal services) or a statewide pro bono entity (will conflict out of most meaningful foreclosure legal aid) we are more likely to get the right result from a state bar association affiliated entity; b) making

EXHIBIT C PART II

sure that it's legal assistance provided, not a scenario where the bank can direct IOLTA or other intermediary to give to even a legal aid organization but to do only housing counseling, for example, under the umbrella ''foreclosure prevention assistance.''

This get you closer?

Acting Senior Counselor for Access to Justice
U.S. Department of Justice
From: Frimpong, Maame Ewusi Mensah (OAAG)
Sent: Tuesday, July 08, 2014 6:10 PM
To (A2J)
Subject: new language

H

I think we are going to have to be as thin as possible here, not add new definitions, and not limit to particular states. What do you think about the following:

Donations to state-based Interest on Lawyers' Trust Account (IOLTA) organizations or other statewide intermediaries that provide funds to legal aid organizations, to be used for foreclosure prevention assistance and community redevelopment assistance.

Regards,
Maame
Maame Ewusi-Mensah Frimpong
Principal Deputy Associate Attorney General
Office of the Associate Attorney General
U.S. Department of Justice

EXHIBIT D

From: Frimpong, Maame Ewusi-Mensah (OAAG)
Sent: Friday, August 15, 2014 4:01 PM
To: Canale, Ellen (OPA)
Subject: ''stretching by the banks''

Hi Ellen

Here are some examples of consumer relief items that we believe require the banks to do more than they would be economically motivated to do on their own in Citi:

Make donations to categories of entities we have specified (as opposed to what the bank might normally choose to donate to).

I hope this is helpful. Let me know if you have questions or need more. Big picture, we are requiring the bank to change its behavior and at the very least, choose the actions we prefer among various options that it might be economically motivated to take. This in itself is valuable because we are pushing them to focus their activities on the borrowers and areas and relief of most concern to us and that we believe will have the greatest impact in redressing the harm their actions caused to consumers and communities.

Thanks!
Maame

EXHIBIT E

From: Martinez, Brian (OAAG)
Sent: Friday, November 15, 2013 1:04 PM
To: Graber, Geoffrey (OAAG)
Subject: Consumer Relief

Geoff, this is what we received from HUD a little while ago.
From: Smith, Damon Y
Sent: Friday, November 15, 2013 12:06 PM
To: Taylor, Elizabeth G. (OAAG)
Cc: Martinez, Brian (OAAG)
Subject: RE: update for Tony?

Attached is a clean and redline of where we are. Don't be afraid of the extent of the redline. Much of it is shifting around and the preamble, footnotes and other language are all new so we're just getting down to negotiating it.

Let me know if you have any questions or concerns.

Thanks,
Damon
From: Taylor, Elizabeth G. (OAAG)
Sent: Friday, November 15, 2013 11:48 AM
To: Smith, Damon Y (HUD)
Cc: Martinez, Brian (OAAG)
Subject: update for Tony?

Right after I sent my email, Tony called me asking for an update, especially on where we are on liquidated damages and on one or more third party beneficiaries. Can you get on a call with Tony (and me) and update him? I'm copying Brian to assist in scheduling. Let me know if you think Sec. Donovan needs to be included, but I'm sure that would complicate scheduling and Tony really just want to know where things are.

EXHIBIT F

From (A2J)
Sent: Tuesday, June 17, 2014 9:28 AM
To: Frimpong, Maame Ewusi Mensah (OAAG)
Cc (A2J)
Subject Memo re: bank settlement

Hi Maame,

Hope all is well and that you are settling in on the 5th floor.

We wanted to give you a heads up that we will be sending a memo your way today. By way of background, Cindy contacte yesterday about an issue that we've been discussing with Tony for months and one that we've been meaning to connect with you on adding language that incorporates legal aid into the Department's large bank settlement agreements (as part of consumer/victim relief). We understand that Tony wants a quick

turnaround on this, so please feel free to reach out to us with any questions.

Best,
an
Senior Counsel
Access to Justice Initiative
U.S. Department of Justice

EXHIBIT G

DELIBERATIVE AND PRE-DECISIONAL DOCUMENT

U.S. DEPARTMENT OF JUSTICE

MEMORANDUM

To: Maame Ewusi-Mensah Frimpong
From: an
Date: June 23, 2014
Subject: Including Legal Aid Organizations in Distribution of Bank Settlement Funds

As requested by Associate Attorney General Tony West, ATJ has researched options for incorporating legal aid into the Department's large bank settlement agreements. Based on our current understanding of the potential scale, we identified three options that would best align with organizational capacity and litigation goals, and achieve the ASG's goal of a distribution mechanism that reaches a broad coalition of legal aid organizations.

The options listed below could be pursued either separately or in some combination. As set out below, we recommend a combination of options 1 and 2:

1) distribute the majority of funds set aside for legal aid to IOLTA foundations; and

2) reserve sufficient funds for a national organization to establish Consumer Protection Fellowships in specific states pursuant to the settlement, to focus on foreclosure prevention solutions that help people keep their homes and prevent future mortgage abuses.

IOLTA foundations are especially appropriate intermediaries in cases involving banks because a) they have capacity to effectively distribute large sums of money; and b) the historically low bank Interest rates from the beginning of 2008 to the present, have meant the loss of hundreds of millions of dollars to legal aid programs nationally, while the need for free legal services has grown.

Legal aid offices respond to the wide range of legal problems faced by low-income communities in distress, with lawyers working on cases involving housing and consumer protection as well as family law matters and access to public benefits. Often clients have multiple, interrelated legal problems, such as a loss of housing that may exacerbate or lead to other debt problems or an acute need to access other public benefits. Some larger organizations also have expertise in broader community development work, like working on behalf of citizen groups to negotiate community benefits agreements (such as requiring development to include affordable housing or prioritize local labor). Typically, as non-profit organizations subject to oversight by boards of directors, legal aid offices have a formal process for setting local priorities with oversight and input from their boards. It could be logistically difficult for large scale funding through IOLTA to have subject matter restrictions on it (such as only for housing cases). Like most IOLTA funding, and like federal funds from the Legal Services Corporation, it is best to have as few strings as possible—both to respect established local priorities and avoid overly burdensome accounting. However, for the smaller portion of funding in option 2, it makes sense to be targeted both as to geography and subject matter.

Finally, while we recommend as few restrictions as possible on funding going to legal aid organizations, we note that some organizations already live with funding restrictions—such as not being allowed to pursue class actions. If, to build support for these ideas generally, there is a need to fashion reasonable restrictions, then ATJ can help with further development of such options.

EXHIBIT H

From: Bob LeClair
To: Charles Dunlap; david; Amy Sings in the Timber; Judith Baker; Shannon Scruggs; Amy Johnson; Libhart, Stephanie S.; Choy, Stephanie; Norsworthy, Nancy; Alvaro Flores; comalley; lphillips
Cc: Groudine, Beverly
Subject: RE: NAIP letter to Tony West at DOJ
Date: Friday, August 22, 2014 2:32:43 PM

Great idea! We should do a resolution, and we also should do some formal plaque that would say ''for outstanding service'' or other such words.

Frankly, I would be willing to have us build a statue and then we could bow down to this statue each day after we get our $200,000+.

Heap big fun!
Bob LeClair.

From; Charles Dunlap
Sent: Friday, August 22, 2014 12:21 PM
To: david; Amy Sings in the Timber; Judith Baker; Shannon Scruggs; Amy Johnson; Libhart, Stephanie S.; Bob LeClair; Choy, Stephanie; Norsworthy, Nancy; Alvaro Flores; comalley; lphillips
Cc: Groudine, Beverly
Subject: NAIP letter to Tony West at DOJ

Hi NAIP Board members. Now that it has been more than 24 hours for us all to try and digest the Bank of America settlement, I would like to discuss ways we might want to recognize and show appreciation for the Department of Justice and specifically Associate Attorney General Tony West who by all accounts was the one person most responsible for including the IOLTA provisions. I am in the process of sending him a thank you letter today on behalf of NAIP and all of its members. I also wanted to see if there are any other ideas to honor him and the DOJ in a more meaningful way (resolution, other award, ceremony at the midyear?) and am looking for any creative ideas to try and show him how important this is to our community and more importantly what a huge impact it will have on those in need. Any ideas are appreciated. Thanks again for your suggestions.

Chuck
INDIANA BAR
Charles R. Dunlap
Executive Director

EXHIBIT I PART I

The Leadership Conference on Civil and Human Rights

The Leadership Conference

MEMORANDUM

TO: Elizabeth Taylor, US Department of Justice
FROM The Leadership Conference on Civil and Human Rights
RE: JPMorgan Chase Toxic MBS Accountability in Prince William County, VA
DATE: November 8, 2013

Thank you for taking my call earlier today. I thought our conversation was helpful, and I appreciate your willingness to hear my suggestions regarding a ''pilot project on community reinvestment'' in Prince William County, Virginia, as an element of the anticipated JPMorgan Chase settlement. For the record, it is important that I offer the following disclaimer: this proposal is made on our own initiative, and without the encouragement, approval, or suggestion by either you or the Department of Justice.

By way of background, The Leadership Conference on Civil and Human Rights is the nation's leading civil and human coalition. We have been actively involved for many years in housing and lending policies both before and in the wake of nation's financial crisis. As I mentioned when we spoke, we are working with several community-based organizations in Prince William County that seek to promote the public interest through leveraged investments in neighborhoods that have been hard hit by home foreclosures.

For example, VOICE, a broad-based citizens organization with 50 religious and community institution members in Northern Virginia, has asked The Leadership Conference to assist them in their fight to get JPMorgan to reinvest a portion of the more than $300 million in equity it stripped from Prince William County, VA communities and families through predatory loans, toxic Mortgage-backed Securities (MBSs), and foreclosures (see attached one-page summary of JP Morgan's Prince William track record).

We are asking DOJ officials negotiating with JPMorgan Chase to consider including in any settlement significant equity capital or grant funds to promote and capitalize a Prince William County Restoration Fund (see attached concept paper) which will revitalize blighted neighborhoods, rebuild homeownership, and address

EXHIBIT I PART II

Metro IAF

VOICE for justice

NATIONAL COMMUNITY RESTORATION FUND

JP MORGAN CHASE & FEDERAL GOVERNMENT MBS SETTLEMENT

Goal: Require JPMorgan Chase to reinvest some of the equity its predatory mortgages stripped from communities as part of the US Department of Justice's proposed $13 Billion Settlement with JPMorgan over regulatory issues and mortgage-backed securities (MBSs).

Metro Industrial Areas Foundation, a network of 22 broad-based citizens organizations in the East, Midwest, and South, proposes that this occur in one of two ways;

Ideal Proposal: The Federal Government should require JPMorgan Chase to pay $2 billion in cash to capitalize a National Community Restoration Fund that would help restore communities and be available on a competitive basis. The National Restoration Fund could capitalize 50 local community restoration equity funds to rebuild communities across the country that were destroyed by JPMorgan's predatory loans and toxic MBSs.

Alternative Proposal: The Federal Government should include in its consent agreement, as part of the consumer relief portion, a requirement that JPMorgan Chase capitalize local community restoration equity funds through significant grants (at least $10 million+ each) or Equity Equivalent (EQ2) investments over 20+ years on a non-recourse basis at very low interest rates (0%–1%) to rebuild communities devastated by foreclosure. JPMorgan Chase could be given enhanced credit towards its settlement requirements for this type of grant or investment.

Background: JPMorgan Chase's predatory loans—packaged into toxic MBSs—did not just hurt investors and individual homeowners; they destroyed entire communities for which JPMorgan should be held accountable to reinvest. MBSs allowed predatory lenders to originate trillions of dollars of sub-prime loans that were structured to fail, targeted at low-wealth and minority borrowers, and concentrated In low-income neighborhoods in cities and aging suburbs throughout the US. The cumulative effect of these failed mortgages was to:

Leave large-numbers of blighted and vacant homes that depress property values,

preventing remaining homeowners from securing a loan modification because they are underwater. These properties also attract crime and other public safety issues;

Devastate homeownership rates, replacing owners with renters vulnerable to negligent absentee investors and destabilizing neighborhoods;

Create pressures on available affordable rental housing as demand rises from families recently foreclosed, raising rents and making rental housing unaffordable;

Deny large swaths of former homeowners, who are stuck in high-priced rental housing,

EXHIBIT J

Best,
Peter J. Kadzik
Principal Deputy Assistant Attorney General
Office of Legislative Affairs

From: Martin Trimble
Sent: Saturday, February 15, 2014 6:13 PM
To: Kadzik, Peter J (OLA)
Cc: Luke Albee; Michelle Malwurm; Clyde Ellis; Keith Savage; Wilson Michael; Frank McMillan
Subject: VOICE/Metro IAF Meeting with US Deputy Attorney General Tony West

MR. KADZIK: It was good to talk with you on Wednesday. Thank you for agreeing to speak with US Deputy Attorney General Tony West about meeting with VOICE—Virginians Organized for Interfaith Community Engagement Leaders—to discuss VOICE & Metro Industrial Areas Foundation's (Metro IAF) proposal to create a $5 Billion National Community Equity Restoration Fund to rebuild communities devastated by predatory loans and toxic Mortgage Backed Securities issued by financial institutions.

The VOICE-Metro IAF National Community Equity Restoration Fund concept paper is attached. As you know, VOICE worked with Senator Mark Warner, Federal officials, and other allies to get ''grants to capitalize community equity restoration funds'' included as one way JP Morgan Chase can fulfill its consumer relief obligations under the Department of Justice-JP Morgan Chase $13 billion toxic Mortgage Backed Securities settlement. This precedent potentially creates a vital resource to rebuild communities hard hit by predatory loans and foreclosures. We will brief Deputy Attorney General West on how community equity restoration funds established by VOICE/Metro IAF sister groups are transforming blighted communities on a large scale in Baltimore, New York, Milwaukee as well as the VOICE restoration plan for Prince William County, VA. VOICE & Metro IAF will make the case that the Department of Justice should make ''grants to capitalize community equity restoration funds'' mandatory in all future settlements.

Below is background information on VOICE and its organizing to hold financial institutions accountable for the predatory loan and foreclosure crisis in Prince William County, VA as well as Metro IAF. Watch this short video for the story about VOICE's organizing: VOICE Foreclosure Organizing Video. The concept paper has details on the effectiveness of community equity restoration funds in rebuilding blighted communities.

Thank you for your consideration and I look forward to talking with you again soon.

Sincerely,
Martin Paul Trimble

EXHIBIT K

From: West, Tony (OAAG)
Sent: Tuesday, March 04, 2014 1:51 PM
To: Taylor, Elizabeth G. (OAAG)
Cc: Martinez, Brian (OAAG); Graber, Geoffrey (OAAG)
Subject: RE: meeting with VOICE

Let's discuss later today.

From: Taylor, Elizabeth (OAAG)
Sent: Tuesday, March 04, 2014 12:50 PM
To: West, Tony (OAAG)
Cc: Martinez, Brian (OAAG); Graber, Geoffrey (OAAG)
Subject: meeting with VOICE

I met today, on your behalf, with, a VOICE—Virginians Organized for Interfaith Community Engagement. They would like us to include in the consumer relief portion of the next rmbs settlement a requirement that the bank contribute to a National Community Equity Restoration Fund, which, in turn, would capitalize community equity restoration funds in communities across the country that were harmed by the banks' creation and securitization of toxic mortgages. I explained the limits of what we can do in a securities settlement, including the facts that the suit is aimed at harm to investors and that the federal government could not administer such a fund. Still, proposal is According to , this kind of community equity restoration fund has been successful in developing affordable housing and restoring blighted neighborhoods in New York, Baltimore, Philadelphia, DC and Milwaukee. I will invite you and any of us who are interested to come see the work they have done in Baltimore and DC. Damon.

Damon

but says that BofA has already committed $10 million to making low interest loans in Virginla. I'll try to find out whether BofA is getting credit toward the NMS for this money. claims that they shamed BofA into this by storming their shareholder meeting. Perhaps we can discuss this more when we meet this afternoon. I'll also scan the proposal and send it around.

EXHIBIT L CITI SETTLEMENT 7/14/14

Annex 2

E. Donations to state-based Interest on Lawyers Trust Account (IOLTA) organizations (or other statewide bar-association affiliated intermediaries) that provide funds to legal aid organizations, to be used for foreclosure prevention legal assistance and community redevelopment legal assistance E. $1.00 payment = $2.00 Credit* * *

Menu Item 4E Minimum = $15 million payment

F. Donations to HUD-approved housing counseling agencies to provide foreclosure prevention assistance and other housing counseling activities F. $1.00 payment = $2.00 Credit* * *

Menu Item 4F Minimum = $10 million payment

115% Early Incentive Credit for Menu Items 4A–F

Mr. ISSA. Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. Mr. Chair, I thank the gentleman for yielding, and I thank Chairman GOODLATTE for bringing forth this legislation.

Mr. Chair, I am a lawyer, like many of our members on the Judiciary Committee. I served as a prosecutor and as a judge, and we have a lot of those legal beagles on our Judiciary Committee.

Although I worked primarily in State court as a judge and a prosecutor, I have always had great respect for those people in the Justice Department who work on behalf of the people of the United States in Federal court. However, over the last few years, my opinion of the Justice Department has changed, and it has changed not for the better.

It has changed because I see that the Justice Department is acting as a political entity. I didn't say partisan entity. I said as a political entity, making decisions that appear to be based on politics rather than the law and policy.

This legislation does one thing: it tries to elevate the Justice Department back to a nonpolitical entity, which it has, unfortunately, in my opinion, become a political entity. It is unfortunate that it has become that. Some of the things that the Justice Department has done, and this legislation I think would prevent, would be to make sure that the Justice Department does not become a political entity in determining settlements of lawsuits that the Justice Department files on behalf of the American public.

So what happens is that these lawsuits are settled, and then the Justice Department tells the defendant: We the people are suing. You contribute to this entity and this will all go away. This case will be settled. There won't have to be a trial.

So that is what has been happening over the last few years.

In 2012, the Department of Justice forced Gibson Guitars to pay a $50,000 ''community service payment'' to the National Fish and Wildlife Foundation, even though the Foundation was not a victim of the crime that Gibson Guitars was involved in. It had no connection to that case.

The National Fish and Wildlife Foundation received a bigger windfall again in 2012, when the government required British Petroleum—we all remember the BP spill—to donate $2.5 billion to the Foundation over a 5-year period in connection with the criminal investigation of the Gulf of Mexico oil spill.

Discretion on the part of the Department of Justice on where the money goes smells, Mr. Chairman. It doesn't pass the smell test.

In 2006, the Department of Justice forced a wastewater plant that had been accused of violating the Clean Water Act to give $1 million to the United States Coast Guard Alumni Association. Now, I love the Coast Guard. We probably all love the Coast Guard. But government shouldn't be making a decision to give taxpayer money, or money, to any association. It is political decisions that the Justice Department has been making.

The wastewater treatment firm was also forced to pay another $1 million to the Greater New Haven Water Pollution Control Authority in Connecticut to fund unspecified environmental improvement projects.

A recent attack on the DOJ bank settlement with Goldman Sachs required a $250 million fee to be assessed, financing donations toward affordable housing. This is a political decision by the Justice Department. And there are many other examples that we will put into the RECORD. This should not be a Department of Justice decision on a settlement. If they sue somebody and

they settle the case, the money should go to the victims of that lawsuit. It should not go to the Department of Justice's discretion to pick political entities.

Remember, I didn't say partisan. I just said political entities. Go to the victim. Go to the Victims of Crime Act. Go to where crime victims get funds. Go back to the U.S. Treasury, but the money should not be discretionary with the Justice Department.

The CHAIR. The time of the gentleman has expired.

Mr. ISSA. Mr. Chair, I yield an additional 1 minute to the gentleman.

Mr. POE of Texas. But let's take the politics, the decisionmaking, and the credibility—or lack of credibility—of the Justice Department in settling cases on behalf of the United States people, and take it away from the Justice Department and put it where it is supposed to go: to the victims of that lawsuit.

That is where it should go. And if it doesn't go there, then it should go to the Victims of Crime Act, a Federal Government entity where funds for criminal violations go into a fund. Or it should go to the United States Treasury.

Remove the politics no matter who the President is. Remove the politics of the Justice Department so they can regain credibility with the American people for being involved in justice, not politics.

And that is just the way it is.

Mr. CONYERS. Mr. Chairman, I yield 5 minutes to the gentleman from Rhode Island (Mr. CICILLINE), a distinguished member of the House Judiciary Committee, who is ranking member on the Subcommittee on Regulatory Reform, Commercial and Antitrust Law.

Mr. CICILLINE. Mr. Chair, I thank the gentleman for yielding.

Mr. Chair, I rise in opposition to H.R. 732, the inaptly titled Stop Settlement Slush Funds Act of 2017, which would flatly ban the enforcement of any settlement agreement that seeks to remedy the general harms caused by unlawful conduct.

This prohibition would broadly apply to all civil and criminal settlements with limited exception, encroaching on the Justice Department's longstanding legal authority to negotiate and enter settlement agreements.

Since its establishment in 1870, the Justice Department has possessed plenary authority to litigate on behalf of the government in all civil and criminal litigation except as otherwise provided by law.

Since at least as early as 1888, the Supreme Court has upheld this broad grant of authority, holding that it extends to settling litigation on behalf of the government or making enforcement decisions in light of priorities and resources.

In Heckler v. Chaney, for example, the Court held in 1985 that, in many cases, enforcement decision within the Justice Department's expertise make it ''far better equipped than the courts to deal with the many variables involved in the proper ordering of its priorities.''

This rationale also extends to the terms of settlement agreements, which ''involve numerous complicated technical issues as well as important judgments respecting the use of limited prosecutorial resources'' and are ''best left in the hands of expert agencies and prosecutors, rather than dictated by Congress or the Federal courts,'' as environmental law professor Joel Mintz has noted.

H.R. 732 undermines this longstanding policy by strictly curtailing the enforcement discretion of the Justice Department and the other enforcement agencies when resolving a party's civil or criminal liability on behalf of the Federal Government.

As the Justice Department observed last Congress in the context of a substantively similar bill, ''limiting the Department's discretion to negotiate appropriate terms of settlement, which are voluntary and agreed to by the parties, may result in fewer settlement agreements, protracted litigation, and delays for victims who need the relief.''

Without this discretionary authority, the Department concluded that, ''the government may not be able to adequately address the full scope of the harms that a defendant's illegal actions caused.''

In contrary to the arguments of the gentleman from Virginia, despite 2 years of investigation by the Judiciary Committee into the Justice Department's use of settlement agreements, no evidence was found to show that the mortgage fraud settlements contain terms that were politically motivated. But we did learn that the sole mission of the Justice Department's settlements under the prior administration was to aid the families whose economic security was jeopardized by reckless Wall Street behavior and prevent them from losing their homes due to fraudulent mortgage practices.

There are many examples where generalized harm is impossible to calculate or impractical to quantify in the courts. Without this ability by the Justice Department to enter into these settlement agreements, corporate wrongdoers are going to be free to do whatever they want.

I give you one example: Deepwater Horizon, which destroyed the coastline. As part of that settlement, there was State-based cleanup that was provided. There was funding for the National Fish and Wildlife Foundation for remediation; things that were directly responsive to the harm caused. But you couldn't quantify to an individual person, and that is what this legislation will prevent.

Mr. Chair, I urge my colleagues to oppose this measure.

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

If the minority has not gone through the discovery that we have, that we placed in the RECORD, I will be glad to give Mr. CICILLINE or anyone else a copy.

I am just going to repeat, though, after receiving testimony that they didn't pick winners and losers, what we are marking as exhibit B and exhibit C make it clear they were, and specifically choosing, to exclude a ''conservative group.''

I think the important things here, though, Mr. Chairman, are if they want to have money in a settlement, such as the Deepwater Horizon tragedy, they certainly could, as long as it directly provides aid to the victims; which, of course, cleanup did. But when we look at these others, one of the great things is if they want to put it into a victim's fund as part of it, a government-controlled fund, they can if they want.

If the Department of Justice wants specific authority the way they do, for example, in water settlements, particularly related to Native American Tribes, they offer a deal, they put one together, and, Mr. Chairman, they come to Congress. This Congress, in the last Congress, settled multiple longstanding disputes with Tribes. What is interesting is they made sure the money went to those who had been harmed when they came to Congress and said: Please codify this agreement.

But in the many agreements that seems to go on in the Obama administration—and we now have the smoking gun of that—they made political decisions. Making political decisions is why you have to put this back in the light of day and with real congressional oversight.

What is amazing is, during the markup of this bill, there were a number of Members of the other party who specifically talked about not trusting the current occupant of the White House and the current Attorney General. It baffles me that they would not want to take back this authority knowing that the Department of Justice could bring to us a request for a bill that would authorize a specific settlement that could have outside groups or grant authority on a case-by-case basis.

□ 1530

The reality is the slush fund system has to stop. That is why Chairman GOODLATTE's bringing this bill today was so critical.

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

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentleman from Tennessee (Mr. COHEN).

Mr. COHEN. You have got a minority report you are putting in which cites lists of abuses; is that correct?

Mr. ISSA. It is majority. Yes, you have copies of it.

Mr. COHEN. I just wondered, do you have in there all the things Chris Christie did that came up in a hearing that we held in 2009 in our committee showing the abuses of the system by Chris Christie?

The CHAIR. The Chair would remind Members to address their remarks to the Chair, please.

Mr. ISSA. Mr. Chairman, the gentleman asks for a colloquy.

Although I don't have them, I am sure they prove the same point: that the light of day, the cleanliness of sunlight, and congressional oversight and appropriation would have protected against the abuses the gentleman is probably describing.

Mr. COHEN. Mr. Chairman, Mr. PASCRELL will discuss it in more detail.

The CHAIR. The time of the gentleman has expired.

Mr. CONYERS. Mr. Chairman, I yield the gentleman from Tennessee an additional 30 seconds.

Mr. COHEN. Mr. Chairman, Mr. PASCRELL will go into this in some detail.

But we held hearings on this, and we didn't have any support from the other side of the aisle when we pointed out all of the abuses that were going on in New Jersey, Mr. Chairman, with monitors being appointed that were making $52 million—Mr. Ashcroft, in particular—other monitors who had involvement in cases that Mr. Christie was involved in, which his brother was involved in, and where money was given to Mr. Christie's law school and other pet projects. Nobody on the other side criticized it. It was only when they cared about Obama.

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

Mr. Chairman, the gentleman's points are good. I am afraid his conclusion may be the part I have to differ slightly with, Mr. Chairman.

The gentleman from Tennessee is right to note past and other indiscretions. That is why we have this bill before you today. In fact, it is why passage is so important.

We don't want to have anybody of either party—the current occupant of the White House is from my party, a Republican. The current Attorney General is from my party, a Republican and former Republican Senator. The fact is that now is the time not to necessarily disparage any past activity but to stop it.

We are not a body that is supposed to trust as much as we are a body to have some trust and to verify. When we find wrongdoing, it is our job to make sure it doesn't happen again. This bill, including the comments of the gentleman from Tennessee, seeks to do that. I am convinced that it is good for that reason, and it is even good for the example that Mr. COHEN suggests.

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

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. NADLER), who is the ranking member on the Subcommittee on Courts, Intellectual Property, and the Internet.

Mr. NADLER. Mr. Chairman, I rise in strong opposition to H.R. 732. This misguided legislation would restrict the government's flexibility to resolve lawsuits against corporate wrongdoers and would make it harder to provide a remedy to all those who are harmed by the company's malfeasance.

Under well-established law, when settling claims with some corporate defendants, the Department of Justice may seek to include among the terms a contribution by the defendant to a third-party organization. Because it is often difficult to identify each individual who was harmed by the company's actions, particularly those who suffered the secondary effects of such wrongdoing, these third-party payments are intended to address the generalized harms caused by corporate bad actors. But this bill would prohibit any payment to a party that is not for restitution or to remedy a harm that is ''directly and proximately'' caused by the defendant. Such restrictions will needlessly hamper the Department of Justice's ability to efficiently resolve claims and to provide relief to all those injured by a defendant's actions.

For example, in the wake of the financial crisis, the Department of Justice, under Attorney General Holder, sued several large banks whose egregious misconduct destabilized the housing market and threw millions of people out of their homes, with millions more placed on the brink of foreclosure, all while the banks reaped massive profits. The banks agreed to resolve these claims by paying record-setting fines to the government in recognition of the tremendous damage they had caused.

Some of these voluntary agreements also included payments to housing counseling agencies and legal aid organizations responsible for assisting homeowners devastated by the foreclosure crisis that those banks helped create. The Republican majority sneers at these nationally recognized community organizations, however, and dismisses them as nothing more than activist groups. Republicans are so concerned that funds were going to organizations that help level the playing field between corporations and individuals that they drafted this legislation to prohibit the government from entering into a settlement that provides for any third-party payments.

Homeowners and communities across the country are still struggling with the aftermath of the foreclosure crisis, and the third-party payments negotiated by the Obama administration have been vital in helping both the direct victims and all those who suffered the collateral consequences of the banks' misconduct.

Attorney General Sessions recently announced that his Justice Department will not include such terms in the settlements it negotiates. But supporters of this bill insist that we must tie the hands of future administrations as well, weakening their ability to efficiently resolve claims and preventing them from using this tool to seek relief for the victims of corporate misdeeds.

This unnecessary and irresponsible legislation is yet another attempt by the Republican majority to favor wealthy corporations over individuals, and I urge my colleagues to oppose it.

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

Mr. Chairman, I would like to make sure I provide a little clarity. We are not talking about leftwing, rightwing, or other groups who get it. What we are talking about is a basic question of fungibility of money.

If something has been done wrong and a judge or the Department of Justice has X amount of determination of wrongdoing, the first question is: How much of that money can get to the victims? In a perfect world, the victims are made 100 percent whole. In a perfect world, 100 percent of the money passes from the perpetrator to the victim.

The Department of Justice making a decision not to a left- or rightwing group, but a political decision to give $1 million to the Coast Guard, to their charitable foundation, was a decision that clearly was not part of the mitigation but, rather, a general charitable decision. That was $1 million that did not go to the victim, did not go to the general Treasury, but it went to the whims of a bureaucrat.

We seek to make sure that, if that is an appropriate action, they come to Congress with that and not decide that charity begins with some unelected individual in the Department of Justice.

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

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Georgia (Mr. JOHNSON), who is a member of the Judiciary Committee.

Mr. JOHNSON of Georgia. Mr. Chairman, I thank the gentleman from Michigan for the time.

Mr. Chairman, I rise in opposition to H.R. 732, which would prohibit the U.S. Government from entering into settlement agreements or enforcing settlement agreements if the settlement agreement includes a term that provides a payment to be made to a third party. In the class action context, these donations are known as cy-pres.

Under existing laws, settlements from Federal enforcement actions can include payments to third parties to advance programs that assist with recovery, benefits, and relief for communities harmed by lawbreakers to the extent such payments further the objectives of the enforcement action. This bill would cut that ability off. It cuts off any payments to third parties other than individualized restitution and other forms of direct payment for actual harm. That restriction would handcuff Federal enforcement officials from actually doing justice.

This legislation arose out of the Wall Street too-big-to-fail episode in 2008, which resulted in the Great Recession, where millions of Americans lost their homes to foreclosure because of the actions of these too-big-to-fail banks insofar as the subprime mortgage crisis is concerned.

So the Department of Justice sued these big banks, which, by the way,

have continued to just get bigger and bigger after they received their Wall Street bailout, and the American people who lost their homes did not receive a bailout.

This legislation is to protect those same banks, and I would add that we have got Steve Mnuchin now as the head of the Treasury Department in the Trump administration. So this legislation is in keeping with that which would protect and coddle these Wall Street thugs who have now ascended to the seat of government and look to lock down their control. With this legislation, they prevent themselves from being sued.

My friends on the other side of the aisle are complicit. They support too big to fail. They support the big banks. It is at the expense of the little guy, the people who work hard every day working for a salary, an honest day's work for an honest day's pay, which seems to be harder and harder to do these days because of the legislation that this Congress passes.

This is just another in a long line of pieces of legislation that coddles and protects those who really need no protection. They should be under the jail for what they have done to the American people.

I fight against this kind of legislation. It is wrong for America, and it is wrong for its citizens. It is great for the big banks.

Mr. ISSA. Mr. Chairman, I yield myself 1 minute in short response.

Mr. Chairman, sometimes the obvious is missed in the debate. The gentleman from Georgia talks about locking down power. Quite frankly, Republicans do have a majority in the House and a slim majority in the Senate, and the current occupant of the White House is from my party. So when we are trying to reduce potential misconduct by the executive branch, we are not doing it to take any money away.

As a matter of fact, this law would clearly cause more money to flow from the same amount of initial payment, more money to flow to the victims. So we are trying to flow more money to the victims. We are in no way reducing any aspect of settlements other than, if the current occupant of the White House, the President, and the Attorney General want to give to the charity of their choice, they can either do it with their own money or they can come to Congress for authority.

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

Mr. CONYERS. Mr. Chairman, I yield 30 seconds to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Chairman, the Department of Justice, the same Federal agency that obtained benefits for the homeowners who were hurt by the excesses of the big banks, that Justice Department is now controlled by Jefferson Beauregard Sessions, who is not very keen on trying to recover damages on behalf of the people. If he has to get permission from Steve Mnuchin of the Treasury Department to do it, they work so hand in hand, you know that there is not going to be any relief for the homeowners of this country.

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

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Chairman, Mr. Ranking Member, Chairman GOODLATTE, I start by expressing my appreciation to Chairman GOODLATTE for acknowledging the actions that were taken by the Governor of New Jersey when he was the U.S. attorney back in 2006 to 2007.

By the way, the former Justice Department was not even in existence yet.

I agree with much, on both sides, of what has been said here, but I think we are missing the point. The legislation is needed to prohibit this from happening again.

Congressman POE, the gentleman from Texas, wants to take the political preference out of the Justice Department. He is absolutely correct, I agree, but not just about where the money is going to go.

We have a major problem here. I have been shouting from the rooftops about the need to reform the Justice Department's settlement agreement process for almost a decade on this floor.

When we talk about lawsuits being settled, deferred prosecutions are to get rid of the defendant so that the defendant, at the cost of doing business, pays a fine. That is how it is done. This bill does nothing about that—zero.

□ 1545

Many of the corporations that stood before the courts—and I am not a lawyer, as most of you guys and gals are—they stood before the courts for 15 years, representing those corporations, and what they got out of it was: Look, we are going to slap you on the wrist. We are going to give you a little fine. At that time, you can give the money to whoever you wish. And then you go away. Nobody is prosecuted. Nobody goes to jail. Nobody is going to go to jail with these banks that cheated middle class folks. Nobody. Guaranteed.

But under the guise of ''ensuring accountability,'' H.R. 732 is a political exercise missing real reprimand for these practices, reforms to the system, or redress to actual victims.

For years, we have known deferred prosecution agreements get out of hand, regardless of whether there is a Democrat running the Presidency or a Republican. So for anybody to stand up there and just say this was Obama's problem, they don't know history.

I suggested a modest reform to improve the transparency of these agreements. I was rebuffed by some of the very people who are in this room.

The CHAIR. The time of the gentleman has expired.

Mr. CONYERS. Mr. Chairman, I yield an additional 30 seconds to the gentleman.

Mr. PASCRELL. There is much to be said here, but if we remember the Bristol-Myers Squibb case, they avoided prosecution for securities fraud in exchange for $5 million to the Governor's law school alma mater. Now, that is what is going on.

Mr. Chairman, you don't accept that. If you are on the Judiciary Committee, you can't accept that either. You have got to be kidding me. To allow the courts to do something like this—and any administration, Democrat or Republican, to go along with this—no wonder the people have little faith in the justice system in the United States of America.

I simply want fairness, Mr. Chairman. I have asked for it many times. This is not a new subject to me, and I will be back talking about it again.

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

Mr. Chairman, I want to take a moment to agree with the gentleman from New Jersey. The idea that you can pay a fine to get out from underneath criminal prosecution is one that I would like to see either eclipsed to where it is almost invisible and rarely used or done away with altogether. I would certainly agree to join with the gentleman in finding further prohibitions to that practice.

It has been too often that a corporation able to pay large amounts of money not only escapes its actions, but, of course, it escapes the prosecution of key individuals who may, in some cases, be responsible for the loss of life and/or health.

So I want to join with the gentleman from New Jersey. That is not what this bill is about. It doesn't deal with it, nor does it fail to deal with it. It is not the subject of the bill.

I urge the gentleman, who does agree with a portion of what we have to say, to work with me. I will be happy to be his cosponsor on a piece of legislation to try to curtail that practice.

Today, we are trying to curtail a practice in which we have examples of both Republicans and Democrats in the Office of the Attorney General, their justice departments, from making settlements that seem to have political bias. And that is what we are here to stop.

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

Mr. CONYERS. Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), the ranking member of the Crime, Terrorism, Homeland Security, and Investigations Subcommittee of the Judiciary Committee.

Ms. JACKSON LEE. Mr. Chair, I would only offer to say that there is not one Judiciary Committee Democrat on this so-called bipartisan bill. That is where you first start the bipartisanship: you work with members who may, in fact, believe that some of the issues that have been raised by my

good friend from California may have merit.

Maybe this bill could have been drafted in a way that would have responded to some of the failures, if there are some, such as evidenced by our good friend from New Jersey, who recalled a lot of failures not by Democrats but by Republicans. But when you start off with a bill talking about slush funds, then you negate the good work of so many organizations that have benefited to do the very good that the consent decree was intended to do.

Today, I stood with the Latinas Against Domestic Violence. They came here to stand against the violence against women that goes on and on and on. Some of them may be in the gallery.

But what I would say, Mr. Chairman, is: Why would we not want to give that organization funds if they were in line to get dollars to help prevent or intervene in the vileness of domestic violence?

So the idea that our friends on the other side are missing is the value some of these entities have been given.

The only word that I have heard over and over again, as I have heard from the administration, I have heard from the Attorney General, the former Secretary of Health and Human Services, is one word. In fact, I think the English language has been limited to one word on the floor of the House: Obama. I like to call him President Barack Obama. That is the respect I give him.

Every legislative initiative has come forward on the shoulders of a man who finishes 8 years, might I say, with a great deal of respect.

So here is what the bill the people are opposed to will do:

This bill would not give dollars to those victims who are harmed and could engage in workplace monitoring, as well as other payments to remedy generalized harm, including remedies designed to prevent the recurrence of sexual violence or discrimination in the workplace.

They wouldn't give it to an environmental remedy project, such as needed cleanup efforts following the hazardous toxic pollutant spills that spoil protected areas, preventing families and children from enjoying recreation on State lands designed for public use.

They wouldn't give it to federally certified housing counseling intermediaries by preventing housing counseling, relief to communities that have been preyed upon by financial institutions that have broken the law.

I even hate to use the term ''slush.'' They are dollars out of a consent decree that are managed and monitored by career professionals to those in need.

So I am opposed to the underlying bill, and I will offer an amendment.

The CHAIR. The time of the gentlewoman has expired.

Mr. CONYERS. Mr. Chair, I yield an additional 20 seconds to the gentlewoman.

Ms. JACKSON LEE. I will also be on this floor offering letters opposing, again, not only this dastardly named legislation—who would want to see this in the CONGRESSIONAL RECORD: slush fund—undermining, as I said, the professionalism of our career employees in the DOJ and undermining American citizens and nonprofits who are working every day to make the life of America and America's children better.

This is a bad bill. Vote it down. It is not bipartisan. No Judiciary Committee Democrat saw fit for it to be legitimate.

Mr. Chair, I rise in strong opposition to H.R. 732, the ''Stop Settlement Slush Funds Act of 2017.''

The proposed legislation, as currently drafted, is intended to preclude all third-party payments in settlement agreements, other than restitution to identifiable victims.

Specifically, this legislation seeks to block federal law from including payments that provide relief in negotiated settlements to victims, such as in cases of predatory lending, employment discrimination and pollution through environmental hazardous.

For the average American, this harmful bill translates as thwarting settlement donations to legitimately harmed victims for:

1. Workplace monitoring, as well as, other payments to remedy generalized harm, including remedies designed to prevent the recurrence of sexual violence or discrimination in the workplace;

2. Environmental remedy projects, such as needed clean-up efforts following the hazardous, toxic pollutant spills that spoil protected areas, preventing families and children from enjoying recreation time on state lands designed for public use; or

3. Federally-certified housing counseling intermediaries by preventing housing counseling relief to communities that have been preyed upon by financial institutions that have broken the law.

This legislation fails to recognize the critical role and positive benefits that housing counseling organizations now play in addressing and ensuring that the discriminatory practices and abuses, like those that led to the housing and financial crisis, never happen again.

The Republican narrative suggests that this bill attempts to make technical changes to the way that courts operate; but in reality, for the everyday hard working American, this legislation along with its companion bills (H.R. 720, the ''Lawsuit Abuse Reduction Act,'' and H.R. 725, the ''Innocent Party Protection Act,'') is merely a concerted effort to chip away at Americans' ability to seek justice and, therefore, must be opposed.

This legislation is intended to cut off proceeds from government settlements to ''third-party'' entities, which would stop a critical source of funding for the nonprofit sector—including public interest community organizations, foundations or trusts and other similar groups.

Oftentimes, allowing these monies to be available to third-parties is the best way to assure harmed persons will be made whole.

By barring government settlements from directing payments to non-profit organizations, this legislation would thereby hamstring the parties' ability to fully remedy the wrongdoing underlying the lawsuit.

Congress lacks the time, expertise, and resources to properly review and make enforcement decisions on behalf of Federal agencies.

The cost of delays associated with this scheme would have devastating consequences for the public health, environment, and local communities.

H.R. 732 would greatly strain Congress' already limited legislative resources and scarce time, while opening the doors to industry influence and obstruction in routine enforcement matters.

This legislation pushes the everyday hard working American to the margins of the justice system by requiring restitution only in cases with a showing of actual harm directly and proximately caused by the party making the payment.

The bill's definition excludes any payment by a party to provide restitution for, or otherwise, remedy the actual harm, directly and proximately caused by the alleged conduct of the party that is the basis for the settlement agreement, including payments requiring monitoring and other payments for generalized harm.

This exception is too narrowly drawn to allow for numerous beneficial uses of settlement monies, especially for vulnerable plaintiffs trying to access the courts in search of restitution from legitimate harm.

As you know, following the subprime meltdown, the U.S. Department of Justice pursued lawsuits against mortgage lenders and banks that engaged in discriminatory lending practices, such as those targeted by this legislation.

Research shows that African Americans and Latinos were discriminated against and steered into subprime loans even when they qualified for conventional loans.

Moreover, African Americans and Latinos were two to three times more likely than white homebuyers to receive subprime loans which resulted in foreclosure rates 10 times that of conventional loans.

Pursuant to the settlement agreements, available under current law, the Justice Department ordered that financial institutions dedicate a portion of their settlement payments to U.S. Department of Housing and Urban Development (HUD) certified housing counseling intermediaries to provide consumer relief in the communities that were hit hardest.

HUD has approved thirty-seven housing counseling intermediaries that financial institutions have the discretion to choose as third-party providers of consumer relief under the terms of the Justice Department settlement agreements.

Additionally, these HUD-certified housing counseling providers deliver financial education and coaching to individuals to inform them of their home-buying options and rights, and to ensure they become and remain homeowners.

In fact, since 2008, 40 affiliates have provided housing counseling services—to date serving more than 200,000 clients in mostly underserved areas.

The success of housing counseling programs is undisputed.

Borrowers who have used housing counseling are one-third less likely to be seriously delinquent on their loan payments, and those who are in default are 60 percent more likely to save their homes.

The benefits of these programs are tangible and must continue to be made available to the public.

This example is particularly pertinent as Houston recovers from hurricane Harvey, a tragedy that displaced tens of thousands of my constituents.

There are still over 61 thousand people living in hotels throughout Texas.

The public has found itself in need of protection form environmental harms caused by absconding deep pocket defendants.

To ensure these protections, the Environmental Protection Agency (EPA) may request Supplemental Environmental Projects (SEPs) in settlement agreements to offset the harms of unlawful conduct by requiring parties to undertake an environmentally beneficial project or activity that ''is not required by law,'' but that a defendant agrees to undertake as part of the settlement of an enforcement action.

In workplace discrimination cases, victims are guarded by the Civil Rights Act passed by Congress in 1964 to remove discriminatory barriers and to promote equality in employment opportunities.

Cases, nonetheless, involving workplace discrimination claims often occur without identifiable victims and tend to affect the interests of persons who are not likely to receive compensation for unlawful conduct (e.g., unidentifiable victims such as former and future employees).

In these cases, a settling party that violated antidiscrimination laws may seek to resolve its civil liability through workplace monitoring or training programs that seek to remedy systemic unlawful conduct.

Furthermore, the claim that the funding received by organizations to provide home counseling services to harmed individuals amount to a ''slush fund,'' is an egregious and shameless attempt to smear and impugn the integrity of longstanding and trusted nonprofits and civil rights organizations.

As the Justice Department has observed, remedies can correct both noncompliance and recidivism through settlement terms that require a party to undertake activity to prevent future misconduct.

Not only is this legislation an unnecessary intrusion into the province of the federal courts, it is a part of a larger push to limit Americans' ability to seek justice in a court of law.

An innocent-sounding name aside, this bill poses a grave threat to our court system—the nation's stronghold for protecting our democracy.

In the current political climate, where the justice system is the last line of defense for our nation's values, I urge my colleagues not to cede that ground.

Congress should applaud and elevate the benefits of housing counseling, and the good work of frontline organizations, in righting the injustices of the past and present.

The working men and women of America, as well as their families deserve fair and impartial access to real justice when major corporations, inadvertently as it may be, inflict harm.

It is our duty as guardians of the judicial system to ensure real restitution is available to all, including the most vulnerable.

For these reasons, I urge all Members to vote against H.R. 732.

Mr. Chairman, I include in the RECORD a letter from National Urban League and a letter from Public Citizen.

NATIONAL URBAN LEAGUE,
New York, NY, February 1, 2017.

Re Opposition to H.R. 732—The Stop Settlement Slush Funds Act of 2017.

Hon. BOB GOODLATTE,
Chairman, Judiciary Committee,
Washington, DC.
Hon. JOHN CONYERS,
Ranking Member, Judiciary Committee,
Washington, DC.

DEAR CHAIRMAN GOODLATTE AND RANKING MEMBER CONYERS: As President and CEO of the National Urban League, the nation's largest historic civil rights organization dedicated to economic empowerment of African Americans and other underserved urban communities, I write to urge you to oppose H.R. 732, the Stop Settlement Slush Funds Act of 2017. This legislation seeks to block federal law enforcement from including in negotiated settlements payments that provide relief to victims of predatory lending. Specifically, the bill targets federally certified housing counseling intermediaries such as the National Urban League by preventing these organizations from providing housing counseling relief to communities that have been preyed upon by financial institutions that have broken the law. H.R. 732 fails to recognize the critical role and positive benefits that housing counseling organizations now play in addressing and ensuring that the discriminatory practices and abuses, like those that led to the housing and financial crisis, never happen again.

As you know, following the subprime meltdown, the U.S. Department of Justice pursued law suits against mortgage lenders and banks that engaged in discriminatory lending practices. Research shows that African Americans and Latinos were discriminated against and steered into subprime loans even when they qualified for conventional loans. Moreover, African Americans and Latinos were two to three times more likely than white homebuyers to receive subprime loans which resulted in foreclosure rates 10 times that of conventional loans. Pursuant to the settlement agreements, the Justice Department ordered that financial institutions dedicate a portion of their settlement payments to U.S. Department of Housing and Urban Development (HUD) certified housing counseling intermediaries to provide consumer relief in the communities that were hit hardest.

The National Urban League is one of thirty-seven HUD-approved housing counseling intermediaries that financial institutions have the discretion to choose as third-party providers of consumer relief under the terms of the Justice Department settlement agreements. The National Urban League is accredited by the Better Business Bureau and has a 4-star rating from Charity Navigator, placing it in the top 10 percent of all U.S. charities for adhering to good governance, fiscal responsibility and other best practices.

As a HUD-certified housing counseling provider, the National Urban League successfully delivers financial education and coaching to individuals to inform them of their home-buying options and rights, and to ensure they become and remain homeowners. In fact, since 2008, 40 of our affiliates have provided housing counseling services—to date serving more than 200,000 clients in mostly underserved areas.

The success of housing counseling programs provided by National Urban League and others is undisputed. Borrowers who have used housing counseling are one-third less likely to be seriously delinquent on their loan payments, and those who are in default are 60 percent more likely to save their homes. The benefits of these programs are tangible and must continue to be made available to the public.

On a separate note, it has come to my attention the National Urban League and National Council of La Raza have been singled out during recent hearings on this legislation. The claims made during congressional testimony that the funding received by our organizations to provide home counseling services amounts to a ''slush fund,'' is an egregious and shameless attempt to smear and impugn the integrity of longstanding and trusted nonprofits and civil rights organizations. Congress should applaud and elevate the benefits of housing counseling, and the good work of frontline organizations, like the National Urban League, in righting the injustices of the past and present.

Therefore, I respectfully urge you to oppose H.R. 732 and any efforts to include similar provisions in legislation moving through Congress.

Sincerely,

MARC H. MORIAL,
President and CEO.

PUBLIC CITIZEN,
Washington, DC, February 1, 2017.

Re Oppose the assault on civil justice.

HOUSE OF REPRESENTATIVES,
Judiciary Committee,
Washington, DC.

DEAR HONORABLE MEMBERS OF THE U.S. HOUSE JUDICIARY COMMITTEE: On behalf of Public Citizen, a non-profit membership organization with more than 400,000 members and supporters nationwide, we express extreme opposition to a slate of three harmful bills scheduled to be marked-up in Committee tomorrow: the Lawsuit Abuse Reduction Act of 2017 (H.R. 720), the Innocent Party Protection Party Act of 2017 (H.R. 725), and the Stop Settlement Slush Funds Act of 2017 (H.R. 732). Seen separately, these bills attempt to make technical changes to the way that courts operate; taken together they are a concerted effort chip away at Americans' ability to seek justice and, therefore, must be opposed.

LAWSUIT ABUSE REDUCTION ACT OF 2017 (H.R. 720)

The proposed Rule 11 changes in H.R. 720 will make federal litigation more complicated, costly, and inaccessible to consumers and employees. We urge you to reject this legislation.

Currently, judges have discretion to impose sanctions on a lawyer or a party in litigation to deter sanctionable conduct in pleadings, motions, and other court papers. The so-called Lawsuit Abuse Reduction Act, or LARA, would revise Rule 11 of the Federal Rules of Civil Procedure to require sanctions, rather than leaving the decision whether to impose sanctions to the discretion of federal judges. This proposal would make litigation longer and more expensive.

The problems with this bill are not theoretical, but proven. In 1983, changes to Federal Rule 11 removed judicial discretion for issuing sanctions. Those changes were overturned a decade later, because the 1983 Rule caused a marked increase in business-to-business litigation and abusive Rule 11 motion practice by lawyers arguing more about sanctions than about the merits of the cases. Because 1983 changes proved to discourage lawyers from cooperating with each other, the changes prolonged litigation, rather than advancing the goal of coming to a just conclusion. We must not repeat this failed experiment.

Additionally, LARA would obstruct Americans' access to justice, especially in cases such as those alleging civil rights violations, as those types of cases can be based on novel legal theories. In those cases, LARA would chill the filing of meritorious suits, and justice for some will go unserved.

INNOCENT PARTY PROTECTION PARTY ACT OF 2017 (H.R. 725)

H.R. 725, the Innocent Party Protection Act (called the Fraudulent Joinder Protection Act in previous Congresses) is a supposed fix for an imagined problem. It addresses a federal district court's consideration of a plaintiff's motion to remand a case to state court, after a defendant has removed the case from the state court in which it was filed to federal district court on the theory that the plaintiff had fraudulently joined a non-diverse defendant for the purpose of defeating federal-court jurisdiction. The purpose of the bill is to assist defendants in keeping cases in federal court after removal. The bill purports to achieve this purpose by specifying that the federal court consider evidence, such as affidavits, and by specifying four findings that would require a federal district court to deny a plaintiff's motion to remand.

Congress should not get into the business of micro-managing the motion practice of the federal courts without strong evidence that current court procedures are not serving their purpose: facilitating justice. In this instance, there is no evidence to support the assumption that the district courts are not denying motions to remand in appropriate cases. Congress has no basis to revise the courts' procedures when the current standards are not producing unjust results. The Committee should hesitate before taking the step into micromanagement of the federal courts' consideration of one specific type of motion, where that motion has existed for more than a century and there are only the flimsiest of arguments in favor of changing it.

STOP SETTLEMENT SLUSH FUNDS ACT OF 2017 (H.R. 732)

This legislation is intended to cut off proceeds from government settlements to ''third-party'' entities, which would stop a critical source of funding for the nonprofit sector—including public interest community organizations, foundations or trusts and other similar groups.

The bill would bar government settlements from directing payment to non-profit organizations, thereby hamstringing the parties' ability to fully remedy the wrongdoing underlying the lawsuit. Oftentimes, allowing these monies to be available to third-parties is the best way to assure harmed persons will be made whole.

Not only are these three bills unnecessary intrusions into the province of the federal courts, they are part of a larger push to limit Americans' ability to seek justice in a court of law. Their innocent-sounding names aside, these bills pose a grave threat to our court system—the nation's stronghold for protecting our democracy. In the current political climate, where the justice system is the last line of defense for our nation's values, we urge you not to cede that ground.

Sincerely,

LISA GILBERT,
Director, Public Citizen's Congress Watch division.
SUSAN HARLEY,
Deputy Director, Public Citizen's Congress Watch division.

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

The gentlewoman spoke quickly, and I know she had a lot of important information there. Some of it simply was wrong.

One of them is that she touched on environmental cleanup. Very clearly, nothing in this legislation would limit the cleanup related to the wrongdoing or the damage. Not so. A third party could be hired to do the cleanup.

Additionally, nothing stops a settlement from requiring a company to have counseling or other mitigation. It simply stops the Department of Justice from picking a charity of its choosing to go do it.

Now what I would really like the gentlewoman—who may not be on the floor any longer—to understand is that the Department of Justice has grant authority and does multiple grants every single month of the year to some of the very same groups under its authority that these settlements are going toward. Congress has allowed it a certain amount of money to provide grants for general harm.

Additionally, every year, Congress allocates hundreds of millions of dollars to some of the very same groups and efforts the gentlewoman knows that we are talking about.

So, although her speech was quick, the thing that she said that may have misled some people here in the Chamber I think needs to be corrected. Direct harm will be mitigated. It can be done by anyone. A company can agree and be forced under supervision to mitigate and to hire people to help in that effort.

Very clearly, many of the groups being talked about here today already receive money through the grant process or through direct appropriation by Congress. That is the right way to do it. It is the reason this is a bipartisan bill and this is an effort by our Congress to make sure that we hold the reins of authority where they should be under the Constitution.

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

Mr. CONYERS. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS. Mr. Chairman, I thank the gentleman for yielding.

I wish what the gentleman from California was saying was right, but as I listen to these tax cuts that are being talked about, many of these fine programs that help individuals from being thrown out of their house or in need of illegal aid are being cut back.

Each time I have seen on the floor the priorities of the party of the gentleman from California, I see that these essential, consumer-oriented not-for-profits are losing their funding.

So I rise today to urge my colleagues to vote ''no'' on H.R. 732. This bill would tie the hands of prosecutors that go after financial fraud, including the mortgage schemes that led to the 2008 crisis.

Apparently, my Republican colleagues have forgotten that not just Democrats, but all Americans, faced the negative effects of the mortgage fraud that led to the worst financial crisis since the Great Depression.

Americans lost nearly $13 trillion in wealth, the unemployment rate reached a high of 10 percent, and 11 million Americans lost their homes. We all saw business opportunities evaporate in our communities and good-paying jobs wither away.

To reverse these wrongs, the Obama administration reached record settlements with firms that engaged in fraud. Through these settlement agreements, the Department of Justice directed billions of dollars toward: number one, affordable housing initiatives, including downpayment programs that would help young people enter the housing market; number two, financial counseling programs that would help consumers avoid unsafe financial products; and number three, community development initiatives that would spur economic growth in rural and urban communities alike.

So I am baffled that my colleagues would want to prevent our prosecutors from ensuring fraudulent firms to right their wrongs.

The CHAIR. The time of the gentleman has expired.

Mr. CONYERS. Mr. Chair, I yield an additional 1 minute to the gentleman.

Mr. MEEKS. This should not be a partisan issue, Mr. Chairman; not at all. Americans from the East, from the West, from the North, from the South, from middle America; Americans who are Democrats, Republicans, and Independents have all suffered as a result of what the Justice Department has done by fighting to make sure that we correct this wrong by fighting and winning decisions on making sure that those who have no voice, have a voice.

Many of the individuals who were funded here were giving a voice to the voiceless. Without that voice, those who have will continue to do and perpetuate the fraud that is committed upon many.

So this should not be a red issue; this should not be a blue issue. Just as former President Barack Obama said, this should be a red, white, and blue issue. It is a red, white, and blue issue where justice should be given a fair chance to prevail for all of America's people.

Mr. ISSA. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I am putting this sign up not for the people in the Chamber, because people in the Chamber on the other side have continued to read the same talking points from their leadership that says there is no evidence.

This is in the record. This is a bigger part of it. So for the people in their offices who will come down to vote, if there is not a motion to recommit, they are not going to get an opportunity to see this.

So I hope that they will look just now and realize this is one of those things you don't normally get. As Chairman GOODLATTE said, this is a smoking gun. This is a clear statement that an ideological bent against a nonprofit was very specifically there, while other emails in the same chain of emails shows that they were picking who they wanted.

□ 1600

That is the politics that was going on. It is the politics we are trying to prevent. As I said in my previous statement, the Department of Justice is given a number of dollars for grant programs, and we may not always agree with how those grant programs are run, but we give them that.

Additionally, the Congress appropriates a tremendous amount of money, much of it going to the same groups. A little over 1½ years ago, 2 years ago, this body came together on the reauthorization on Violence Against Women, which has and will continue to do very good work in exactly the area that people are talking about.

This is the reason we have legislation before us today. We have had political activity that has been going on, according to the Democrats, by Republican Attorneys General; according to this document, by the last Attorneys General. The fact is, we need the legislation. We have to have it.

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

Mr. CONYERS. Mr. Chairman, in closing, I note that a broad coalition of public interest organizations, including Public Citizen, Americans for Financial Reform, the National Urban League, among others, strongly oppose H.R. 732. They warn: ''This measure would undermine law enforcement goals by reducing the availability of suitable remedies to address these kind of injuries to the public caused by illegal conduct.''

This bill is, in effect, a gift to lawbreakers that comes at the expense of families and communities impacted by injuries that cannot be addressed by direct restitution, and so I have to ask: Why are we giving a gift to lawbreakers in the guise of H.R. 732?

If you value, as I do, upholding the rule of law, then you will join me and many others in opposing this seriously flawed measure.

I thank everyone who has participated in this discussion, and I yield back the balance of my time.

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

Mr. Chairman, in closing, I don't believe there is any question at all but that the minority has missed the point. In no way, shape, or form are we changing. We intend to make sure the Department of Justice prosecutes wrongdoing, both criminal and civil.

The gentleman from New Jersey (Mr. PASCRELL) rightfully said we shouldn't have money paid in lieu of criminal prosecution; it should be both. I agree with him.

What we are dealing with here is a recognition that, under Republican and Democratic administrations, we have had mandatory donations that, in fact, went to charities, if you will, or organizations of the choice of those political entities. The fact is what we are doing is reining in—reining in—wrongdoing that is actual and has been observed, nothing more.

One of the challenges we face every day and one of the reasons I am imploring both sides to come together on this vote, one of the challenges we face is how much of our obligation we have ceded to the executive branch, often then only to be horrified when, behind closed doors, unelected, unaccountable people make decisions that would never be made on the House floor or the Senate floor, and this is one of them.

We are scrutinized when we pick nonprofits to provide funding to on the left, on the right, or, if there is such a thing left in America, in the middle. We are scrutinized. But when we scrutinize the Department of Justice's action, according to my colleagues, under Republicans, there has been clear wrongdoing. According to the documents that we put in the RECORD today and showed on the floor, in the last administration, there was clear partisan politics.

We are simply saying, if they want to make that kind of a settlement, bring it to Congress; otherwise, it is very clear that they must—and I repeat, must—stop the action of taking money that would otherwise go to the victims and moving it to nondescript third parties of their choosing, no matter how benevolent they might be, including the Coast Guard Foundation. It can't continue to happen. We have to have the money that is in settlements flow to the victims or flow to the Treasury.

Mr. Chairman, I urge passage of the bill, and I yield back the balance of my time.

The Acting CHAIR (Mr. FITZPATRICK). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

The amendments recommended by the Committee on the Judiciary, printed in the bill, shall be considered as adopted, and the bill, as amended, shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 732

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 ''Stop Settlement Slush Funds Act of 2017''.

SEC. 2. LIMITATION ON DONATIONS MADE PURSUANT TO SETTLEMENT AGREEMENTS TO WHICH THE UNITED STATES IS A PARTY.

(a) LIMITATION ON REQUIRED DONATIONS.—An official or agent of the Government may not enter into or enforce any settlement agreement on behalf of the United States, directing or providing for a payment *or loan* to any person or entity other than the United States, other than a payment *or loan* that provides restitution for or otherwise directly remedies actual harm (including to the environment) directly and proximately caused by the party making the payment *or loan*, or constitutes payment for services rendered in connection with the case or a payment pursuant to section 3663 of title 18, United States Code.

(b) PENALTY.—Any official or agent of the Government who violates subsection (a), shall be subject to the same penalties that would apply in the case of a violation of section 3302 of title 31, United States Code.

(c) EFFECTIVE DATE.—Subsections (a) and (b) apply only in the case of a settlement agreement concluded on or after the date of enactment of this Act.

(d) DEFINITION.—The term ''settlement agreement'' means a settlement agreement resolving a civil action or potential civil action, a plea agreement, a deferred prosecution agreement, or a non-prosecution agreement.

(e) REPORTS ON SETTLEMENT AGREEMENTS.—

(1) IN GENERAL.—Beginning at the end of the first fiscal year that begins after the date of the enactment of this Act, and annually thereafter, the head of each Federal agency shall submit electronically to the Congressional Budget Office a report on each settlement agreement entered into by that agency during that fiscal year that directs or provides for a payment *or loan* to a person or entity other than the United States that provides restitution for or otherwise directly remedies actual harm (including to the environment) directly and proximately caused by the party making the payment *or loan*, or constitutes payment for services rendered in connection with the case, including the parties to each settlement agreement, the source of the settlement funds, and where and how such funds were and will be distributed.

(2) PROHIBITION ON ADDITIONAL FUNDING.—No additional funds are authorized to be appropriated to carry out this subsection.

(3) SUNSET.—This subsection shall cease to be effective on the date that is 7 years after the date of the enactment of this Act.

(f) ANNUAL AUDIT REQUIREMENT.—

(1) IN GENERAL.—Beginning at the end of the first fiscal year that begins after the date of the enactment of this Act, and annually thereafter, the Inspector General of each Federal agency shall submit a report to the Committees on the Judiciary, on the Budget and on Appropriations of the House of Representatives and the Senate, on any settlement agreement entered into in violation of this section by that agency.

(2) PROHIBITION ON ADDITIONAL FUNDING.—No additional funds are authorized to be appropriated to carry out this subsection.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part B of House Report 115–363. Each such further 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 MR. GOODLATTE

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 115–363.

Mr. GOODLATTE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 17, insert ''and, to the extent any victim thereof was an identifiable person, suffered by the payee or lendee,'' before ''or constitutes''.

Page 3, insert after line 19 the following (and redesignate succeeding subsections accordingly):

(b) LIMITATION ON *CY-PRÈS.—Amounts remaining* after all claims have been satisfied shall be repaid proportionally to each party who contributed to the original payment.

Page 3, line 21, insert after ''subsection (a)'' the following: ''or (b)''.

Page 4, line 1, strike ''and (b)'' and insert '', (b), and (c)''.

The Acting CHAIR. Pursuant to House Resolution 577, the gentleman from Virginia (Mr. GOODLATTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

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

The Stop Settlement Slush Funds Act of 2017 prohibits settlements that provide for payments to nonvictim third parties. But what happens to leftover money if the settlement does not specifically provide for its disposition?

It turns out that this situation is ripe for abuse.

In 2013, a shocking New York Times expose revealed that the Obama administration bilked over a billion dollars from the taxpayer-funded Judgment Fund and handed it to special interests. The case, called Keepseagle, concerned claims against the Department of Agriculture.

The settlement, spearheaded by then Assistant Attorney General Anthony West, vastly overstated the number of claims against the government. One result was a $60 million windfall for the plaintiff's lawyer, who was on President Obama's transition team the year before.

The other result was $380 million in funds left over. This was taxpayer money. But instead of demanding it back, the Department of Justice agreed to direct it to nonvictim third parties to be selected by the same plaintiff's lawyer and member of President Obama's transition team. This, quite rightly, troubled the presiding judge.

My amendment would close this loophole by requiring that money left over after all victims have been compensated must be returned to wherever it came from.

This amendment also clarifies that permitted remedial payments must go to victims who suffered the injuries on which plaintiffs' claims are based. This prevents situations in which a payment is classified as remedial but is directed to an intermediary.

The abuses of power that I outlined today in the settlement context are truly disturbing. This is our opportunity to stop the abuse. We should be as comprehensive as possible.

I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Michigan is recognized for 5 minutes.

Mr. CONYERS. Mr. Chair, Members of the House, this amendment makes a bad bill even worse. To begin with, it would prohibit cy-pres distributions pursuant to which parties attempt to find the next best use of funds that remain after a class action settlement has been finally administered. Cy-pres is especially important in actions where the recovery is so small for an individual class member that he or she may not bother to make a claim or where a distribution is not practical.

For example, courts under cy-pres may permit unclaimed settlement funds to provide indirect compensation to the class, such as future price reductions or remediation efforts. As a result of this amendment, however, the unclaimed settlement funds would be returned to the very entities that caused the injury in the first place. Simply put, this amendment would benefit the wrongdoers to the detriment of the victims they harmed.

In addition, this amendment would restrict the amount of compensation a victim could receive under a settlement agreement to the extent the victim was actually harmed by the wrongdoer. The amendment completely ignores the pragmatic realities of systemic harms, such as widespread long-term or latent environmental damage like lead-contaminated public water drinking systems—think of Flint, Michigan—where the extent of a victim's exposure to such harms may be difficult and, perhaps, even impossible to quantify.

In a letter opposed to this amendment, a group of public interest organizations, including Earthjustice, Public Citizen, Alliance for Justice, the Center for Justice & Democracy, and the American Association for Justice, said it is terrible public policy because wrongdoers would benefit from a windfall for cheating and harming consumers, undoing the accountability or deterrence function of the entire settlement. This is absolutely the wrong result, and so I urge that this amendment be rejected.

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

Mr. GOODLATTE. Mr. Chairman, I urge my colleagues to support this important amendment which strengthens the legislation, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. COHEN

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 115–363.

Mr. COHEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 11, insert after ''settlement agreement'' the following: ''(except as provided in subsection (g))''.

Add at the end of the bill the following:

(g) EXCEPTION.—The provisions of this Act do not apply in the case of a settlement agreement in relation to discrimination based on race, religion, national origin, or any other protected category.

The Acting CHAIR. Pursuant to House Resolution 577, the gentleman from Tennessee (Mr. COHEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. Mr. Chairman, the reason I have this amendment is because I don't think the bill is a good bill, and it shouldn't affect settlement agreements on the basis of race, religion, national origin, or any other protected category.

I was kind of shocked that it was put in order; I will be even more shocked if it passes. But the reality is it doesn't make any difference because this bill isn't going anywhere in the Senate.

□ 1615

Most of what we do in the Judiciary Committee is highly partisan matters that won't go anywhere in the Senate. We are one of the four committees of jurisdiction that can deal with matters dealing with the White House, with Russian interference in our election, and with issues concerning obstruction of justice and the firing of James Comey with Emoluments Clause violations, abuse of power, and attacks on the judiciary.

The Senate and House Intelligence Committees have investigations. So does the Senate Judiciary Committee. Only our committee has done absolutely nothing. Absolutely nothing.

Today, Senator JEFF FLAKE, a gentleman who I served with in the House and a man of moral rectitude, said he cannot continue to serve in the Senate because to be quiet on issues concerning the White House in relation to decency, truth, and other matters would involve complicity. He couldn't remain complicit.

By our committee not taking any actions concerning activities in the White House, we are complicit. We should be the most responsible committee in the Congress because we are the people's House, and we have the judiciary, the FBI, and elections all within our purview, yet we have remained silent.

Part of the reason that has been said is because other groups are investigating. Well, we are the group that should be doing the investigating because we are the people's House. We don't not take up bills like this because the Senate is not going to pass them. We take them up all the time, throw them over there, and they don't come back.

So I am distraught by the fact that my friend JEFF FLAKE, who is one of the finest people I have served with, a man of rectitude, is not going to run for reelection. He wasn't a knee-jerk Republican, just like BOB CORKER is not a knee-jerk Republican. And both

have said many truths today about what is going on in the executive branch.

We are an equal branch of government that has responsibility to be a check and balance, and the House Judiciary Committee has that responsibility. I once again call on the chairman of the committee to hold hearings on elections, on Russian interference in our elections, on threats to our democracy, on violations of the Emoluments Clause, obstruction of justice, and the firing of the FBI Director.

The FBI is under our charge. We should have hearings. We should have hearings on emoluments. We should have hearings on all of these issues and not be complicit. Being complicit is the same as being guilty.

Mr. Chairman, I ask that we pass the amendment, and I yield back the balance of my time.

Mr. JOHNSON of Louisiana. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Louisiana. Mr. Chairman, the amendment is unnecessary because it would exempt certain discrimination settlements from the bill's ban on third-party payments. But nothing in the underlying bill prevents a victim of discrimination from obtaining relief, and that is the important point.

The Stop Settlement Slush Funds Act of 2016 explicitly permits remedial payments to third-party victims who are directly and proximately harmed by the defendant's wrongdoing. Nor does the bill preclude wider conduct remedies used in discrimination cases.

For example, nothing in the bill bars the Department of Justice from requiring a defendant to implement workplace training and monitoring programs. The ban on third-party payments merely ensures that the defendant remains responsible for performing these tasks itself and is not forced to outsource set sums for the work to third parties who might be friendly with a given administration.

Accordingly, I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. COHEN).

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

Mr. JOHNSON of Louisiana. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Tennessee will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 115–363.

Mr. JOHNSON of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 11, insert after ''settlement agreement'' the following: ''(except as provided in subsection (g))''.

Add at the end of the bill the following:

(g) EXCEPTION.—The provisions of this Act do not apply in the case of a settlement agreement that directs funds to remediate the indirect harms caused by unlawful conduct, including the intentional bypassing, defeating, or rendering inoperative a required element of a vehicle's emissions control system in violation of section 203 of the Clean Air Act (42 U.S.C. 7522).

The Acting CHAIR. Pursuant to House Resolution 577, the gentleman from Georgia (Mr. JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. JOHNSON of Georgia. Mr. Chairman, I rise to offer an amendment to this so-called Stop Settlement Slush Funds Act. It is not a slush fund at all. It is a fund that goes to compensate people who are harmed due to the wrongdoing of mostly large multinational corporations. So this is misnamed. It talks about a slush fund. There is no slush fund involved here.

This is an unwise and odious bill. What my amendment would do would be to exempt cases concerning manipulations of emissions standards from the harshness of this bill. In other words, the Federal Government, through the EPA, could institute a lawsuit against a firm or company, large multinational foreign company like Volkswagen, as it did a couple of years ago, and obtain benefits that would accrue to not just the direct recipients of the harm from Volkswagen, but also to society at large that was harmed by Volkswagen's fraudulent activity.

What happened was that Volkswagen sold about 590,000 diesel-powered vehicles here in the United States. These vehicles were supposed to conform with U.S. law insofar as emissions standards are concerned. What Volkswagen did was put a mechanism in the cars that would defeat the ability of the regulators who wanted to check to find out whether or not the vehicles complied with emissions standards. So Volkswagen cheated. They sold 590,000—almost 600,000—vehicles on America's roads that were unknowingly polluting the very air that all of us breathe. So we all suffered a harm as a result of Volkswagen's fraud. But there were 590,000 vehicle owners who had to be protected as well.

So the EPA sued Volkswagen. Volkswagen knew they were wrong. They settled the case. It was about $15 billion. That shows you how much money they have and how much money they are trying to protect here with this bill. The $15 billion was to go to compensate the aggrieved vehicle owners as well as society at large for the harm that was done due to the fraudulent conduct.

Now, what this legislation would do would be to cut the ability of the U.S. Government to sue a corporate wrongdoer and receive benefits that it would then put into the hands of the individuals who were harmed, as well as to rectify the harm done to society.

This amendment would exempt this kind of case, the Volkswagen case, from the harsh restrictions of this legislation. So I would ask, in the interest of our environmental consciousness, that this body would vote in favor of this amendment.

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

Mr. JOHNSON of Louisiana. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Louisiana. Mr. Chairman, this amendment is unnecessary because it would exempt settlements that direct funds to remedy indirect harm resulting from violations of the Clean Air Act and other violations. But that is precisely the problem.

How best to address indirect harm is a policy question that is properly decided by the elected representatives of Congress only and not by agency bureaucrats or prosecutors.

An example that highlights this is the $2.7 billion mitigation fund that the Department of Justice required in its settlement of claims against Volkswagen. That fund mitigated direct harm, which is permitted under this bill.

The problem was that, through a second fund, the Obama Justice Department required Volkswagen to spend an additional $2 billion on an administration electric vehicle initiative after Congress twice refused to appropriate funds for it. It is that subversion of Congress' power of the purse that this bill is designed to target. Nothing in this bill lets corporate polluters off the hook, and it is nonsense to say otherwise.

If direct remediation of the harm is impossible or impractical, the full penalty is still paid, but it goes to the Treasury. After that, the decision on how best to use it is left to the people's elected representatives in Congress rather than the executive branch.

Accordingly, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Mr. JOHNSON of Georgia. Mr. Chairman, it is nonsense to say that this bill protects corporate polluters and corporate wrongdoers—that is what we just heard—and that the amendment is unnecessary because it addresses indirect harm, and that indirect harm should be addressed by not bureaucrats in the EPA, but by Congress.

Now, we all know how gridlocked Congress has been over the years. There has been nothing coming out of this Congress. I predict they won't even be able to do—they couldn't do repeal and replace. They were at it for 9 months, stalled everything else out,

couldn't do repeal and replace. So now they are on comprehensive, what they call, tax reform, which is only tax breaks for the top 1 percent when you peel everything back.

They are not going to be able to do that because my friends in the Freedom Caucus will prevent them from adding $1.5 trillion to the national debt. I support them in that endeavor. They can count on my vote for that.

But this is nonsense, ladies and gentlemen. We have to stop protecting these corporate wrongdoers and put the hands back into the courts and to the American people.

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

Mr. CICILLINE. Will the gentleman yield?

Mr. JOHNSON of Louisiana. I yield to the gentleman from Rhode Island.

Mr. CICILLINE. Mr. Chairman, I just want to ask the gentleman a question.

You made reference to the decision of—I forget the word you used to describe bureaucrats.

Mr. JOHNSON of Louisiana. I have the script right here. Let me tell you how I define them.

I don't know. Bureaucrats. You tell me.

Mr. CICILLINE. I think you said some pejorative word describing bureaucrats.

But I just want to ask the gentleman—the settlements that are described or the subject of this legislation, of course, are settlements that would require court approval and enforcement. So I think in fairness, when you say it is so that a bureaucrat doesn't get to decide this, this is pursuant to litigation which the parties come to an agreement that then the court must approve.

So this is really about respecting the ability of the court to assess the propriety of a judgment. And I think there was a very famous decision where one of the courts said the purpose of the Clean Water Act was not to endow the Treasury, but to prevent harm. So the idea is not just to generate money for the government, but to actually remediate and respond to the harm that was caused by the corporate wrongdoer.

I think that is why Mr. JOHNSON's amendment is important, brilliant, and deserves our support.

Mr. JOHNSON of Louisiana. Mr. Chairman, reclaiming my time about the brilliant amendment, it is, again, not necessary.

And in response to the question, the court does not always approve every one of these; and that is the point.

The gist of this amendment and the purpose of the bill is to restore and strengthen our Article I power under the Constitution. You may not like the way Congress operates, you may not like all of the decisions that are made here, but in their infinite wisdom, this is how the Founders designed our system. It has worked very well, and it will continue to do so. For that reason, I oppose the amendment.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. JOHNSON).

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

Mr. JOHNSON of Louisiana. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 4 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 115–363.

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 11, insert after ''settlement agreement'' the following: ''(other than an excepted settlement agreement)''.

Page 4, strike line 4, and insert the following:

(d) DEFINITIONS.—In this Act:

(1) The term ''excepted settlement agreement'' means a settlement agreement that pertains to providing restitution for a State.

(2) The term ''settlement agreement''

The Acting CHAIR. Pursuant to House Resolution 577, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, I think, when we come to the floor, we are obligated to as much educate our colleagues who may be back in their offices or in meetings as it is to educate the general public.

□ 1630

The name of this bill is distorted and incorrect. I think it is important to note what happens when the Department of Justice engages in lawsuits on behalf of the American people, and they are the American people's lawyer, or they are sued.

In many instances, there is something called a consent decree and a settlement that generates funds that can be utilized for the betterment of the American people.

So why don't you view this side of the aisle with the betterment of the American people because we are questioning legislation that would eliminate the opportunity for those who are doing good work to be funded by career professionals in the Justice Department.

So the basis of this bill is to throw this money over into the Congress, of which I have great respect in terms of its Article I powers, requiring a congressional appropriation for each beneficiary fund established as relief in a lawfully negotiated settlement to victims, such as in the case of predatory lending, employment discrimination, pollution, environmental hazards, and would greatly strain Congress' already limited legislative resources and scarce time.

They want us to now, line by line, disseminate these funds that can be done by career professionals dealing with improving on the issue upon which the government was sued. It opens the doors to industry influence and obstruction.

I don't believe we have earmarks anymore. I happen to be a supporter of getting moneys to the community. We don't have an appropriations bill now, we don't have a budget now. So it is almost November, and the Congress has not yet appropriated funds to run the government nor have they passed a budget. That would be the maze of which you would throw a very proficient process of allowing these funds to be distributed.

The Jackson Lee amendment would exempt from this confused bill settlement agreements that would provide restitution to States that are not parties to the litigation. That means, for example, after Hurricane Harvey, there was an explosion at the Arkema chemical plant. Nine trailers exploded and several first responders went to the hospital. I would want to seek funds to be able to help them.

We also understand that there are many organizations representing the people. Public Citizen, a nonprofit membership organization, they are against it. The Urban League is against it. The counties have issued a resolution, local counties. They are against it.

I think there is no clearer evidence to vote this particular bill down, but to support the Jackson Lee amendment.

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

Mr. JOHNSON of Louisiana. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Louisiana. Mr. Chairman, the amendment would exempt settlements providing restitution to a State, the idea presumably being that the State could then distribute money as it sees fit for generalized harm to its citizens, but nothing in this bill prevents Congress from making block grants to States to address generalized harm. Indeed, Congress regularly appropriates money to States to deal with challenges, including environmental cleanups. Examples of this include the EPA Superfund and the Brownfields grants.

This bill merely insists that decisions on when such grants are appropriate and in what amounts, that those decisions be made by accountable representatives in Congress and not agency bureaucrats and prosecutors.

Compensating direct victims is a job for the Justice Department. Broader projects are a policy question that should be decided by Congress.

Mr. Chair, accordingly, I urge my colleagues to oppose this amendment, and I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Chairman, this is my very point. My very point is a transparent and clear system of distribution of funds, and the career professionals determining what entities need those funds is a clearer system than what would occur if moneys were dumped onto Congress outside of the normal budgetary and appropriations process, of which we are having a very difficult time as we speak.

The process that we have now, my amendment says that these settlement agreements that provide restitution to States that are not parties to the litigation, they shouldn't be covered by the elimination of the right for the career professionals to distribute these funds.

It also acknowledges the respect for the Congress and the work that it has to do, but it also acknowledges counties like Jefferson County, Texas, the resolution to the National Association of Counties. They are against this bill because it would disallow funds derived from court settlements for injuries to the environment from being distributed to States, counties, and parishes, borrowers in proximity to the pollution event. These are real people representing real people right on the ground asking for us to not pass this legislation.

I would say to my good friend, why don't we use our Article I powers to begin investigations on the separation of powers relevant to the administration and its actions. Why don't we begin looking at whether there are high crimes and misdemeanors.

I mean, there are many things that our Article I powers can do, but, in this instance, I think that this has not proven to be a failure, and the only failure in it is the obsession that my friends have with the past administration.

I want to have something that has worked for the county governments, people who live in counties and cities and States. If they were harmed during Hurricane Harvey, for example, by an explosion and 23 first responders went to the hospital and many houses were evacuated, I believe it would be appropriate to leave the system in which those dollars can go directly to those counties and cities and States and to improve the quality of life.

Mr. Chair, I ask my friends to support the Jackson Lee amendment.

Mr. Chair, the proposed legislation, as currently drafted, could be construed to preclude all third-party payments in settlement agreements, other than restitution to identifiable victims.

Requiring a congressional appropriation for each beneficiary fund established as relief in a lawfully negotiated settlement to victims, such as in cases of predatory lending, employment discrimination and pollution through environmental hazardous, would greatly strain Congress' already limited legislative resources and scarce time, while opening the doors to industry influence and obstruction in routine enforcement matters.

Congress lacks the time, expertise, and resources to properly review and make enforcement decisions on behalf of Federal agencies.

The cost of delays associated with this scheme would have devastating consequences for the public health, environment, and local communities.

Accordingly, the Jackson Lee Amendment would excecpt cases where funds are directed to states to remediate the generalized harm of unlawful conduct beyond harms to identifiable victims.

Specifically, the Jackson Lee Amendment would exempt from H.R. 732 settlement agreements that provide restitution to states that are not parties to litigation.

As you know, following the subprime meltdown, the U.S. Department of Justice pursued lawsuits against mortgage lenders and banks that engaged in discriminatory lending practices, such as those targeted by this legislation.

Research shows that African Americans and Latinos were discriminated against and steered into subprime loans even when they qualified for conventional loans.

Moreover, African Americans and Latinos were two to three times more likely than white homebuyers to receive subprime loans which resulted in foreclosure rates 10 times that of conventional loans.

Pursuant to the settlement agreements, available under current law, the Justice Department ordered that financial institutions dedicate a portion of their settlement payments to U.S. Department of Housing and Urban Development (HUD) certified housing counseling intermediaries to provide consumer relief in the communities that were hit hardest.

HUD has approved 37 housing counseling intermediaries that financial institutions have the discretion to choose as third-party providers of consumer relief under the terms of the Justice Department settlement agreements.

Additionally, these HUD-certified housing counseling providers deliver financial education and coaching to individuals to inform them of their home-buying options and rights, and to ensure they become and remain homeowners.

In fact, since 2008, 40 affiliates have provided housing counseling services—to date serving more than 200,000 clients in mostly underserved areas.

The success of housing counseling programs is undisputed.

Borrowers who have used housing counseling are one-third less likely to be seriously delinquent on their loan payments, and those who are in default are 60 percent more likely to save their homes.

The benefits of these programs are tangible and must continue to be made available to the public.

This example is particularly pertinent as Houston recovers from hurricane Harvey, a tragedy that displaced tens of thousands of my constituents.

There are still over 61 thousand people living in hotels throughout Texas.

Under current law, the Environmental Protection Agency (EPA) may include Supplemental Environmental Projects (SEPs) in settlement agreements to offset the harms of unlawful conduct by requiring parties to undertake an environmentally beneficial project or activity that ''is not required by law,'' but that a defendant agrees to undertake as part of the settlement of an enforcement action.

In 2012, the EPA and Justice Department resolved the civil liability of MOEX Offshore through a settlement agreement resulting from the Deepwater Horizon oil spill, that included funds to several Gulf states, including Texas, where Texas was not a party to the complaint, but received $3.25 million for SEPs and other responsive actions.

H.R. 732, would prohibit these agreements and many of the important benefits now provided by EPA.

The bill's definition excludes, ''any payment by a party to provide restitution for or otherwise remedy the actual harm (including to the environment), directly and proximately caused by the alleged conduct of the party that is the basis for the settlement agreement.''

This exception is too narrowly drawn to allow for numerous beneficial uses of settlement monies.

Thus, for example, the bill would appear to ban the following entirely legitimate, appropriate uses of settlement funds that are currently permitted by EPA:

(1) Pollution prevention projects that improve plant procedures and technologies, and/or operation and maintenance practices, that will prevent additional pollution at its source;

(2) Environmental restoration projects including activities that protect local ecosystems from actual or potential harm resulting from the violation;

(3) Facility assessments and audits, including investigations of local environmental quality, environmental compliance audits, and investigations into opportunities to reduce the use, production, and generation of toxic materials;

(4) Programs that promote environmental compliance by promoting training or technical support to other members of the regulated community; and

(5) Projects that provide technical assistance or equipment to a responsible state or local emergency response entity for purposes of emergency planning or preparedness.

Each of these programs provide important protections of human health and the environment in communities that have been harmed by environmental violations.

However, because they are unlikely to be construed as redressing ''actual (environmental) harm, directly and proximately caused'' by the alleged violator, the bill before this committee would prohibit every one of them.

On August 31, 2017, in the aftermath of Hurricane Harvey, dangerous chemicals at the Arkema chemical facility in Crosby, Texas, exploded and burned.

Nine trailers at the plant contained organic peroxides that first exploded and burned, sending 23 first responders to the hospital. In addition, despite a 1½ mile radius evacuation from the chemical releases, dozens of residents were effected for days by the noxious fumes, including headaches, dizziness, vomiting, and burning eyes.

This recent incident is a prime example of how restitution to a community under an enforcement settlement should work. EPA should (not sure if they are) engage in enforcement activities against Arkema, including civil fines and restitution to the community. There were

clear health impacts on many in the community and a settlement could, as an example, fund health care assistance short term, or even long term monitoring of lung health. However, if H.R. 732 were law, only first responders would likely have the ability to seek restitution. This is not okay. It utterly fails to help make a community whole after such a terrible event.

Background facts:

23 first responders were sent to the hospital due to exposure to chemical fumes.

Residents within a 1½ mile radius were asked to evacuate, though in this low-income neighborhood in the aftermath of the storm, many were unable to.

Congressman TED POE (R–TX), and original cosponsor of H.R. 732 and representative of the district that plant and affected community are located in, at the time told ABC News as events were unfolding that the situation was ''very dangerous . . . (and) . . . the worst-case scenario is that this chemical plant could explode.''

For these reasons, I urge my colleagues to join me in support of the Jackson Lee Amendment.

PROPOSED RESOLUTION ON THE STOP SETTLEMENT SLUSH FUNDS ACT

A resolution from Jefferson County, Texas to the National Association of Counties seeking to maintain the status quo for states, counties, parishes and boroughs being able to receive damages payments for environmental crimes in proximity to them (e.g., Exxon Valdez and Deepwater Horizon).

Issue: H.R. 732, a bill that may restrict or disallow Department of Justice Supplemental Environmental Plans from benefiting states, counties, parishes and boroughs in proximity to pollution events that result in court settlements for environmental damages.

Proposed Policy: The National Association of Counties (NACo) opposes any provisions within the final version of H.R. 732 that would disallow funds derived from court settlements for injuries to the environment from being distributed to states, counties, parishes and boroughs in proximity to the pollution event.

Background: On Jan 30, 2017, Representative Goodlatte, along with 34 other cosponsors, introduced the Stop Settlement Slush Funds Act of 2017 (H.R. 732) which could ban or restrict the current practice involving Supplemental Environmental Projects' distribution of court settlement proceeds to states, counties, parishes and boroughs.

H.R. 732 has been referred to the U.S. House of Representatives Judiciary Committee and assigned to the Regulatory Reform, Commercial & Antitrust Law Subcommittee.

Members of the Committee are unclear about H.R. 732's provisions relating to payments to remediate direct harm, including environmental harm, done by defendant's wrongful activity.

This is particularly important in the environmental context, in which the injury to the environment may be diffuse and there may be no identifiable victims.

Currently, the U.S. Department of Justice and the Congress may both have roles in determining eligibility for states, counties, parishes and boroughs in proximity to a pollution event for receiving funds from a settlement agreement.

H.R. 732 is unclear on this issue, prompting dissenting opinions about whether the bill prevents states, counties, parishes and boroughs in proximity to pollution events (e.g., the Exxon Valdez and Deepwater Horizon oil spills) from receiving funds derived from court settlements.

NACo should oppose any provision in H.R. 732 that modifies or restricts current practice in distributing proceeds from court settlement agreements for environmental damage events.

Fiscal/Urban/Rural Impact: Congressional concurrence with this NACo resolution upholds the status quo practice in court settlement agreements for environmental events.

Sponsor: Jeff R. Branick, Judge, Jefferson County, Texas

Ms. JACKSON LEE. Mr. Chair, I yield back the balance of my time.

Mr. JOHNSON of Louisiana. Mr. Chair, I would just respond to my learned colleague by quoting a renowned liberal legal scholar, the late Abner Mikva, who explained in a law review article back in 1986, that even if it were less efficient to go through Congress, that would be no reason to cede the point of principle. This is what he wrote:

''To ensure that Congress would act as the first branch of government, the constitutional Framers gave the legislature virtually exclusive power to control the Nation's purse strings. . . . They knew that the power of the purse was the most far-reaching and effectual of all governmental powers. . . . Doubtless they understood that a collection of diverse individuals representing diverse interests . . . would less efficiently and less coherently devise fiscal policy than would a single 'treasurer' or 'fiscal czar.' Yet they chose, for good reason, to suffer this cost and bear its risks.''

That is from a liberal legal scholar, and, of course, conservatives agree.

The system that the Founders set up, the reason and purpose for Article I, is to allow these major decisions to be made by the elected Representatives of Congress, and, for that reason, we oppose the amendment.

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

The Acting CHAIR (Mr. DONOVAN). The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. JACKSON LEE. 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 gentlewoman from Texas will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. CICILLINE

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 115–363.

Mr. CICILLINE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 11, insert after ''settlement agreement'' the following: ''(except as provided in subsection (g))''.

Add at the end of the bill the following:

(g) EXCEPTION.—The provisions of this Act do not apply in the case of a settlement agreement that resolves the criminal or civil liability of a financial institution for the predatory or fraudulent packaging, securitization, marketing, sale and issuance of residential mortgage-backed securities.

The Acting CHAIR. Pursuant to House Resolution 577, the gentleman from Rhode Island (Mr. CICILLINE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. CICILLINE. Mr. Chair, I rise in support of my amendment, which would exempt from H.R. 732 any settlement agreement that directs funds to reduce the effects of the mortgage foreclosure crisis through foreclosure prevention assistance programs.

There is little debate that predatory and fraudulent activity in the residential mortgage securities market was the primary cause of the mortgage foreclosure crisis.

As U.S. District Court Judge Max Cogburn observed in 2014, one need not ''be an expert in economics to take notice that it was the trading of toxic RMBS''—residential mortgage-backed securities—''between financial institutions that nearly brought down the banking system in 2008.''

The financial crisis blighted entire cities and communities, resulting in more than 13 million Americans losing their homes between 2006 and 2014, an average of 850,000 per year.

Beyond the life-changing hardship and stress placed on families by unlawful conduct in the housing market, the exponential rise in foreclosures imposed significant external costs on families and communities across the Nation.

Fraudulent activity in the housing market depressed home and commercial real estate values, undermined economic development and municipal revenue, deprived communities of public services, and resulted in increases of violent crime in communities of significant foreclosure activity.

Leading studies have also documented the contagious effects of foreclosures, and not just the neighborhood immediately affected by the foreclosures, but nearby vicinities as well, underscoring the diffuse and systemic impacts of unlawful mortgage securities practices.

In response to the financial crisis, President Obama announced in 2012, the creation of an investigatory unit within the Justice Department to: '' . . . hold accountable those who broke the law, speed assistance to homeowners, and help turn the page on an era of recklessness that hurt so many Americans.''

This unit secured more than $40 billion in civil penalties, compensation, and consumer relief through settlement with five financial institutions for alleged misconduct involving the packaging, marketing, and sale of residential mortgage-backed securities.

Geoffrey Graber, who directed this effort within the Justice Department,

testified in 2015 that these settlements meaningfully addressed the vicious cycle of harm caused by fraud in the housing market by achieving accountability from financial institutions that engaged in wrongdoing related to residential mortgage-backed securities, and to the extent possible, bringing some measure of relief to homeowners who suffered as a result of the financial crisis.

In addition to civil penalties, these settlements included statements of fact describing the pervasive fraud that permeated the mortgage market. In just one example, a bank employee stated that he would not be surprised if half of these loans went down, and that the banks should start praying.

The settlements also included consumer relief provisions designed to enable many Americans to stay in their homes by directing funds to distressed homeowners, community reinvestment and stabilization, and income-based lending for borrowers who lost homes to foreclosure.

The Department's settlement with Citigroup and Bank of America additionally directed $50 million in funds to charitable housing council programs and legal aid organizations to provide counsel to homeowners entitled to relief under the settlement because they were directly affected by the fraudulent and predatory conduct of the settling banks.

As the Center for American Progress has noted, these funds account for less than 1 percent of the overall amount of each settlement, and will support services provided by housing counselors and other trusted intermediaries that enable consumers to access the consumer relief to which they are entitled under the settlements.

We should be doing everything in our power to keep American families in their homes and off the streets, not letting big banks off the hook for their predatory and fraudulent practices, and so I urge my colleagues to adopt this amendment that will address this very important issue.

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

Mr. JOHNSON of Louisiana. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Louisiana. Mr. Chair, this amendment would exempt settlements resolving allegations of predatory or fraudulent conduct involving residential mortgage-backed securities, as we have heard. Ironically, it creates an exception in the very situation in which the abuses we highlighted earlier arose.

The key point here is that nothing in the underlying bill prevents direct victims of mortgage fraud from obtaining relief.

The concern of this amendment is that there may be cases of generalized harm to communities that cannot be addressed by restitution, but this misses the fundamental point.

The Department of Justice has authority to obtain redress for victims. Federal law defines victims to be those ''directly and proximately harmed'' by the defendant's acts.

Once those victims have been compensated, deciding whether additional moneys, other than for penalties, should be allocated to address related problems becomes a policy question properly decided by elected representatives in Congress and not agency bureaucrats or prosecutors.

Indeed, Congress already funds homeowner assistance programs through the annual appropriations process, balancing it against competing priorities.

As we have repeated throughout this debate, the spending power is one of Congress' most effective tools in reining in the executive branch. This is true, by the way, no matter which party is in the White House.

This amendment would weaken that essential congressional power, and, for that reason, we urge Members to oppose it on institutional grounds.

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

Mr. CICILLINE. Mr. Chair, if I might just say briefly, the notion that Congress can just do these appropriations itself sort of misses the point. It is the responsibility of Article III courts to hear disputes, supervise litigation, and enforce settlements.

It is an odd moment for Congress to take on the work of another branch of government when we can't even do our own work here.

Mr. Chair, I yield the balance of my time to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, I thank the gentleman, my friend, for yielding.

Mr. Chair, this is a subject that I think we have a great deal of experience on in this country. It is only a decade since the housing crisis wreaked havoc, not just on individual families, but on whole communities.

□ 1645

The notion that one of the available tools that we can deploy to deal with the consequence of this sort of predatory activity by going right at the source of that predation and require them to supply the resources to offset the impact of that activity is something that we really ought to think carefully about.

Mr. Chair, mortgage foreclosures wreck families, but also wreck communities. We ought to use every tool we can to prevent them by ensuring that individuals know and have access to the resources they need in order to prevent this from happening again. The impact is devastating, and we ought to do everything we can to prevent it from happening again.

Mr. CICILLINE. Mr. Chair, I yield back the balance of my time.

Mr. JOHNSON of Louisiana. Mr. Chairman, I would just respond by saying that those compelling policy arguments should be made appropriately in this Chamber, and it is the elected representatives of the people in this Chamber who can make those fateful decisions. There may be good arguments. There may be things that we need to do, but the point is that we are the persons who have the constitutional authority to make those decisions, not bureaucrats, not prosecutors.

Mr. Chair, for these reasons, I oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CICILLINE. 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 Rhode Island will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. CONYERS

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 115–363.

Mr. CONYERS. 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:

Page 3, line 11, insert after ''settlement agreement'' the following: ''(except as provided in subsection (g))''.

Add at the end of the bill the following:

(g) EXCEPTION.—The provisions of this Act do not apply in the case of a settlement agreement that directs funds to remediate the indirect harms caused by unlawful conduct resulting in an increase in the amount of lead in public drinking water.

The Acting CHAIR. Pursuant to House Resolution 577, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, my amendment would exempt from H.R. 732 settlement agreements that direct funds to remediate the indirect but catastrophic effects of unlawful conduct resulting in lead contamination in public drinking water.

Lead contamination in public drinking water is potentially a national public health crisis as older cities continue to rely on aging lead pipes for the delivery of public drinking water.

A report from the American Water Works Association estimates that this problem could potentially affect millions of water service lines. For example, Highland Park, located in my district, has been dealing with issues resulting from aging lead pipes. Just last month, officials closed public water fountains and fixtures due to unsafe samples of lead in public drinking water.

The well-publicized Flint water crisis is another painful example of the disastrous consequences of lead contamination in public drinking water.

The director of the pediatric residents at Hurley Children's Hospital in Flint wrote: ''To understand the contamination of this city, think about drinking water through a straw coated in lead. As you sip, lead particles flake off into the water and are ingested. Flint's children have been drinking water through lead-coated straws.''

The Flint water crisis has generated numerous lawsuits by individuals, local and State agencies, and public interest organizations such as the Natural Resources Defense Council and the American Civil Liberties Union.

While these cases tend to involve numerous victims directly affected by unlawful conduct, they can also affect the interests of persons who are not parties to the case or are likely to receive compensation for unlawful conduct.

Given the systemic nature of lead contamination in drinking water, settlement agreements resolving civil and criminal liability related to the Flint water crisis may require setting aside funds for unidentifiable victims, directing payments to address generalized harm, or establishing an environmental compliance program to avoid lead contamination in the future.

Unfortunately, these entirely legitimate forms of indirect remediation of environmental harms would be prohibited by H.R. 732.

Mr. Chair, accordingly, I urge my colleagues to support the amendment, and I reserve the balance of my time.

Mr. JOHNSON of Louisiana. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JOHNSON of Louisiana. Mr. Chair, this amendment undercuts Congress' power. It is another attempt to do so, and it should be opposed for that reason.

It would exempt settlements that direct funds to remedy indirect harm resulting from lead in drinking water. It is a terrible problem. The amendment is forced to focus on indirect harm because nothing in the bill prevents remediation of direct harm.

But settlement provisions addressing indirect harm are precisely why this bill is needed. The bill's guiding principle is that once direct victims have been compensated, deciding the best use of additional funds to address related problems—whether that is addressing indirect harms or otherwise—is, again, a policy question properly decided by elected representatives in Congress and not agency bureaucrats or prosecutors.

We have proven the point. Last year, Congress actually acted on this. Congress appropriated $120 million to address drinking water problems in Flint, Michigan. If there is further need, Congress can make additional appropriations. The Department of Justice should not be permitted to augment those funding decisions entirely outside of the congressional appropriations and oversight processes because they are important to protect and preserve.

Again, the spending power is one of Congress' most effective tools in reining in the executive branch, and we cannot afford to weaken that essential congressional power.

Mr. Chair, for these reasons, I urge all Members to oppose this amendment on institutional grounds, and I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield the balance of my time to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chair, I appreciate the gentleman yielding, and particularly for this thoughtful amendment. I am from Flint; born and raised in Flint. I represent Flint. I was here on the floor and I was the one pushing for the legislation that the gentleman on the other side mentioned that provided $120 million to help offset the cost of this terrible tragedy.

When I introduced the first legislation, we calculated what the total direct and indirect cost was: $1.5 billion.

Now, here is the point: again, we ought not put a community like Flint in the position of having to depend on this Congress to fully fund the total cost of that recovery, or another community that might be facing a similar situation.

If the gentleman is sincere that Congress can act to help offset the incredible indirect costs that my home community is facing, then I would suggest the gentleman join me in my effort to do just that. So far, Congress has not done that.

The notion that we would exempt the people of Flint from access to the resources that could be determined by a court as being part of the justice that they deserve is not an act that we ought to engage in.

Flint, as sad as this case is, is not an anomaly. Flint is a warning, and when we need to make sure we heed that warning.

Mr. CONYERS. Mr. Chair, I yield back the balance of my time.

Mr. JOHNSON of Louisiana. Mr. Chairman, I would just respond by saying that no tragedy, however sad and however large, justifies us deviating from our Constitution, from the way the Founders set up this system and the way that this body operates. There is a reason that these responsibilities were given to us as Members of Congress. Each of us has the same challenge. When there is a tragedy or a mishap or a natural disaster or anything that affects our districts, our job is to come here and convince a sufficient number of our colleagues to support those appropriations to handle those measures. The system is designed with safeguards in place. It is designed so that the interests of the entire Nation can be represented here in this Chamber. For that reason, this amendment would bypass that. It would bypass the design. It would bypass article I, and it would create a whole different way of governing. We simply can't allow that.

Mr. Chair, this is about preserving the original intent of the Constitution, preserving the power of this body. For that reason, I oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CONYERS. 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 Michigan will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 115–363 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. COHEN of Tennessee.

Amendment No. 3 by Mr. JOHNSON of Georgia.

Amendment No. 4 by Ms. JACKSON LEE of Texas.

Amendment No. 5 by Mr. CICILLINE of Rhode Island.

Amendment No. 6 by Mr. CONYERS of Michigan.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. COHEN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Tennessee (Mr. COHEN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 187, noes 233, not voting 12, as follows:

[Roll No. 575]

AYES—187

Adams	Castor (FL)	DeFazio
Aguilar	Castro (TX)	DeGette
Beatty	Chu, Judy	Delaney
Bera	Cicilline	DeLauro
Beyer	Clark (MA)	DelBene
Bishop (GA)	Clarke (NY)	Demings
Blumenauer	Clay	DeSaulnier
Blunt Rochester	Cleaver	Deutch
Bonamici	Clyburn	Dingell
Boyle, Brendan F.	Cohen	Doggett
	Connolly	Doyle, Michael F.
Brady (PA)	Conyers	
Brown (MD)	Correa	Ellison
Brownley (CA)	Costa	Engel
Bustos	Courtney	Eshoo
Butterfield	Crist	Espaillat
Capuano	Crowley	Esty (CT)
Carbajal	Cuellar	Evans
Cárdenas	Cummings	Foster
Carson (IN)	Davis (CA)	Frankel (FL)
Cartwright	Davis, Danny	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
Loebsack
Lofgren
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
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
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
Yarmuth

NOES—233

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cooper
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
Foxx
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
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)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
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
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
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
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
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—12

Barletta
Barragán
Bass
Bridenstine
Burgess
Huizenga
Joyce (OH)
Long
Lowenthal
Scalise
Trott
Wilson (FL)

□ 1721

Messrs. JORDAN, DUNN, WALDEN, COMER, SIMPSON, BABIN, GROTHMAN, DENT, and DUFFY changed their vote from ''aye'' to ''no.''

Ms. WASSERMAN SCHULTZ, Messrs. JEFFRIES, DOGGETT, and Ms. SEWELL of Alabama changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. JOHNSON OF GEORGIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. JOHNSON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 235, answered ''present'' 1, not voting 13, as follows:

[Roll No. 576]

AYES—183

Adams
Aguilar
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
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
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
Yarmuth

NOES—235

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cooper
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
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
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)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
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
Newhouse
Noem
Norman

Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
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
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
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

ANSWERED ''PRESENT''—1

Griffith

NOT VOTING—13

Barletta
Barragán
Bass
Bridenstine
Burgess
Huizenga
Joyce (OH)
Long
Lowenthal
Scalise
Shea-Porter
Trott
Wilson (FL)

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1726

Mr. BISHOP of Michigan changed his vote from ''aye'' to ''no.''

Mr. GONZALEZ of Texas changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MS. JACKSON LEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 185, noes 234, not voting 13, as follows:

[Roll No. 577]

AYES—185

Adams
Aguilar
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
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
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
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
Yarmuth

NOES—234

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cooper
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
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gottheimer
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
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)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
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
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
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
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
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—13

Barletta
Barragán
Bass
Bridenstine
Burgess
Huizenga
Joyce (OH)
Long
Lowenthal
Scalise
Scott, Austin
Trott
Wilson (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1730

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. CICILLINE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Rhode Island (Mr. CICILLINE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 231, not voting 12, as follows:

[Roll No. 578]

AYES—189

Adams
Aguilar
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
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)

Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Griffith
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
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
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
Yarmuth

NOES—231

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cooper
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Loudermilk
Love
Lucas
Luetkemeyer
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
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
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
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—12

Barletta
Barragán
Bass
Bridenstine
Burgess
Huizenga
Long
Lowenthal
MacArthur
Scalise
Trott
Wilson (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1735

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. CONYERS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. CONYERS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 191, noes 229, not voting 12, as follows:

[Roll No. 579]

AYES—191

Adams
Aguilar
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
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
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 (NJ)
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
Yarmuth

NOES—229

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Cook
Cooper
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
Foxx
Franks (AZ)
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
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
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
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
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
Sinema
Smith (MO)
Smith (NE)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
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—12

Barletta
Barragán
Bass
Bridenstine
Burgess
Comstock
Huizenga
Long
Lowenthal
Scalise
Trott
Wilson (FL)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining on this vote.

□ 1739

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR. There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BYRNE) having assumed the chair, Mr. DONOVAN, 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. 732) to limit donations made pursuant to settlement agreements to which the United States is a party, and for other purposes, and, pursuant to House Resolution 577, he reported the bill, as amended by that resolution, back to the House with a further 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.

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.

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 5-minute vote on passage of the bill will be followed by a 5-minute vote on the motion to suspend the rules and pass H.R. 3898.

The vote was taken by electronic device, and there were—ayes 238, noes 183, not voting 11, as follows:

[Roll No. 580]

AYES—238

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Cooper
Correa
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
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gottheimer
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
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
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
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peters
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
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
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—183

Adams
Aguilar
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
Costa
Courtney
Crist
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
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
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
Yarmuth

NOT VOTING—11

Barletta
Barragán
Bass
Bridenstine
Burgess
Huizenga
Long
Lowenthal
Scalise
Trott
Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1747

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

OTTO WARMBIER NORTH KOREA NUCLEAR SANCTIONS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 3898) to require the Secretary of the Treasury to place conditions on certain accounts at United States financial institutions with respect to North Korea, and for other purposes, 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 Kentucky (Mr. BARR) 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 415, nays 2, not voting 15, as follows:

[Roll No. 581]

YEAS—415

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barr
Barton
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)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davidson
Davis (CA)
Davis, Danny
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
Espaillat
Estes (KS)
Esty (CT)
Evans
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
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
Hultgren
Hunter
Hurd
Issa
Jackson Lee
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)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Loudermilk
Love
Lowey
Lucas
Luetkemeyer
Lujan Grisham, M.
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
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)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—2

Amash
Massie

NOT VOTING—15

Barletta
Barragán
Bass
Bridenstine
Burgess
Conyers
Gaetz
Gottheimer
Huizenga
Long
Lowenthal
Scalise
Swalwell (CA)
Trott
Wilson (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1753

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.

The title of the bill was amended so as to read: ''A bill to impose secondary sanctions with respect to North Korea, strengthen international efforts to improve sanctions enforcement, and for other purposes.''.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H. CON. RES. 71, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2018

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 115–369) on the resolution (H. Res. 580) providing for consideration of the Senate amendment to the concurrent resolution (H. Con. Res. 71) establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027, which was referred to the House Calendar and ordered to be printed.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 3545

Mr. MULLIN. Mr. Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 3545, a bill originally introduced by Representative MURPHY of Pennsylvania, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 3798

Mrs. WALORSKI. Mr. Speaker, I ask unanimous consent to remove Representative ED PERLMUTTER as a cosponsor of my bill H.R. 3798. He was mistakenly added to the legislation.

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

There was no objection.

BINGHAMTON OPIOID FORUM

(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 discuss a recent community forum I held at Binghamton University to raise awareness about the heroin and opioid epidemic ravaging our country.

Every day in America, more than 144 Americans die of a drug overdose. In Broome County, where our forum was held, 76 people died of an overdose last year, 90 percent from opioids.

Before the forum, I had the opportunity to tour the New Horizons Alcohol & Chemical Dependency program at United Health Services to see firsthand the arduous work our healthcare professionals are undertaking to fight back against this disease.

In addition to the tour, the forum highlighted that our panel of healthcare professionals, law enforcement agencies, and community organizations continues to struggle to keep pace with the rise of addiction, and it became clear to me by the end of the forum that more resources are needed.

It was an honor to bring together members of our community to talk about solutions and highlight that there is hope for the future. I look forward to taking those ideas that I learned at the forum and putting those ideas into action by working with my

colleagues to reduce and eliminate the scourge of addiction.

GOLD STAR FAMILIES

(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, as Americans, we mourn with Gold Star families, but we cannot feel their pain. There is nothing anyone can say or do to really comfort families suffering the loss of a loved one. But there is a lot people can say or do to cause grieving families additional pain, as we have seen over this past week.

As Members of Congress, we are there for our constituents. They are our families. It is our obligation to speak up when they are hurt.

The loss of American servicemembers should not be politicized. Our fallen heroes should be honored.

Sergeant La David Johnson is an American hero.

Staff Sergeant Jeremiah Johnson is an American hero.

Staff Sergeant Bryan Black is an American hero.

Staff Sergeant Dustin Wright is an American hero.

The 28 men and women who lost their lives in service to their country this year are all American heroes. Let us honor their sacrifices and comfort their families, as has been the tradition in this country until last week.

□ 1800

RECOGNIZING BAT WEEK

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

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize Bat Week, which is an annual, weeklong event highlighting the important ecological and economic benefits of bats.

With more than 1,300 different species worldwide, bats are both diverse in appearance and how they keep ecosystems balanced. Bats play an essential role with insect control, pollination, and seed dispersal. One bat can eat 2,000 to 6,000 insects each night, including moths, beetles, flies, mosquitoes, and more.

Because of their incredible appetites, farmers can use fewer pesticides to control insects. This helps our Nation's farmers and saves billions of dollars each year.

Mr. Speaker, bats also play other roles outside of our ecosystems, including in medical research. Scientists studying vampire bats have created anticlotting medication to help stroke victims.

These are just a small portion of the ways bats positively impact our daily lives, and I am pleased to see these wonderful creatures recognized during Bat Week.

I appreciate the great work being performed by private conservation organizations, Fish and Wildlife Service, Forest Service, U.S. Geological Survey, and many other State partners, such as the Pennsylvania Game Commission on Bat Week 2017.

HONORING BUFFALO POLICE OFFICER CRAIG LEHNER

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

Mr. HIGGINS of New York. Mr. Speaker, I rise today in honor of Buffalo Police Officer Craig Lehner, who lost his life in the line of duty this past week. On October 13, tragedy struck. Officer Lehner went missing while performing underwater recovery training in the Niagara River. For 5 days, State, local, Federal, and Canadian agencies heroically assisted in the search and recovery.

Officer Lehner lived a life of service to his country and to his community. A resident of south Buffalo, Lehner was a 9-year veteran of the Buffalo Police Department, a 16-year National Guardsman who served in Iraq, and a member of the canine unit.

Those who knew Officer Lehner knew how much he loved his job and the people of Buffalo. Buffalo is the hardest working city in America, the city of good neighbors.

In the past several days, there has been an outpouring of support for Officer Lehner's family and the Buffalo Police Department. I want to extend thanks to the many brave first responders who worked around the clock in recovery efforts.

Officer Lehner, thank you for your service, and may you rest in peace.

TAX BREAK FOR SENIORS

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

Mr. MESSER. Mr. Speaker, every year, middle class seniors are forced to pay billions in taxes on their Social Security benefits. This tax is fundamentally not fair and penalizes folks who have paid into the system their entire lives.

There is a better way. We should give these seniors a tax cut, let them keep more of their benefits, and create a better, fairer system for all Americans.

In 1984, when Congress passed this tax on seniors, it was designed to only impact high-income seniors, about 14 percent. But the tax was never adjusted for inflation, and today, fully half of seniors are paying this onerous tax. In fact, there are over 280,000 Hoosiers making less than $75,000 per year who are subject to this tax.

I introduced the Social Security Tax Fairness Act to give these seniors the tax break they deserve. This bill cuts taxes for seniors, single and married seniors, and ends the marriage penalty on Social Security benefits, too.

Under this bill, a retired married couple with $70,000 in income will see $2,000 in tax cuts. It is time to deliver tax cuts for every American, and this legislation would ensure Hoosier seniors aren't left behind either.

NEED FOR MORE FEMA INSPECTORS

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

Ms. JACKSON LEE. Mr. Speaker, citing from The New York Times, ''Outside Rachel Roberts' house, a skeleton sits on a chair next to a driveway, a skeleton child on its lap, an empty cup in its hand, and a sign at its feet reads, 'Waiting on FEMA.' ''

I want to acknowledge that FEMA workers from around the country have worked without ceasing, but we have got to do a better job. My constituents in Houston, Harris County, Texas, after Harvey, are waiting on those inspectors.

That is the only way, Mr. Speaker, that they can begin the repair of their homes. Many people are there without coverage and truly need to have their homes repaired.

I have given suggestions. I am sorry that we didn't stand up enough Federal FEMA inspectors. But what about college students, people who are unemployed, using a FEMA app, dividing the area in sectors, finishing one sector then going to another sector? This includes the State of Florida as well. People are on hold for hours at a time.

I have spoken to those who are now looking at it. I want them to know that I appreciate them taking my call and reviewing this, but reach out for help. We have got to have more inspectors. If we do not have inspectors, they will not be able to repair their homes. If they cannot repair their homes, they are living in dangerous conditions. If they are living in dangerous conditions, the quality of life deteriorates.

Help us in Texas. We need more FEMA inspectors. We need them now.

RECOGNIZING THE LIFE OF JOHN HANCOCK

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

Mr. OLSON. Mr. Speaker, when you look at the heavens tonight, you may notice a new bright star. My fellow Texans from Sugar Land and Fort Bend County have seen that star for years. It is our John Hancock.

John enjoyed life with us for 89 years. John is a native Texan, Houston proud, born on February 13 of 1928. He is a Korean Army veteran, 33 years with Mobil Oil, an investment adviser.

John loved many things. He loved University of Texas football, Hook 'em Horns. He loved his Astros, our baseball team. He loved his hometown of Sugar Land. He loved going to church

at Sugar Land First United Methodist Church. He loved to bowl. He bowled 297 points when he turned 80. But most of all, he loved his amazing wife, Linda.

John and Linda are in Heaven together right now. Linda is there saying, ''Roll Tide,'' for her beloved Alabama Crimson Tide playing their football games. John is beside her saying, ''Beat LA,'' which is exactly what his beloved Astros will do in a few hours.

Thank you, John. May the peace of Christ be with you and Linda forever.

RESOLUTION TO COMMEMORATE INTERNATIONAL DAY OF RURAL WOMEN

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

Ms. KAPTUR. Mr. Speaker, on October 15, the world celebrated International Day of Rural Women and the invaluable global contribution of women farmers and small holders.

To do our part in expressing solidarity, I rise to introduce this resolution to commemorate this very important day. According to the United Nations, rural women make up over one-quarter of the globe's total population and represent 43 percent of the agricultural workforce. They play a critical role in agricultural production, food security, and economic stability.

Women serve as the bedrock of society. They feed the world's families. They feed our neighbors and our countrymen and -women. They are admirable role models for younger generations, and unfortunately, despite this, they still face many societal and economic limitations both here and abroad.

This resolution shines a light on women farmers and seeks to empower them to succeed as entrepreneurs. It calls on the people of the United States and the world to recognize their critical contributions and to recommit to reducing barriers and limitations that heretofore have stunted their full progress. Let us plant the seeds of hope. I urge my colleagues to support this resolution.

PLANS TO PREVENT FLOODING IN THE FUTURE

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

Mr. POE of Texas. Mr. Speaker, Hurricane Harvey ravaged the coast of Texas, hammering it with 50 inches of rain, massive flooding, and massive damage.

After the rain stopped, the decision to release water from Addicks and Barker Reservoirs and Lake Conroe have left many questions in the Houston area. The release of this water caused even more flooding downstream.

Why did the Corps of Engineers open Barker and Addicks Reservoirs for 15 days? Why weren't the communities of Humble and Kingwood given proper notice of the historic release of floodwater from Lake Conroe by the San Jacinto River Authority? And there are more questions.

I have introduced the Texas Flood Accountability Act. This legislation requires the Army Corps of Engineers to evaluate the cause of the floods and what can be done for long-term plans to prevent flooding in the future. They must produce this plan within 90 days after enactment.

We must move from paying for disasters to preventing them. We need a plan, Mr. Speaker.

And that is just the way it is.

FOCUS TAX RELIEF ON MIDDLE CLASS

(Mr. BRENDAN F. BOYLE of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. BRENDAN F. BOYLE of Pennsylvania. Mr. Speaker, the President and congressional Republicans claim they want to, ''Put more money in the pockets of average Americans.'' Well, the nonpartisan Tax Policy Center analyzed their plan, and they found out what it really does, put billionaires first. They found that 80 percent of the Republican tax cuts would go to the richest 1 percent.

But that is not all. Also, under their plan, 50 million Americans will see a tax increase. Many of them happen to be constituents of mine, middle class families and working families in Pennsylvania.

It is wrong to raise the taxes of my constituents to pay for tax cuts for billionaires. That is wrong, it is bad economics, and it will crush our economy. We need an economy that works for everyone. Let's focus tax relief where it counts, and that is on the middle class.

BRIDES MARCH FOR DOMESTIC VIOLENCE

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

Mr. ESPAILLAT. Mr. Speaker, earlier today, close to 100 women in wedding gowns from all over our country came to Washington, D.C. They came here to give a face and a voice to victims of domestic violence.

I was also floored by the courage of my colleagues, other Members of Congress, whose loved ones had been victims and had even been killed because of domestic violence. Domestic violence is something that can impact anybody on any day, even on your wedding day.

The Brides March honors the memory and tragedy of Gladys Ricart, who, on September 26, 1999, lost her life on her wedding day at the hands of her abusive ex-boyfriend.

This march has now spread beyond New York, to Massachusetts, Wisconsin, Florida, Washington, D.C., and even other countries like the Dominican Republic, Mexico, Brazil, and Spain.

That is why, Mr. Speaker, today I am Gladys Ricart. We are all Gladys Ricart. The Brides March and the advocacy of New York Latinas Against Domestic Violence is a thundering statement against domestic violence and a reminder that domestic violence remains a pressing issue in our communities and sometimes in our families.

Mr. Speaker, domestic violence and violence against women is unacceptable.

□ 1815

REJECT THE BUDGET

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

Mr. SCHRADER. Mr. Speaker, it has been 8 years. For 8 years, from the day Barack Obama was sworn in until the day he left office, I heard my Republican colleagues telling me that we weren't paying enough attention to the national debt, that we were mortgaging our children's future, and that we needed to do more to get our debt and deficit under control. Heck, to be honest with you, I agreed with what they were saying.

But now that they are in power—control the Presidency and both Chambers—what are they doing?

Totally ignoring the debt deficit is what they are doing.

Worst yet, actually, the budget of theirs that has just come out adds $1.5 trillion to the deficit over the next 10 years. This is their stated strategy in the budget. This is $1.5 trillion our children and grandchildren need to pay back. I just can't believe it. The hypocrisy is beyond belief.

Apparently, my Republican colleagues are only fiscally conservative when the Democrats are in control.

Let's reject this unconscionable budget and work across the aisle for tax reform that actually improves our children's future.

BUDGET AND TAX REFORM

The SPEAKER pro tempore (Mr. COMER). 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, an interesting week out ahead. As we begin this week, as we look at the budget for the United States of America, as we look and prepare to deal with the tax cut issue, we really ought to start that discussion with a clear understanding of what our goal is.

I often use this when I talk here on the floor because it is foundational. It is foundational to what I believe we should use to test the various pieces of legislation that come before us. This

would certainly be applicable as we look at the question of the Republican budget, which will be on the floor in the next couple of days, perhaps as early as tomorrow, and, of course, the tax cuts beyond.

Here it is. This is from Franklin Delano Roosevelt—FDR. This is actually etched into the marble at the memorial for Franklin Delano Roosevelt. I came across it one day, and I think it is a very good criteria to judge.

Franklin Delano Roosevelt said: ''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.''

Using this as the criteria to judge the Republican budget and the upcoming tax reform or tax cuts, we would have to judge both as a miserable failure. We are looking at a situation in which somewhere between $2.5 trillion to $5 trillion of revenue will be removed from the Federal Government. That is about somewhere between $250 billion a year to $500 billion of revenue.

It doesn't mean a thing until you translate that into real programs. Keep in mind that to reduce the revenue of the Federal Government somewhere around $500 billion a year, you would have to remove 80 percent of the total money spent by the Department of Defense in all of the wars and all of the programs that they do in order to make up for that lost revenue.

Alternatively, you would have to reduce almost all of the other discretionary funding. No, we wouldn't build a wall. In fact, we would have to fire all of the immigration authorities. The TSA would no longer be in our airports. There would no longer be any educational programs. There would be no programs dealing with all of the Coast Guard. There would be no programs for the Department of Homeland Security or the Department of Transportation.

$500 billion of reduced revenue is possible as a result of both the budget, as well as the tax proposals that are coming before the House and the Senate in the days ahead. It may be just half that so we don't have to reduce all of those programs.

This is a monumental, critical issue upon which, if we were to use this as the criteria to judge it, we would say: Wait a minute. What about national defense?

Or we would say: Wait a minute. What about all of those programs that are necessary for our children, like the School Lunch Program?

It is critical that we analyze this carefully.

What does it do for the wealthy?

Well, let's take a look at that.

Now, given that the proposals are not yet defined down to the line and the text—but we do know from a general outline of our Speaker's previous proposals when he ran the budget here in the House and when he was the chairman of the Ways and Means Committee; and we have also President Trump's proposal—if it is the Ryan-McConnell-Trump proposal—it is the billionaires-first tax plan. It cuts the taxes for the wealthy. Eighty percent of the $2½ trillion to $5 trillion reduction winds up in the hands of the top 1 percent of Americans. Incredible.

At the same time, what does it do for the rest of the public?

Well, if you take a look at the detail in the budget that did pass this House and will be up for a vote in the very near future, it reduces Medicare and Medicaid by as much as $2 trillion. So you have got a reduction in revenue to be made up by a $2 trillion cut in Medicaid and Medicare.

Who receives Medicaid?

Across the United States, it is the working poor, and 60 percent of the total Medicaid budget is for seniors in nursing homes.

So what we have here is a tax policy that cuts the taxes for the wealthiest of America's, the great 1 percent. They get 80 percent of the tax reductions. The rest of the public, 99 percent, will somehow share in the remaining 20 percent of reductions.

Sounds like a bad deal?

It certainly is, if you are to compare that against what Franklin Delano Roosevelt said should be our criteria for judging legislation.

Now, it will be argued that the middle class will receive a tax cut. Well, some, perhaps, but not many. The majority of the middle class will actually receive a tax increase.

How does that happen?

The elimination of the deductions, State and local taxes, and other gimmicks that they have in it. So a family of four making somewhere around $50,000 could see their tax bill increase by as much as 380 percent.

Whoa. Wait a minute. Wait a minute. What are we talking about here?

We are talking about a tax plan that does not even come close to meeting this criteria of judgment.

Does it do more for the wealthy?

Oh, yes. Oh, yes. We are talking about trillions of dollars of tax reductions for the corporations and the superwealthy.

And what does the rest of the country get for those who have little?

They get even less.

So what we have here, when you consider that they are proposing as much as a $2 trillion reduction in Medicare—we are talking about the healthcare system for seniors—and Medicaid—the healthcare system for, again, seniors in nursing homes—about 60 percent of that money goes to those seniors. The remaining 40 percent goes to the working poor and the poor.

That alone, together with this transfer of the tax reductions for the superwealthy, amount to the largest transfer of wealth ever in any legislation that has been proposed, and hopefully will not pass, but has been proposed in this House. It is even a greater transfer of wealth than we saw in the effort to repeal and replace the Affordable Care Act.

Beware, America. Be wary. The hucksters are promising something that they are only going to deliver to the superwealthy and to American corporations.

One more point I would like to make here is that often you will hear the argument that cutting corporate taxes will somehow lead to more jobs and that the employees will receive more benefits. Well, it turns out that a cut in corporate tax rates actually comes back to the top 1 percent. They will receive about 34 percent of the tax reductions that go to corporations.

I have heard this argued by our Treasury Secretary, that if we are somehow to cut corporate tax rates, we will see the corporations investing in their workers.

Wow. Wouldn't that be great?

So we cut the corporate tax rate from some 35 percent down to 10 percent, or maybe 15 percent, as our President has suggested. All of those reduced taxes will flow to the corporation's bottom line after tax profits will increase, and, wow, they will create jobs, they will pay higher wages.

What are the facts? What are the facts here?

Well, first of all, most of it will not wind up in the pockets of the workers. It will wind up in the top 20 percent of taxpayers, of which 34 percent of that will be the top 1 percent. So, once again, if you look at the corporate tax reductions, it is going to wind up benefiting the wealthy, not the workers.

There is another fact out there. In the 1970s, American corporations would invest about 50 percent—maybe slightly more than 50 percent—in capital improvements, building new factories, expanding the work floor, expanding the workers, workers' wages, benefits, and research and development. It is right there.

If you take a look at the Fortune 500 in the 1970s, well over 50 percent was reinvested in American jobs, American workers, expanding the factory floor, expanding the business, expanding research and development, and growing the corporation.

A remarkable and extremely important thing happened beginning in the 1980s, at about the time of the Reagan tax cuts, and continuing on, and is in place today. That has shifted.

Today, American corporations do not invest in America, they don't invest in new capital, and they don't invest in R&D. Ninety percent of the after-tax profits in the Fortune 500—most of the Fortune 500, or many of them—wind up in stock buybacks and executive salaries or overseas, not in American jobs.

If you are wondering why the American middle class has seen a flat and actually declining share of the GDP, it is because American corporations have shifted from investing in American jobs, American planting equipment, research and development; and they have shifted into manipulating their stock

price by buying back their own stock, using the after-tax profits, some 90 percent of it, for executive salaries and for stock buyback.

□ 1830

If you have got 100 stocks out there and they are valued at $10 apiece, you buy back 50 percent of the stock, guess what. You have doubled the stock price. By creating more jobs? By creating more profit. By increasing wages? By R&D? No. By manipulating your stock price by buying back that stock.

Now, maybe there is somebody who would like to debate this point. Come on down. Let's debate it.

The reality is just as I said. It is laid out there.

Oh, there is another fact. One of America's largest corporations, the CEO said: Not to worry. You reduce my company's tax rate, and I will invest in our workers. I will invest in new plant and equipment.

Interesting. In the last 8 years, the tax rate for AT&T is about 8 percent—not 35 percent, not 20 percent, not 15 percent, but 8 percent—and yet during that period of time, AT&T laid off 80,000 workers.

So you are going to tell me lowering a major American corporation's tax rate is somehow going to lead to more employment, more jobs? Then tell me why AT&T, that has an effective tax rate of 8 percent over a 7-, 8-year period of time, laid off 80,000 people. So let's argue this point. Let's see what is going on here.

We have before the House of Representatives and the Senate a fundamental question: Are we going to transfer even more wealth to the superwealthy by reducing their taxes and pushing off to the working men and women of America, the middle class, a higher burden?

Along with that, we either increase the deficit by $2.5 trillion or $5 trillion, depending upon how this finalizes—that is the tax reduction; that is the lost revenue to the Federal Government—or are we going to make massive cuts?

I am telling you what our Republican colleagues are promising us. Massive tax cuts for the superwealthy. The top 1 percent will get 80 percent of the tax reduction benefits, the remaining 99 percent of Americans will have to figure out how to share the small remaining 20 percent.

The probability associated with those tax cuts, a significant reduction in programs that serve seniors—Medicaid, in nursing homes, the working poor, the Medicaid expansion program wiped out, Medicare reductions, all of these things—and quite possibly reductions in children's health programs, school programs, school lunch programs, environmental support programs, clean water programs, transportation programs, all the rest. So a tax cut for the wealthy is going to be a burden on American workers.

Once again, if it happens, it will be the largest transfer of wealth from the working men and women of America to the superwealthy, as if we already do not have income inequality in America. It can be calculated that the income inequality in America today is the greatest it has been in any country for the last 500 years, dating back to when Spain was ripping off the Western Hemisphere taking all the gold, all the silver, anything else they could find, and transferring it to the Spanish Government, to the King and the Queen and their favorite folks. Income inequality is real.

There are many, many pieces of this puzzle that we need to understand. One of them is the way in which certain States that have heavy burdens because they are urbanized States will be particularly impacted by the proposals that we have seen.

Joining me tonight is the Representative from one of those States, New Jersey.

Mr. PAYNE, would you like to comment on this extraordinary transfer once again that is in this piece of legislation, the way it harms your State and my State?

Mr. PAYNE. Mr. Speaker, I would first like to start by thanking my colleague, Congressman GARAMENDI from the great State of California, for hosting this afternoon's Special Order hour on the Republicans' massive tax giveaway to the rich.

Mr. Speaker, the American people want a tax plan that creates jobs, builds infrastructure, helps out the poorest among us, strengthens the middle class, and requires billionaires to pay their fair share.

Unfortunately, the Trump-Ryan-McConnell tax plan puts billionaires first and working class people last. The Republicans' tax plan will cut taxes for the wealthiest 1 percent, and it will raise taxes for more than a quarter of New Jersey's households. That is 1.2 million families in the State that I represent.

Across the country, the average tax increase for families under the Trump-Ryan-McConnell tax plan is $794 a year, another $794 a year on families struggling now to make ends meet. In New Jersey, that is money a family could use to pay for a month of childcare or 7 months of an electric bill.

The President spends a lot of time golfing at his resort in Bedminster, New Jersey. He knows many working class people in New Jersey. He employs some of them. His proposal to eliminate the Federal deduction for State and local taxes will hurt them dramatically.

Eliminating the Federal deduction for State and local taxes will take money out of people's pockets and out of New Jersey to fund tax cuts for the wealthy. That is just not going to work for the American people. Eliminating the Federal deduction for State and local taxes doesn't work for New Jersey, and it doesn't work for the American people.

Nearly 2 million people in New Jersey take the deduction. That is more than a third of the State's taxpayers. Most of them are from New Jersey's lower and middle-income families. Getting rid of that deduction means higher taxes for regular people.

So let's be clear. The Republican tax plan claims to be cutting taxes, but in reality, it raises taxes on millions of New Jersey's families and millions of other families nationwide.

The Federal deduction for State and local taxes is good for families. It keeps them from paying twice on the same income. If you pay State and local taxes on your hard-earned money, the Federal Government should respect that. After all, State and local taxes pay for our roads, our schools, our police, and all essential services we rely on each and every day.

New Jersey already pays more to the Federal Government in taxes than it receives in return. In fact, according to the Tax Policy Center, for every dollar New Jersey pays to the Federal Government in taxes, we get back only 77 cents. That is 77 cents on every dollar. The Trump-Ryan-McConnell tax plan is asking people from my State to send more to Washington so the wealthiest 1 percent can get a tax cut. That is just wrong.

When he unveiled his tax plan, President Trump claimed taxes are something he is very good at. Yeah, protecting billionaires is all this tax plan is good at.

Elected officials from both parties must continue to stand against the Trump-Ryan-McConnell proposal and prevent billionaires' first tax overhaul from crushing hardworking families.

Mr. GARAMENDI. Mr. PAYNE, thank you so very much. You made a very, very important point, and it is one I know your State and Representatives from your State are very aware of, and we are in California.

You said that for New Jersey here, you pay $1 in taxes to the Federal Government and you get back 77 cents. It turns out that California is in the same situation. We pay $1. I think we get back somewhere around the same, 70 percent back from the Federal Government.

Similarly, the other States, upper Midwest, this area, Nebraska, Colorado, Minnesota, these States also wind up paying more. Then over here, Illinois and New York, Massachusetts, it looks like, and New Jersey down here, Connecticut, also, these States wind up paying more.

It turns out that the program proposed by the Republicans is to further harm these particular States by taking away—these are high cost States. They have big populations, and they have expenses that are associated with those large populations.

They, the Republicans, want to eliminate the State and local tax deduction, which, as you said, not only burdens the individuals, but it is going

to be seriously harming these particular States. Already, these States are paying more.

If they are successful, they, the Republicans, are successful in eliminating the State and local taxes, the tax burden on these particular States, the big States, is going to go up, and the benefit will continue to flow to the States with lower populations. And you can see that on this map, because the rest of the Nation is red, meaning they receive more money than they pay in taxes.

So this is a particular problem. I am not going to say this is the only problem because you raised the issue, also, of the top 1 percent getting 80 percent of the tax break, but this is a very interesting map that is really not understood by our colleagues here.

Down here in Alabama and Mississippi, Louisiana, Florida, and so forth, relatively low tax States, they are actually subsidized by the high tax States; and so the elimination of State and local taxes increases the taxes on the high cost States already, who are already paying more than they are getting back from the Federal Government, so their burden is further increased.

We have got a fight on our hands.

Mr. PAYNE. Absolutely. Absolutely.

Mr. GARAMENDI. So we are ready.

Mr. PAYNE. And to your point, I appreciate you bringing this map out to show these States that are subsidizing, and you are being very generous in that statement, other States.

To have Members, over the past several weeks, come to the floor and admonish New Jersey and say that we really don't need the deduction, when—if I can tell, North Carolina is one of those States being subsidized. It is disingenuous to come to the floor and critique this plan when it is one of the only ways that people, citizens from New Jersey have as a way to balance things out to some degree.

We all have to pay our fair share, but at some point in time New Jerseyans would like to see a return on their investment as well.

Mr. GARAMENDI. Well, exactly so. This proposal that is going to be before the House very soon will simply make this inequality between the States even worse.

Now, in Texas, this horrible problem down here in Houston, terrible—similarly, with Florida—there will be even greater money flowing to those States that have seen these natural disasters, and so this is probably going to get even more so. If they are successful in doing away with the State and local tax deduction, this will become even more onerous for people in my State.

□ 1845

Frankly, I cannot understand how my Republican colleagues from California could possibly support something that would substantially increase their constituents' taxes. So we will see.

It is an interesting map. I came across it not too long ago, and I think I will use it even more.

I appreciate and thank Mr. PAYNE for joining us tonight. I am going to keep putting this back up here.

What are we here for?

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 little.

I am going to toss another thing up here. Included in this Republican program is the elimination of the estate tax.

If you want the wealthy to get even wealthier, then you move forward with the proposal that would shift the tax burden to the working men and women and away from those who are superwealthy. It has been said in an article in The New York Times that our President, under these proposals that he has put forward together with Mr. RYAN and Senator MCCONNELL, that he would receive a billion-dollar reduction in taxes.

We don't have his tax returns so it is hard to say that that is the case, but based upon past tax returns, it appears as though, yeah, one of the beneficiaries of all of this tax reduction is the President and his Cabinet. His Cabinet is made up of some of the wealthiest people in America, and they are not only going to receive a huge tax cut if it were to go forward and as proposed today, the 400 highest income taxpayers whose incomes average more than $300 million a year—and I think that is probably most of the Cabinet, and certainly the President has been in that if he is not there today—that range of income would get an average tax cut of at least $15 million. That is enough for a few rounds of golf.

There is another piece of this puzzle, and I want to put this one up here. We are going to hear a lot of discussion about the estate tax and how somehow the estate tax harms American families, particularly American farmers.

Now, I represent a very large agricultural district, and I said let's do some research and see across the broad breadth of America. Is it the American farmers that are harmed by the estate tax?

It turns out that, yeah, there are some American farmers that are going to have to pay estate tax. There are 50 of them. There are 50 American farm families that would now be burdened by the current estate tax. Thousands upon thousands, millions of small farmers out there that the estate tax will never even come close to touching. It is $5.6 million of estate value for one, the spouse—another 5,000—so you have got $11.2 million for the family. It turns out it affects, perhaps, 50 families across America. The estate tax itself really only affects 5,200 families.

When you hear all this talk about the death tax or the estate tax, as it is really called, ask the question: Who does that affect?

Well, it certainly affects at least the President, Mr. Speaker. It affects the President and many members of his Cabinet. I can think of four right off who would be burdened by having to pay the estate tax. It is about $20 billion a year that is involved here.

So you have got 2.7 million estates of which just two-tenths of 1 percent would actually be affected by the estate tax. So don't get all excited, America, about eliminating the death tax, unless you want to see the programs on which you depend: education, childcare, children school lunch programs—if you are worried about the border, you are worried about the Homeland Security agency and their ability to provide those men and women. So it is about $20 billion a year that would be eliminated from the Federal tax base if the estate tax were to disappear.

If you care at all about income inequality, then you better keep the estate tax. Eliminate the estate tax, then the rich will get richer and the poor will get poorer, and we will see even greater income inequality in the years ahead. So we have got some very heavy lifting to do here over the next couple of weeks.

Before I come back and end this with Franklin Delano Roosevelt, I would just say that the Democrats in this House and in the Senate really want to have tax reform. We want to reform the tax system. We know that the corporate tax rate of 35 percent is the highest in the world, or at least the industrialized world, and it does need to be reduced.

We also know that there are very few corporations that actually pay the 35 percent. They are clearly burdened by a higher tax rate. We want to lower that tax rate. We want to do it in a way that encourages investment in the United States; that we go back to those days in the 1970s and early 1980s, when American corporations actually invested in expanding their business in the United States; that they would invest in capital formation, in plant and equipment, and hiring workers and paying higher wages, and engaging in research and development. There are ways we can do this in corporate tax reform.

For example, we could provide a faster write-off depreciation for investment in American research and development, in American factories, in plant and equipment. We might even structure it in such a way that we would provide an immediate 1-year or 2-year write-off depreciation of capital equipment placed in American factories that was made in America. If you want to buy Chinese equipment for your factory, well, you are going to have to depreciate that over 15 years.

There are ways in which—some very simple ways in which we can encourage corporations to invest in America by modifying the depreciation schedules. If it is an American-made piece of equipment, a Caterpillar tractor that is

manufactured in America, write it off in 1 year.

You want to buy a Kubota manufactured in Japan?

Okay. You can write that off in 10 years.

In other words, a positive encouragement for American-made equipment is just one of many examples. As we bring down the corporate tax rate, we build into it very specific things to build the American economy. There are other things, and certainly the wages are part of this, R&D, and all of the other elements. We Democrats want to engage with our Republican colleagues in that kind of tax reform.

On the personal income tax side, yes, we are willing to talk about the tax rates, but we don't want to see the tax cut benefit go to the superwealthy that are already doing extraordinarily well. We want that benefit to go to the working men and women of America. We can expand their deductibles, and the Republicans are talking about that, but it is done in a limited way. And when you add back into it the elimination of State and local income tax and other things that they are talking about doing, it turns out that a very limited number of middle-income and low-income taxpayers are going to benefit, and many will find their taxes go up. We think that is wrong.

As we look at this on the personal income tax side, we want to make sure that we are able to structure those personal income tax changes in such a way as to simplify, absolutely, and eliminate a lot of scurrilous deductions that only benefit the rich and the wealthy, and come to a program that is simpler, more straightforward, and really benefits the great American middle class, or as the President likes to say, let's make the middle class great again. We can do that through tax policy. That is what we want to do.

I am telling you where we are headed today. We are headed today in a program in which our Republican colleagues are going to ignore our Democratic participation in this democracy, and they are going to ram through their own version of tax reform, which is simply a monumental tax decrease for American corporations, many of which are offshoring jobs. I can come back to that in a moment, and the high-income Americans as their taxes are reduced and their estate tax is eliminated. We think that is wrong, but they are not asking us how we can work together. They are not asking us to work with them.

They have structured it through the budget deal that they can do it with 51 votes in the Senate, totally ignoring the Democratic Senators, and here in the House of Representatives, following a tradition that has been underway for several years now of simply writing a tax bill on their own, writing a repeal on their own, and ignoring the Democrats who we believe have a better deal for Americans.

We believe that there is a better deal, that we can increase American pay by writing a corporate Tax Code that encourages investment in America, that encourages investment in workers, in worker training, worker preparation, and all the technical skills that a modern American economy needs. Yes, we do know there is a better way in writing the Tax Code. We also know that we can write a Tax Code that would lower the cost for those American corporations, businesses, and farmers who are investing in America. I have given some of those ideas already here a moment ago.

Finally, we know that there is a better deal for Americans when we provide the tools for the 21st century, and this has to do with those tools of training and retraining so that the American workers are prepared to take the jobs that are out there.

How do you repair that robot that has replaced you on the manufacturing floor? How do you repair it? How do you program it?

That is a skill set that Americans are going to need.

In my area, we have pharmaceutical companies that are technologically driven. Their laboratories need to be staffed by American workers who understand the intricacies of biology and the biotechnical industry, which is emerging in my district and in California. That is a skill set.

We know that there is a better deal for Americans. We know that there is a better way for tax reform. We know that there is a necessity in America to build the infrastructure, the foundation of economic growth. But we also know that if our Republican friends are successful in reducing Federal revenues by somewhere between $2.5 trillion to $5 trillion, this is their proposal, revenues reduced by that, we will not have money for training American workers. We will not have money for the infrastructure investments, which are necessary to repair our bridges, build our roads, our airports and the like so that we have a foundation upon which the economy will grow. We know that.

We have to persuade our Republican colleagues, so we are going to have to rely on the American people, just as we relied upon you when the repeal and replace legislation was before the House of Representatives and the Senate.

The American public said: Whoa, whoa, wait a minute. This is a bad deal, not a better deal, but a bad deal for Americans.

So the tax reform or the tax cuts that are before us in the next weeks—the next 4 weeks—are a bad deal for Americans, and we are going to have to rely upon the American public becoming aware of what is going on here in Washington, and then speaking out and saying: No, no. Time out, folks. You are not going to screw us again. You are not going to do that again. We don't want the wealthy to get wealthier while we get poorer.

So the American public, I would expect, will say, ''No, no way,'' just as they did when the great repeal and replace legislation was before Congress just a month ago.

Mr. Speaker, I have covered the issue for the night, but I want us all to remember that the test of our progress is not whether we add more to the abundance of those who have much; it is, rather, whether we provide enough for those who have too little. It is etched in the monument and the marble of the FDR Memorial, and it is a pretty good test of our progress here.

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

□ 1900

ISSUES OF THE DAY

The SPEAKER pro tempore (Mr. DUNN). Under the Speaker's announced policy of January 3, 2017, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, I do greatly appreciate my friend across the aisle. Mr. GARAMENDI made some good points. For example, the people speak, and we are thankful they do. And that is why, when the Democratic House Members and Democratic Senate Members voted to pass something known as ObamaCare—it is hard to call it the Affordable Care Act because it has come at the cost of some people's lives, their doctors, their insurance policies, their medicines they needed—but the American people did speak, and they said, ''Not again,'' and they put Democrats out of the majority as a result of that bill.

As I explained to some of my colleagues in the Republican Conference who were saying that the Speaker is the one who got us the majority back, I pointed out in conference, if you look at the polls, it is very clear. No one person got us the majority back in November 2010. The Democrats got the Republicans the majority back.

The polls back then showed that we were not trusted any more than we had been so much in the past, as they were, the voters were just upset with the Democrats passing a bill they didn't want, that the Democrats had not read, and didn't know what it said, and they were going to have to pass it to find out what was in it.

And they were lied to repeatedly. You can keep your insurance if you like it. If you like your doctor, you can keep your doctor, and all those. Turns out they knew in advance—not all of the people here, but the people in the Obama administration who kept saying it, they knew they were lying because they knew people would not keep their insurance whether they liked it or not; they would not keep their doctors if they liked them as they may well not be in the network and probably wouldn't be in many networks.

So it is so true that the people speak, and thank goodness they do. And then they have returned, not only Republicans to majorities in the House, repeatedly, on the promise of repealing

ObamaCare, but also gave the Senate the majority twice now on the promise to repeal ObamaCare and, unfortunately, the Senate has not delivered.

We passed a bill here in the House, it was after much wailing and gnashing of teeth, and a terrible bill at first that would have allowed premiums to continue to go up. Some say, yeah, but you should have voted for it; it would give the President some wind at his back.

But when the American people found out that premiums were going to continue to go up, their deductibles would continue to go up, the insurance companies would continue to get bailouts after record profit years, they were not going to be returning Republicans to the majority.

So it is still very critical that we keep our promises and we take a lesson from the actual planks of the platform that got our great President elected: number one, build a wall and secure the border; number two, repeal ObamaCare; number three, we would have tax reform. Those seem to be the three biggest promises that most all of us made on our side of the aisle.

The reason ObamaCare was not, at least the majority of it, repealed was because the Senate could not bring itself to act because there were some Senators who decided that, after winning their election, promising in the primary and general election that if you elect me, I will be the one who can get ObamaCare repealed, they decided to break that pledge, break that repeated promise.

So the thing I am grateful to the President—well, actually a number of things, but one is that he continues to say: We are not done. We are not through. We are going to repeal at least most of ObamaCare.

We have got to. People have got to have relief. They have got to. They cannot continue on like they are.

Obviously, we can see now, in hindsight, ObamaCare was designed to fail. Unfortunately, the insurance companies did not realize that when they signed on to ObamaCare, they were signing on to their death warrants; that the designers were counting on insurance companies to have people at the top who were so overwhelmed with greed they would not see the end coming as it came barreling toward them. They would be busy making record profits, getting bailouts, until the American people said we can't stand it anymore. The insurance companies had record profits and still got bailed out.

We never thought we would say this, but surely the government would be better than these greedy insurance companies; and that would be the end of the insurance companies.

And sure, some of the insurance executives would have taken their golden parachute and their millions after record profits and dropped out before the industry that made them rich ceased to exist, but that day is still coming if we don't act; and the American people would then be resolved to have much worse healthcare than the VA because the government would be the only game in town.

I know, from talking to one legislator in England, I was surprised. I thought everybody was mandated to be part of the government healthcare there. And it was true, but he said that his wife had had cancer, and, fortunately for them, they could afford to pay the private insurance above the ridiculously wasteful insurance the Britons have.

I remember looking at the numbers back in 2010, when we were debating ObamaCare, and seeing at that time that someone who was diagnosed with breast cancer at a similar time in the staging of cancer, breast cancer, as someone in the U.S., as someone in England, that the American had a 20 percent better chance of surviving than the British citizen under British healthcare did. That is terrifying to some of us. We don't want the kind of healthcare England has.

So if you have a wife and three daughters, like I do, the chances are much better that you will lose one of them if you have British-type healthcare.

I have one guy from Tyler, who lives in Tyler, was from Canada originally, said, his father was put on the list to have bypass surgery in Canada, and after 2 years of waiting, he died. It kind of sounds like the VA and the problems that have been experienced by some of our veterans.

But I would submit, if those who have laid down much of their lives for their country in our armed services are treated the way many of our veterans have been treated, then you can't expect that American citizens that have never offered to lay down their life for their country would be treated much better.

We need to get off the track we are on. We need to return healthcare back to the control of a patient and a doctor, and get the insurance companies and the government out from between the patient and the doctor. We can do that with the kind of thing the President has been talking about, health savings accounts.

Instead of paying $1,000 a month to an insurance company, put $800 or $900 in a health savings account; start building this huge healthcare, health savings account. And sure, there will be some people who are chronically ill or chronically poor. Those who don't have to be chronically poor, that could work, as we found out when welfare reform took place in the mid-nineties by the first Republican majority in many decades; as they found out, statistics showed, and there is a graph I saw at a conference in Harvard, for the first time since welfare began, 1995, after the work requirement kicked in for welfare, up through 2005, single moms' income, when adjusted for inflation, for the first time since welfare began, had an increase—that was incredible—when the government encouraged individuals to reach their potential, instead of luring them away from their potential with welfare when they could have had a job, that people do a lot better.

It is terribly unfortunate, though, that the lessons learned in the mid-nineties, including getting to balanced budgets, over the objections of the Clinton administration. President Clinton didn't want balanced budgets, but, eventually, the Republican Congress forced him when they had enough to override his veto, so he signed them.

And now, all these years later, when people don't remember, President Clinton likes to take credit for having the first balanced budget in years. Well, the Republicans took him, figuratively, kicking and screaming and, obviously, now, he is proud that they did, though they don't get the credit for it.

Well, we need to encourage people to reach their potential—that is the job of government—not luring them away from their potential. We should be encouraging the best healthcare that could be had.

We don't need insurance companies managing all our healthcare. We don't need the government managing all our healthcare. We need individuals managing their own healthcare.

If somebody wants to volunteer and say, ''Here's all my income for the rest of my life. Government, you manage, tell me what I can have and not have in the way of surgeries or healthcare or medicine,'' well, we ought to make a place for them to do that. But for the rest of us who would rather make our own decisions about our healthcare, we could do that.

But one of the things, and I put it in the bill that I filed back in 2009—I was encouraged by former Speaker Newt Gingrich, and he said: You have got to put your ideas into a bill, get it scored.

CBO refused to score it for many months. Former Speaker Gingrich thought if I had gotten it scored, that it could have changed the debate on healthcare.

But CBO dutifully did the bidding of Speaker PELOSI, scored their bills, refused to score mine, and so we didn't have the score.

And let's face it. CBO, on ObamaCare scoring, their margin of error apparently is somewhere, plus or minus, 250 to 400 percent; so why should they score anything anyway? But that is another matter.

But if the health insurance companies and the government don't manage all our healthcare, who would do that? Well, we would do that. If somebody's chronically poor and cannot provide for themselves, we can help them. But for those who can, they should.

If you put that kind of money in a health savings account, where it can never be used for anything but healthcare, not like retirement, where you can pull it out and pay a 40 percent tax, leave it in there. It can only be used for healthcare.

Give the individual a debit card that is coded that will only pay for medical

expenses, medicine, crutches, doctors' appointments. Then most people would have enough built up in their health savings account by the time they are 65 or 70, they not only would not want government participation in decisions about their healthcare, but they wouldn't need it, and we could make our own decisions, after consulting with physicians. That saves healthcare.

The last 100 years of healthcare, some medical historians say, have been the only 100 years in American history where people had a better chance of getting well after seeing a doctor than of getting worse.

□ 1915

Even just over 200 years ago, the man without whom there would be no free America, George Washington, he was bled to death. The last bleeder was his very good friend, Dr. Craik, who had been with him through so many things. He thought he was helping him, and he was bleeding him to death, preventing him from getting well.

But here, 200 years later, doctors are actually curing disease, curing things we thought were incurable. We had the best healthcare that could ever been found at any time in history anywhere in the world, and we have done a great deal to destroy it since the passing of ObamaCare.

People have found out they lost their insurance. They are paying more than they ever dreamed they would pay. And, yes, there are some who are paying minimal amounts, and some are getting subsidies, but the President had to make up some law in order to pay out some of the things he did.

Because of all of the distraction with ObamaCare, perhaps that is why the Obama administration dropped the ball on following through regarding Russia's efforts to sidetrack American politics.

This article from John Solomon and Alison Spann, October 22, in The Hill: ''FBI Watched, Then Acted As Russian Spy Moved Closer to Hillary Clinton.''

It says: ''As Hillary Clinton was beginning her job as President Obama's chief diplomat, Federal agents observed as multiple arms of Vladimir Putin's machine unleashed an influence campaign designed to win access to the new Secretary of State, her husband, Bill Clinton, and members of their inner circle, according to interviews and once-sealed FBI records.

''Some of the activities FBI agents gathered evidence about in 2009 and 2010 were covert and illegal.

''A female Russian spy posing as an American accountant, for instance, used a false identity to burrow her way into the employ of a major Democratic donor in hopes of gaining intelligence on Hillary Clinton's Department, records show. The spy was arrested and deported as she moved closer to getting inside State, agents said.

''Other activities were perfectly legal and sitting in plain view, such as when a subsidiary of Russia's state-controlled nuclear energy company hired a Washington firm to lobby the Obama administration. At the time it was hired, the firm was providing hundreds of thousands of dollars a year in pro bono support to Bill Clinton's global charitable initiative, and it legally helped the Russian company secure Federal decisions that led to billions in new U.S. commercial nuclear business, records show.

''Agents were surprised by the timing and size of a $500,000 check that a Kremlin-linked bank provided Bill Clinton''—that is the former President, and although none of the mainstream media would ever say this, Democrat Bill Clinton—''with for a single speech in the summer of 2010. The payday came just weeks after Hillary Clinton helped arrange for American executives to travel to Moscow to support Putin's efforts to build his own country's version of Silicon Valley, agents said.

''There is no evidence in any of the public records that the FBI believed that the Clintons or anyone close to them did anything illegal.''

Yeah, that is pretty understandable that The Hill would say that and that the FBI would make sure those records were not available.

The article goes on. It says: ''But there's definitive evidence the Russians were seeking their influence with a specific eye on the State Department.

'' 'There is not one shred of doubt from the evidence that we had that the Russians had set their sights on Hillary Clinton's circle, because she was the quarterback of the Obama-Russia reset strategy and the assumed successor to Obama as President,' said a source familiar with the FBI's evidence at the time. . . .''

''That source pointed to an October 2009 communication intercepted by the FBI in which Russian handlers instructed two of their spies specifically to gather nonpublic information on the State Department.

'' 'Send more info on current international affairs vital for R., highlight U.S. approach,' part of the message to the spies read, using the country's first initial to refer to Russia. ' . . . Try to single out tidbits unknown publicly but revealed in private by sources closer to State Department, government, major think tanks.' ''

This isn't in the article, but that might also mean, if the State Department Secretary had a server through which classified information was sent and it is not very well protected, gee, grab all of the information from that server that you can. Shouldn't be hard to hack them. That had to have been part of the thinking of the Russians. They surely figured out that Secretary of State Clinton was using different sources for her emails.

The article goes on: ''The Clintons, by that time, had set up several new vehicles that included a multimillion-dollar speechmaking business, the family foundation, and a global charitable initiative, all of which proved attractive to the Russians as Hillary Clinton took over State.

'' 'In the end, some of this just comes down to what it always does in Washington: donations, lobbying, contracts, and influence—even for Russia,' said Frank Figliuzzi, former FBI assistant director for counterintelligence.

''Figliuzzi supervised the post-arrest declassification and release of records from a 10-year operation that unmasked a major Russian spy ring in 2010. It was one of the most important U.S. counterintelligence victories against Russia in history, and famous for nabbing the glamorous spy-turned-model Anna Chapman.

''While Chapman dominated the headlines surrounding that spy ring, another Russian woman posing as a mundane New Jersey accountant named Cynthia Murphy was closing in on accessing Secretary Clinton's Department, according to records and interviews.

''For most of the 10 years, the ring of Russian spies that included Chapman and Murphy acted as sleepers, spending a 'great deal of time collecting information and passing it on' to their handlers inside Russia's SVR spy agency, FBI record state.''

Inserting parenthetically here, also, we now know, due to the great investigating work of Luke Rosiak with The Daily Caller, who apparently has done much more investigation into Imran Awan, the Awan family, and IT or computer workers, some of whom apparently didn't do any work but who were making the maximum amount of money that anybody can make working on the Hill for Congress, as I believe Luke testified or indicated in a prior meeting, he indicated that actually every time one of the Awan family added enough part-time work for Members of Congress with their computers, they would add another family member to start getting part-time until they built up to the $160,000 or so level.

But in any event, we now know that, apparently, Imran Awan copied dozens of Democratic Members of Congress' servers into one place so that all of those servers could easily be accessed by someone who did not have permission to access those Congress Members' computer systems and servers.

It is interesting that that was occurring for him as a Pakistani native. He became a citizen but, at the time he began working on Capitol Hill, was here by visa working for Members, Democratic Members of Congress.

But how interesting that the Russians were doing everything they could to get any information, not just classified, but any inside information, stuff like you would find in emails, for example. And now we are finding all of this out about the Awan brothers, and his wife and a couple of people, one of whom quit because he was doing too much of the work and not getting as much pay as the others.

But it is incredible that it was after President Obama left office we started

hearing all of this screaming about how the Russians were trying to affect elections. And who knew about that? Well, Robert Mueller, former FBI Director knew all about it because he was the FBI as this stuff was being investigated. Wouldn't it be nice if he had said something about that previously?

But if he had talked about it previously, he might not—and I am sure, in fact, would not—have gotten an appointment to be special counsel to investigate potential ties by the U.S. Government with Russia, specifically, the Trump campaign, or the Trump support ring, those who were supporting Donald Trump as a candidate. Wow.

But then again, Deputy Attorney General Rosenstein might have appointed Mueller, because it turns out he was involved in the investigation back then. Wouldn't it have been nice if Rosenstein or Mueller had had the moral fiber and the ethical fiber to say: ''You know what? The AG has recused himself, but, actually, I was involved in this stuff back under the Obama administration investigating all this, and I had developed opinions, made statements back in those days—weren't public.''

And if Mueller had done the same thing: ''I was head of the FBI. We were investigating ties to Hillary Clinton, efforts to get in touch with and utilize the Clinton Foundation, Hillary Clinton.''

Wouldn't it have been nice if that information had come from Robert Mueller or Deputy Attorney General Rosenstein before Rosenstein appointed Mueller, because those two people would not even be involved at all, I don't believe, had we known the extent of their involvement in the investigation into Russia before, when they were with the Obama administration. But they didn't disclose that.

And I think it is a little insidious, myself, on the very day that James Comey testified on Capitol Hill that there were no known ties between President Trump and the Russians, the collusion that was talked about, there were no ties, no evidence of that, it was the same day it was leaked, apparently by Mueller or his staff, that now they were investigating obstruction by the Trump administration.

Now, why would that get leaked the very night that James Comey testified there were no known ties, no evidence of any collusion between President Trump and the Russians? Well, because if there was no evidence to support what Mueller had been appointed to investigate, then President Trump would have had every right and it would have made sense to say: ''Okay, Mr. Mueller, it sure would have been nice if you had disclosed the reasons that you should have been disqualified to accept this special counsel job. But even though you didn't, there is no reason for you to be special counsel because there is no evidence, according to this FBI Director, so we don't need you anymore.''

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But by Mueller or his clan leaking out that now we are investigating President Trump for obstruction of justice, that set him up in a position that President Trump could not afford to fire him, or else it would look like Nixon's Saturday Night Massacre before they had a chance to come after him. So, clearly, former FBI Director Mueller who, in my opinion, did more damage to the structure of the FBI than anyone since J. Edgar Hoover, ran off thousands of years of experience from the FBI and spent millions of dollars on programs that didn't work out. Apparently he got rid of a lot of people that would not say yes to him all the time. He also—let's give him credit—he did purge the FBI training materials of anything that offended radical Islamists.

I would submit there is a reason why when an FBI agent was finally sent out to talk to the older Tsarnaev brother after Russia had reported twice—actually doing America a favor—hey, this guy has been radicalized. Do they look at where he had been to see that he had been in areas that were very radical and what he was like?

No. They sent out an FBI agent to talk to him. According to Director Mueller, in essence, he indicated he was not a terrorist, so that was good enough for them. But they went the extra mile and asked his mother if he was a terrorist, and, in essence, she indicated he was a good boy and not a terrorist. That was good enough for the new Mueller FBI that had purged itself of the ability to know what a radical Islamist looked like.

When I asked about their going out to the mosque to investigate whether Tsarnaev had been radicalized, of course, again, they purged their training materials, they didn't know what to ask. They didn't know whether to ask if he had been memorizing verses of the Koran, what verses those were. Kim Jensen, who had a 700-page program to teach FBI agents about what to look for in radical Islamists, under Mueller, was ordered to destroy all of those. Fortunately, there was an extra copy. As I understand it, the FBI is now trying to teach some of the higher-level agents exactly what a radical Islamist is. But if Mr. McMaster has his way, that won't last much longer.

But, nonetheless, Director Mueller, as head of the FBI, as one intelligence official told me, they were blinded of the ability to see the enemy—the enemy being radical Islamists who want to destroy our Nation, destroy our freedom, and kill us. They don't know what to look for, thanks to Director Mueller.

Of course, as the Washingtonian article pointed out in 2013, basically Mueller and Comey were joined at the hip, that if the world was on fire, Mueller would be the last one standing beside Comey, protecting him, with him, supporting him, whatever. Which, by the way, is another reason, if Mr. Mueller had been as ethical and moral as he should have been, he should have disclosed immediately: I can't accept this special counsel role because James Comey is a friend. He sees me as a mentor. We talked, including about his testimony he was going to give before Congress. We are just too close, and he is a central witness to all of this. I can't do it.

Unfortunately, Director Mueller did not take that position not feeling that he needed to do that, because, after all, it is a great job. It pays a lot of money. He can hire anybody he wants to and hire good Democratic supporters, as he has. For people who hate Republicans, this will be a great job. Apparently it is. He just basically makes up whatever he wants to investigate anytime he sees fit, and Deputy Attorney General Rosenstein should have been disqualified and not been able to appoint special counsel had the Attorney General known what all he had been involved in previously. He certainly is not going to fire Mueller, as he should.

Going over to a different article, this is from National Review by Andrew McCarthy, October 21. Andrew McCarthy is the former prosecutor of The Blind Sheikh that masterminded the first World Trade Center attack in 1993 during Democrat Bill Clinton's Presidency.

Andrew McCarthy says: ''Not only the Clintons are implicated in a uranium deal with the Russians that compromised national security interests. Let's put the Uranium One scandal in perspective: the cool half-million bucks the Putin regime funneled to Bill Clinton was five times the amount it spent on those Facebook ads—the ones the media-Democrat complex ludicrously suggests swung the 2016 Presidential election to Donald Trump. The Facebook-ad buy, which started in June 2015—before Donald Trump entered the race—was more leftwing agitprop, ads pushing hysteria on racism, immigration, guns, et cetera, than electioneering. The Clintons' own longtime political strategist Mark Penn estimates that just $6,500 went to actual electioneering. You read that right: $6,500. By contrast, the staggering $500,000 payday from a Kremlin-tied Russian bank for a single speech was part of a multimillion-dollar influence-peddling scheme to enrich the former President and his wife, then-Secretary of State Hillary Clinton. At the time, Russia was plotting—successfully—to secure U.S. Government approval for its acquisition of Uranium One, and with it, tens of billions of dollars in U.S. uranium reserves.

''Here is the kicker: the Uranium One scandal is not only, or even principally, a Clinton scandal. It is an Obama administration scandal. The Clintons were just doing what the Clintons do: cashing in on their 'public service.' The Obama administration, with Secretary Clinton at the forefront but hardly alone, was knowingly compromising American national security interests.

The administration green-lighted the transfer of control over one-fifth of American uranium mining capacity to Russia, a hostile regime—and specifically to Russia's state-controlled nuclear-energy conglomerate, Rosatom. Worse, at the time the administration approved the transfer, it knew that Rosatom's American subsidiary was engaged in a lucrative racketeering enterprise that had already committed felony extortion, fraud, and money-laundering offenses.''

It is not in the article, but it does raise the question: Gee, I wonder if the Obama administration or Director Mueller of the FBI, knowing all these things apparently, did anybody bother to tell Secretary Clinton about the situation and that the entity that they were being courted by was actually tied to felony extortion, fraud, and money-laundering offenses?

I thought the Obama administration was pretty close-knit. It seemed like they would have surely told Secretary of State Clinton who had access to classified information. We know because she put it on her server that wasn't classified.

But it looks like somebody would have told the Secretary of State: Hey, this outfit that is courting you has ties to the people paying your husband half a million dollars for one speech, paying $145 million or so to the Clinton Foundation, these folks are bad folks.

Surely somebody in the Obama administration would have told them. Well, we don't know, and, certainly, Director Muller is not going to investigate any inappropriate actions that he or James Comey or Deputy Attorney General Rosenstein took or didn't take.

The article goes on to say: ''The Obama administration also knew that congressional Republicans were trying to stop the transfer. Consequently, the Justice Department concealed what it knew.''

That being from congressional Republicans who were trying to stop the transfer.

In fact, ''the DOJ allowed the racketeering enterprise to continue compromising the American uranium industry rather than commencing a prosecution that would have scotched the transfer. Prosecutors waited 4 years before quietly pleading the case out for a song, in violation of Justice Department charging guidelines. Meanwhile, the administration stonewalled Congress, reportedly threatening an informant who wanted to go public.

''Obama's 'reset,' to understand what happened here, we need to go back to the beginning. The first-tier military arsenal of Putin's Russia belies its status as a third-rate economic power. For well over a decade, the regime has thus sought to develop and exploit its capacity as a nuclear-energy producer. Naively viewing Russia as a 'strategic partner' rather than a malevolent competitor, the Bush administration made a nuclear-cooperation agreement with the Kremlin in May of 2008.

''That blunder, however, was tabled before Congress could consider it. That is because Russia, being Russia, invaded Georgia. In 2009, notwithstanding this aggression, which continues to this day with Russia's occupation of Abkhazia and South Ossetia, President Obama and Secretary of State Clinton signaled the new administration's determination to 'reset' relations with Moscow. In this reset, renewed cooperation and commerce in nuclear energy would be central. There had been such cooperation and commerce since the Soviet Union imploded. In 1992, the administration of President George H. W. Bush agreed with the nascent Russian Federation that U.S. nuclear providers would be permitted to purchase uranium from Russia's disassembled nuclear warheads, after it had been down-blended from its highly enriched weapons-grade level.

''The Russian commercial agent responsible for the sale and transportation of this uranium to the U.S. is the Kremlin-controlled company 'Tenex,' formally, JSC Techsnabexport. Tenex is a subsidiary of Rosatom. Tenex, and by extension, Rosatom, have an American arm called 'Tenam USA.' Tenam is based in Bethesda, Maryland. Around the time President Obama came to power, the Russian official in charge of Tenam was Vadim Mikerin. The Obama administration reportedly issued a visa for Mikerin in 2010, but a racketeering investigation led by the FBI determined that he was already operating here in 2009. The racketeering scheme as Tenam's general director, Mikerin was responsible for arranging and managing Rosatom/Tenex's contracts with American uranium purchasers.

''This gave him tremendous leverage over the U.S. companies. With the assistance of several confederates, Mikerin used this leverage to extort and defraud the U.S. contractors into paying inflated prices for uranium. They then laundered the proceeds through shell companies and secret bank accounts in Latvia, Cyprus, Switzerland, and the Seychelle Islands—though sometimes transactions were handled in cash, with the skim divided into envelopes stuffed with thousands of dollars in cash. The inflated payments served two purposes: they enriched Kremlin-connected energy officials in the U.S. and in Russia to the tune of millions of dollars; and they compromised the American companies that paid the bribes, rendering players in U.S. nuclear energy—a sector critical to national security—vulnerable to blackmail by Moscow. But Mikerin had a problem.

''To further the Kremlin's push for nuclear-energy expansion, he had been seeking to retain a lobbyist—from whom he planned to extort kickbacks, just as he did with the U.S. energy companies. With the help of an associate connected to Russian organized-crime groups, Mikerin found his lobbyist. The man's name has not been disclosed, but we know he is now represented by Victoria Toensing, a well-respected Washington lawyer, formerly a Federal prosecutor and counsel to the Senate Intelligence Committee.

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''When Mikerin solicited him in 2009, the lobbyist was uncomfortable, worried that the proposal would land him on the wrong side of the law. So he contacted the FBI to reveal what he knew. From then on, the Bureau and Justice Department permitted him to participate in the Russian racketeering scheme as a 'confidential source'—and he is thus known as 'CS–1' in affidavits the government, years later, presented to Federal court in order to obtain search and arrest warrants. At the time this unidentified man became an informant, the FBI was led by Director Robert Mueller, who is now the special counsel investigating whether Trump colluded with Russia,'' which we keep hearing there is no evidence of.

''The investigation was centered in Maryland, Tenam's home base. There, the U.S. Attorney was Obama appointee Rod Rosenstein—now President Trump's Deputy Attorney General, and the man who appointed Mueller as special counsel to investigate Trump.

''Because of CS–1, the FBI was able to understand and monitor the racketeering enterprise almost from the start. By mid-May 2010, it could already prove the scheme and three separate extortionate payments Mikerin had squeezed out of the informant.

''Equally important: According to reporting by John Solomon and Alison Spann in The Hill''—which we were just speaking about—''the informant learned through conversations with Mikerin and others that Russian nuclear officials were trying to ingratiate themselves with the Clintons.''

It goes on and on, Mr. Speaker, but it is clear this definitely needs investigation. It needs investigation as to the propriety of the actions of Robert Mueller, FBI Director. It needs investigation into the propriety of the actions by Deputy Attorney General Rod Rosenstein.

We need a special counsel. If the current Attorney General considers himself recused, there is only one person who has the power to make that appointment, and that is the President of the United States, from whom the Attorney General and Deputy Attorney General Rosenstein derive their power to appoint special counsel.

The President needs to appoint somebody to investigate this mess, because I guess former Secretary Clinton knew with authority when she said the Russians were clearly trying to hack and to influence this election. Yes, they sure were.

It appears they were doing more to influence the Clintons and the Obama administration than they were even the American people: $500,000 to Bill Clinton himself and only $6,500 to the

ads to try to affect the American people.

So this really does need to be investigated. I know Congress really hasn't gotten into it in any depth, but if Congress is to do that, it has got to take a page out of Judicial Watch's notebook, and that is you have got to be willing to go to court and demand people produce evidence, produce people.

We can't just continue to be obstructed the way we have allowed the IRS Director to do after he has obfuscated, lied to Congress, and I believe perjured himself, after Lois Lerner appears certainly to have committed crimes, to me, and we have let her get away with such apparent criminal activity.

But in the few minutes I have left, in addition to this scourge upon the United States that we find out was going on during the Obama administration, there is a tremendous irony that is playing out, and it is reflected in the article by J.E. Dyer, October 10.

The article is titled: ''NFL meltdown blows the dam on MSM's centralized media model.''

I thought about this. I did not realize, but Colin Kaepernick first began to kneel down after he apparently has also supported a group that wants to kill cops and thinks cops should be killed, the people who are protecting us and allowing us to continue safely in our way of life and our freedom.

He doesn't have that respect. He knelt. He had nothing but contempt for America's police and for those protecting America. He did not appreciate America, which was bringing him millions of dollars. Just contempt. Apparently, his belief is there is racism in America, though he was adopted by, as I understand it, a White family.

But he started this, and the American people didn't like it. After 9/11 particularly, they realized: You know what? We owe so much to first responders and to law enforcement that have been willing to lay down their lives for us against enemies, foreign and domestic. And they continue, as police around the country, law enforcement, continue to be willing to lay down their lives for Americans and our way of life, our freedom. We appreciated that after 9/11.

After my 4 years in the Army, when we were sometimes ordered not to wear our uniform because of hatred for people in uniform after Vietnam, I didn't think we would ever come to a day when people would again appreciate our military. But that also came out in amazing ways after 9/11.

As evil and hateful as the actions were that day in an effort to kill as many innocent people as these radical Islamists could, we saw the good in Americans. We saw the good in first responders. We saw the good in our military. We saw men and women willing to evidence the greatest love, as Jesus said, willing to lay down their lives for their fellow Americans.

Yet, during the last administration, somehow the President normally took the wrong side. He spoke up before the evidence was in and often derided the wrong people. I just can't believe that our President for those last 8 years set us back so many years in race relations. It is incredible. I thought we were beyond that, but we got set back many years.

Huge numbers of Americans didn't appreciate the way the Obama administration set us back in race relations. For the first time, we had a President and First Lady who had not normally been proud as Americans. The First Lady said she was finally proud of America.

I have been proud of America all my life. I was not proud of the activities of some Americans. Americans have been a force for good in the world since it came into existence. This article points out that, actually, that started something, because then other NFL players, as we have heard, didn't even realize what Colin Kaepernick was actually kneeling for. It is interesting to hear their explanations. They are not sure. They just have contempt for something, so they kneel during the national anthem.

It has so affected many Americans that many of us are not watching the NFL like we used to. It used to be a priority. I was always glad to get home from church and turn on the NFL, maybe see the Dallas Cowboys. I haven't been doing that. It hasn't been a priority. Colin Kaepernick started that.

Now, as this article points out, the one thing that allowed the mainstream media to bundle all kinds of programming that they forced cable companies or dish companies to take was the NFL. It was the big breadwinner that forced cable companies and satellite companies to take programming they really didn't want. But if you wanted the NFL, you had to take what the networks were bundling.

Now that the NFL is not turning into the cash cow it once was, and viewership and attendance drops, and, therefore, advertising dollars are plummeting, it may just be that that act of taking a knee back when it first started ends up leading to the liberal mainstream media not force-feeding Americans liberal pablum that they have been able to do for years. Wouldn't that be an ironic result of one player taking a knee?

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

The SPEAKER pro tempore. The Chair will remind Members to refrain from improper references to the President.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1616. An act to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes.

H.R. 2989. An act to establish the Frederick Douglass Bicentennial Commission.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 190. An act to provide for consideration of the extension under the Energy Policy and Conservation Act of nonapplication of No-Load Mode energy efficiency standards to certain security or life safety alarms or surveillance systems, and for other purposes.

S. 585. An act to provide greater whistleblower protections for Federal employees, increased awareness of Federal whistleblower protections, and increased accountability and required discipline for Federal supervisors who retaliate against whistleblowers, and for other purposes.

S. 920. An act to establish a National Clinical Care Commission.

S. 1617. An act to designate the checkpoint of the United States Border Patrol located on United States Highway 77 North in Sarita, Texas, as the ''Javier Vega, Jr. Border Patrol Checkpoint''.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on October 24, 2017, she presented to the President of the United States, for his approval, the following bills:

H.R. 2989. To establish the Frederick Douglass Bicentennial Commission.

H.R. 1616. To amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 56 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, October 25, 2017, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

2898. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Frederick S. Rudesheim, United States Army, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

2899. A letter from the Secretary of Defense, Department of Defense, transmitting a letter authorizing Brigadier General Mark E. Weatherington, United States Air Force, to wear the insignia of the grade of major general, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

2900. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the report entitled ''Health, United States, 2016'', pursuant to 42 U.S.C. 242m(a)(1); July 1, 1944, ch. 373, title III, Sec. 308 (as amended by Public Law 100-177, Sec. 106(a)); (101 Stat. 989); to the Committee on Energy and Commerce.

2901. A letter from the President and Chief Executive Officer, National Institute for Children's Health Quality, transmitting the Institute's report on the Sickle Cell Disease Treatment Demonstration Program for September 2017, pursuant to 42 U.S.C. 300b-1 note; Public Law 108-357, Sec. 712(c); (118 Stat. 1559); to the Committee on Energy and Commerce.

2902. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting the Department's report of the activities of the United Nations and of the participation of the United States for 2016, pursuant to 22 U.S.C. 287b(a); Dec. 20, 1945, ch. 583, Sec. 4(a) (as amended by Public Law 106-113, Sec. 1000(a)(7)); (113 Stat. 1501A-465); to the Committee on Foreign Affairs.

2903. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

2904. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Somalia that was declared in Executive Order 13536 of April 12, 2010, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

2905. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting a report pursuant to Sec. 804 of the Palestine Liberation Organization Commitments Compliance Act of 1989 (Title VIII, Foreign Relations Authorization Act, FY 1990 and 1991 (Public Law 101-246)), as amended, and Secs. 603-604 (Middle East Peace Commitments Act of 2002) and 699 of the Foreign Relations Authorization Act, FY 2003 (''the Act'', Public Law 107-228); to the Committee on Foreign Affairs.

2906. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-150, ''Access to Emergency Epinephrine in Schools Clarification Temporary Amendment Act of 2017'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

2907. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-151, ''Public School Nurse Assignment Temporary Amendment Act of 2017'', pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

2908. A letter from the Director, White House Liaison, Department of Education, transmitting notification of a nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2909. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting four (4) notifications of a designation of acting officer and discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2910. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting notification of a vacancy, designation of acting officer, and discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2911. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting four (4) notifications of designation of acting officer and discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2912. A letter from the Director, White House Liaison, Office of Career, Technical, and Adult Education, Department of Education, transmitting notification of a nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2913. A letter from the Director, White House Liaison, Office of Career, Technical, and Adult Education, Department of Education, transmitting a notification of a designation of acting officer, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2914. A letter from the Director, White House Liaison, Office of Planning, Evaluation, and Policy Development, Department of Education, transmitting notification of a nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2915. A letter from the General Counsel, U.S. Office of Special Counsel, transmitting a notification of a designation of acting officer, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

2916. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's Office of Privacy and Civil Liberties Activities Semiannual Report covering April 1, 2016, through September 30, 2016, pursuant to Sec. 803 of the Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110-53, 121 Stat. 266, 361-62 (codified at 42 U.S.C. 2000ee-1(f)); to the Committee on the Judiciary.

2917. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's Office of Privacy and Civil Liberties Activities Semiannual Report covering October 1, 2015, through March 31, 2016, pursuant to Sec. 803 of the Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110-53, 121 Stat. 266, 361-62 (codified at 42 U.S.C. 2000ee-1(f)); to the Committee on the Judiciary.

2918. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's Thirty-Ninth Annual Report to Congress pursuant to section 201 of the Hart-Scott-Rodino Antitrust Improvements Act of 1976; to the Committee on the Judiciary.

2919. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting a notification that the cost of response and recovery efforts for FEMA-3385-EM in the State of Florida has exceeded the $5 million limit for a single emergency declaration, pursuant to 42 U.S.C. 5193(b)(3); Public Law 93-288, Sec. 503(b)(3) (as amended by Public Law 100-707, Sec. 107(a)); (102 Stat. 4707); to the Committee on Transportation and Infrastructure.

2920. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting a notification that the cost of response and recovery efforts for FEMA-3384-EM in the Commonwealth of Puerto Rico has exceeded the $5 million limit for a single emergency declaration, pursuant to 42 U.S.C. 5193(b)(3); Public Law 93-288, Sec. 503(b)(3) (as amended by Public Law 100-707, Sec. 107(a)); (102 Stat. 4707); to the Committee on Transportation and Infrastructure.

2921. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Technify Motors GmbH Reciprocating Engines [Docket No.: FAA-2017-0241; Product Identifier 2017-NE-09-AD; Amendment 39-19045; AD 2017-19-15] (RIN: 2120-AA64) received October 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2922. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2016-9185; Product Identifier 2016-NM-077-AD; Amendment 39-19040; AD 2017-19-10] (RIN: 2120-AA64) received October 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2923. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2017-0494; Product Identifier 2016-NM-126-AD; Amendment 39-19047; AD 2017-19-17] (RIN: 2120-AA64) received October 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2924. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2017-0511; Product Identifier 2016-NM-176-AD; Amendment 39-19036; AD 2017-19-06] (RIN: 2120-AA64) received October 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2925. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2017-0809; Product Identifier 2017-NM-094-AD; Amendment 39-19030; AD 2017-18-21] (RIN: 2120-AA64) received October 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2926. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2017-0334; Product Identifier 2017-NM-008-AD; Amendment 39-19039; AD 2017-19-09] (RIN: 2120-AA64) received October 18, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

2927. A letter from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting the Annual Report of the Student Loan Ombudsman,

pursuant to Public Law 111-203, Sec. 1035; jointly to the Committees on Financial Services and Education and the Workforce.

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. ROYCE of California: Committee on Foreign Affairs. H.R. 3329. A bill to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah, and for other purposes; with an amendment (Rept. 115–366, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROYCE of California: Committee on Foreign Affairs. H.R. 3342. A bill to impose sanctions on foreign persons that are responsible for gross violations of internationally recognized human rights by reason of the use by Hizballah of civilians as human shields, and for other purposes (Rept. 115–367, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2600. A bill to provide for the conveyance to the State of Iowa of the reversionary interest held by the United States in certain land in Pottawattamie County, Iowa, and for other purposes; with an amendment (Rept. 115–368). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOODALL: Committee on Rules. House Resolution 580. Resolution providing for consideration of the Senate amendment to the concurrent resolution (H. Con. Res. 71) establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027 (Rept. 115–369). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII the Committees on Financial Services and the Judiciary discharged from further consideration. H.R. 3329 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII the Committee on the Judiciary discharged from further consideration. H.R. 3342 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COFFMAN (for himself and Ms. BROWNLEY of California):

H.R. 4099. A bill to amend title 38, United States Code, to ensure that children of homeless veterans are included in the calculation of the amounts of certain per diem grants; to the Committee on Veterans' Affairs.

By Mr. CHABOT:

H.R. 4100. A bill to amend title 36, United States Code, to revise the Federal charter for the Foundation of the Federal Bar Association; to the Committee on the Judiciary.

By Mr. THOMPSON of Pennsylvania (for himself and Mr. COURTNEY):

H.R. 4101. A bill to reverse declining milk consumption in schools; to the Committee on Education and the Workforce.

By Mr. DOGGETT (for himself, Mr. FARENTHOLD, and Mr. HURD):

H.R. 4102. A bill to apply certain medical requirements to an operator of an air balloon; to the Committee on Transportation and Infrastructure.

By Mr. LOWENTHAL (for himself, Mr. GRIJALVA, and Ms. BARRAGÁN):

H.R. 4103. A bill to require the Secretary of the Interior to submit an annual report to Congress on certain statistics related to applications for a permit to drill an oil or gas well, and for other purposes; to the Committee on Natural Resources.

By Mr. HARPER:

H.R. 4104. A bill to amend title XVIII of the Social Security Act to extend the additional temporary exception from the Medicare site-neutral inpatient payment rate to additional DRG codes for severe wound discharges from long-term care hospitals; to the Committee on Ways and Means.

By Mrs. LAWRENCE (for herself, Mr. CLYBURN, Mr. SERRANO, Mr. TONKO, Mr. LARSEN of Washington, Mr. RUSH, Mr. GRIJALVA, Mr. ESPAILLAT, and Mr. CONYERS):

H.R. 4105. A bill to amend title XX of the Social Security Act to extend the health professions workforce demonstration project; to the Committee on Ways and Means.

By Ms. SHEA-PORTER (for herself and Ms. ROSEN):

H.R. 4106. A bill to amend title 38, United States Code, to provide for an increase in the amount of monthly dependents and survivors income security benefit payable to surviving spouses by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BISHOP of Michigan (for himself, Mr. ROE of Tennessee, Mr. RYAN of Ohio, Mr. FORTENBERRY, Mr. SMITH of Nebraska, and Mr. GOSAR):

H.R. 4107. A bill to award a Congressional gold medal, collectively, to the crew of the U.S.S. Indianapolis, in recognition their perseverance, their bravery, and their service to the nation; to the Committee on Financial Services.

By Mr. DONOVAN:

H.R. 4108. A bill to establish an Anti-Bullying Roundtable to study bullying in elementary and secondary schools in the United States, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GUTHRIE (for himself and Ms. MATSUI):

H.R. 4109. A bill to amend the Communications Act of 1934 to provide for the deposits of bidders in auctions of spectrum frequencies to be deposited in the Treasury; to the Committee on Energy and Commerce.

By Mr. LEVIN (for himself, Ms. PELOSI, Mr. HOYER, Mr. CROWLEY, Mr. BLUMENAUER, Mr. LEWIS of Georgia, Mr. LARSON of Connecticut, Mr. DANNY K. DAVIS of Illinois, Mr. PASCRELL, Mr. KIND, Ms. DELBENE, Mr. HIGGINS of New York, Mr. THOMPSON of California, Ms. JUDY CHU of California, and Mr. DOGGETT):

H.R. 4110. A bill to amend the Internal Revenue Code of 1986 to clarify that all provisions shall apply to legally married same-sex couples in the same manner as other married couples, and for other purposes; to the Committee on Ways and Means.

By Mrs. MCMORRIS RODGERS:

H.R. 4111. A bill to amend the Small Business Investment Act of 1958 to improve the number of small business investment companies in underlicensed States, and for other purposes; to the Committee on Small Business.

By Mr. POCAN (for himself, Ms. SCHAKOWSKY, Mr. CICILLINE, Mr. DESAULNIER, Ms. LEE, Mr. CONYERS, Mr. NADLER, Mr. TAKANO, Ms. KAPTUR, Mr. NORCROSS, Mr. PALLONE, and Mr. MCGOVERN):

H.R. 4112. A bill to ensure the safety of workers of contractors that serve and supply the Armed Forces and the accountable use of taxpayer dollars; to the Committee on Armed Services.

By Mr. POLIQUIN:

H.R. 4113. A bill to amend title 38, United States Code, to allow the Secretary of Veterans Affairs to enter into certain agreements with non-Department of Veterans Affairs health care providers if the Secretary is not feasibly able to provide health care in facilities of the Department or through contracts or sharing agreements, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RUIZ (for himself, Ms. BARRAGÁN, Ms. JACKSON LEE, Ms. ROYBAL-ALLARD, Mr. EVANS, Mr. THOMPSON of Mississippi, Ms. JAYAPAL, Mr. MCEACHIN, Mr. HASTINGS, Mr. PAYNE, Mr. GUTIÉRREZ, Mr. CARBAJAL, and Mr. KIHUEN):

H.R. 4114. A bill to require Federal agencies to address environmental justice, to require consideration of cumulative impacts in certain permitting decisions, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, Transportation and Infrastructure, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLLINS of Georgia:

H. Res. 579. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to.

By Mr. BACON:

H. Res. 581. A resolution congratulating the people of the Republic of Turkey and Turkish Americans nationwide on Turkish Republic Day; to the Committee on Foreign Affairs.

By Mr. BANKS of Indiana:

H. Res. 582. A resolution expressing the sense of the House of Representatives that Joseph Leon George should be honored for heroism at Pearl Harbor, Hawaii, on December 7, 1941; to the Committee on Armed Services.

By Ms. CLARKE of New York:

H. Res. 583. A resolution expressing support for the designation of the last week in October as ''Black Women's Health Week''; to the Committee on Oversight and Government Reform.

By Ms. KAPTUR (for herself, Mr. MCGOVERN, Mr. WELCH, Ms. DELAURO, Mr. EVANS, Mr. KHANNA, Ms. NORTON, and Ms. PINGREE):

H. Res. 584. A resolution recognizing the International Day of Rural Women on October 15, 2017, in celebration of women farmers around the world; to the Committee on Foreign Affairs.

By Miss RICE of New York (for herself and Mr. KATKO):

H. Res. 585. A resolution amending the Rules of the House of Representatives to direct the Chief Administrative Officer to carry out an annual information security training program for Members, officers, and employees of the House; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XII,

139. The SPEAKER presented a memorial of the General Assembly of the State of California, relative to House Resolution No. 57,

supporting Congress' efforts to censure President Donald Trump, calls upon President Donald Trump to publicly apologize to all Americans for his racist and bigoted behavior, and calls upon all other state legislatures to ask the same of Congress and the President; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. COFFMAN:
H.R. 4099.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8 of the Constitution.

By Mr. CHABOT:
H.R. 4100.
Congress has the power to enact this legislation pursuant to the following:
Article 1, section 8, clause 18

By Mr. THOMPSON of Pennsylvania:
H.R. 4101.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. DOGGETT:
H.R. 4102.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3 of the United States Constitution that grants Congress the authority, ''To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. LOWENTHAL:
H.R. 4103.
Congress has the power to enact this legislation pursuant to the following:
U.S. Cont. art. IV, sec. 3, cl. 2, sen. a
The Congress shall have Power to dispose of and make all needful Rule and Regulations respecting the Territory of other Property belonging to the United States;

By Mr. HARPER:
H.R. 4104.
Congress has the power to enact this legislation pursuant to the following:
The Congress enacts this bill pursuant to Clause I of Section 8 of Article I of the United States Constitution.

By Mrs. LAWRENCE:
H.R. 4105.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. SHEA-PORTER:
H.R. 4106.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8

By Mr. BISHOP of Michigan:
H.R. 4107.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8, Clause 18, to make all laws, which shall be necessary and proper for carrying into execution the foregoing powers.

By Mr. DONOVAN:
H.R. 4108.
Congress has the power to enact this legislation pursuant to the following:
Article 1, Section 8 of the United States Constitution.

By Mr. GUTHRIE:
H.R. 4109.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3
To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

By Mr. LEVIN:
H.R. 4110.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8

By Mrs. MCMORRIS RODGERS:
H.R. 4111.
Congress has the power to enact this legislation pursuant to the following:
Article I Section 8 Clause 3: ''To Regulate Commerce with Foreign Nations, and Among the several state, and with the Indian Tribes.''

By Mr. POCAN:
H.R. 4112.
Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 3
The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. POLIQUIN:
H.R. 4113.
Congress has the power to enact this legislation pursuant to the following:
Article 1 Section VIII of the U.S. Constitution

By Mr. RUIZ:
H.R. 4114.
Congress has the power to enact this legislation pursuant to the following:
clause 18 of section 8 of article I of the Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 19: Mr. BARR.
H.R. 35: Mr. MEADOWS.
H.R. 113: Mr. SMUCKER, Mr. BEN RAY LUJÁN of New Mexico, Mr. GOMEZ, and Mr. CROWLEY.
H.R. 154: Mr. LANGEVIN, Ms. KAPTUR, and Mr. TAKANO.
H.R. 173: Mrs. HANDEL, Mr. DELANEY, Mr. BIGGS, Mr. DUNCAN of Tennessee, Mrs. BEATTY, Ms. GABBARD, and Mr. GALLEGO.
H.R. 233: Mr. LIPINSKI, Mr. O'ROURKE, Mr. DELANEY, and Ms. SLAUGHTER.
H.R. 252: Mr. LIPINSKI and Mr. SERRANO.
H.R. 299: Mr. POLIS.
H.R. 377: Mr. JOHNSON of Ohio.
H.R. 380: Mr. BANKS of Indiana.
H.R. 392: Mr. COMER, Mr. CARSON of Indiana, Mr. MEEKS, and Mr. BROWN of Maryland.
H.R. 422: Mr. GAETZ, Mr. LAMALFA, Mr. SAM JOHNSON of Texas, Mr. BURGESS, and Mr. BYRNE.
H.R. 502: Mr. CASTRO of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. VELA.
H.R. 579: Ms. JACKSON LEE.
H.R. 719: Mr. PERRY.
H.R. 741: Mr. GALLAGHER.
H.R. 754: Mr. CURBELO of Florida and Mr. WILLIAMS.
H.R. 757: Mr. PANETTA.
H.R. 761: Mr. LATTA.
H.R. 782: Mr. POLIQUIN.
H.R. 807: Mrs. CAROLYN B. MALONEY of New York, Mr. ROSKAM, and Ms. GRANGER.
H.R. 811: Mr. NORMAN.
H.R. 812: Mr. HIGGINS of New York.
H.R. 821: Mr. YARMUTH.
H.R. 846: Ms. JENKINS of Kansas.
H.R. 860: Ms. ROS-LEHTINEN.
H.R. 881: Mr. ZELDIN.
H.R. 918: Mr. LAWSON of Florida.
H.R. 919: Mr. DENT.
H.R. 1017: Mr. PERRY.
H.R. 1078: Mr. CÁRDENAS.
H.R. 1094: Ms. JACKSON LEE, Ms. WILSON of Florida, Mrs. LAWRENCE, and Ms. ROYBAL-ALLARD.
H.R. 1143: Mr. WELCH.
H.R. 1155: Mr. SMITH of Nebraska.
H.R. 1156: Mr. YODER.
H.R. 1224: Mr. SESSIONS.
H.R. 1243: Mr. GOMEZ.
H.R. 1279: Mrs. DAVIS of California.
H.R. 1281: Mr. NORCROSS.
H.R. 1341: Mr. ROGERS of Alabama.
H.R. 1360: Mr. LATTA and Mr. BUDD.
H.R. 1378: Mr. YOUNG of Alaska and Mr. YOUNG of Iowa.
H.R. 1409: Ms. NORTON, Mr. HIGGINS of Louisiana, Mr. MICHAEL F. DOYLE of Pennsylvania, and Mr. JONES.
H.R. 1456: Mr. BISHOP of Michigan, Mrs. WATSON COLEMAN, and Ms. FUDGE.
H.R. 1463: Mr. FARENTHOLD.
H.R. 1478: Mr. CARSON of Indiana, Mr. DANNY K. DAVIS of Illinois, Mr. LEVIN, and Mr. RUIZ.
H.R. 1494: Mr. CONYERS, Ms. JACKSON LEE, Mr. PANETTA, Mr. BROWN of Maryland, Mr. TIPTON, Ms. GABBARD and Ms. FUDGE.
H.R. 1515: Mr. DESAULNIER.
H.R. 1520: Mr. FITZPATRICK.
H.R. 1563: Mr. ROSKAM and Mr. KRISHNAMOORTHI.
H.R. 1580: Mr. BERGMAN.
H.R. 1617: Mr. POLIQUIN.
H.R. 1626: Ms. ADAMS and Mr. MEADOWS.
H.R. 1673: Mr. CARBAJAL.
H.R. 1674: Mr. ENGEL.
H.R. 1730: Mr. SUOZZI.
H.R. 1757: Mr. DEFAZIO.
H.R. 1776: Mr. DEFAZIO and Mr. RYAN of Ohio.
H.R. 1832: Mr. RUSH.
H.R. 1847: Mr. GOMEZ.
H.R. 1865: Mr. KUSTOFF of Tennessee.
H.R. 1896: Mr. BYRNE.
H.R. 1900: Mr. CURBELO of Florida and Mr. CORREA.
H.R. 2092: Mr. CORREA and Mr. SESSIONS.
H.R. 2101: Mr. COLE, Mr. BUDD, and Mr. CRAMER.
H.R. 2119: Ms. SÁNCHEZ.
H.R. 2121: Mr. MOULTON, Mr. LOEBSACK, and Mrs. WAGNER.
H.R. 2150: Mr. BEN RAY LUJÁN of New Mexico and Mr. LOWENTHAL.
H.R. 2198: Mr. WEBER of Texas.
H.R. 2310: Mr. LABRADOR, Mr. SMITH of Texas, Mr. HARPER, Mr. STIVERS, and Mr. HIGGINS of Louisiana.
H.R. 2319: Mr. SMITH of Texas and Mr. ESTES of Kansas.
H.R. 2320: Mr. SOTO.
H.R. 2327: Mr. PERRY.
H.R. 2351: Mr. LEWIS of Georgia.
H.R. 2394: Mr. CHABOT.
H.R. 2401: Mr. SCHRADER.
H.R. 2403: Ms. DELAURO and Mr. BEYER.
H.R. 2404: Mr. LOWENTHAL.
H.R. 2436: Mr. CÁRDENAS, Mr. FASO, Mr. LAWSON of Florida, Ms. ROYBAL-ALLARD, Mr. CARBAJAL, Mr. VEASEY, Mr. LOEBSACK, Mr. HUFFMAN, Ms. FUDGE, and Mr. PRICE of North Carolina.
H.R. 2499: Mr. SERRANO.
H.R. 2575: Mr. BILIRAKIS.
H.R. 2599: Mr. BISHOP of Michigan.
H.R. 2601: Mr. WEBSTER of Florida.

H.R. 2633: Ms. ROYBAL-ALLARD, Mr. DESAULNIER, Mrs. WATSON COLEMAN, Mr. RYAN of Ohio, and Mr. RUSH.

H.R. 2641: Mr. RUSH and Mr. PRICE of North Carolina.

H.R. 2644: Mr. POCAN, Ms. JENKINS of Kansas, and Mr. LOWENTHAL.

H.R. 2651: Mr. CAPUANO, Ms. VELÁZQUEZ, Ms. JENKINS of Kansas, Ms. BROWNLEY of California, and Mr. BRADY of Pennsylvania.

H.R. 2690: Mr. KHANNA.

H.R. 2718: Ms. JAYAPAL.

H.R. 2790: Ms. FRANKEL of Florida, Mr. CICILLINE, Mr. CROWLEY, Mr. TAKANO, and Ms. GABBARD.

H.R. 2797: Ms. PINGREE.

H.R. 2799: Ms. LOFGREN.

H.R. 2823: Mr. MESSER.

H.R. 2851: Mr. SHUSTER.

H.R. 2862: Ms. JUDY CHU of California and Ms. ESHOO.

H.R. 2884: Ms. NORTON.

H.R. 2902: Mr. DESAULNIER, Mr. HECK, Mr. NORCROSS, Mr. DELANEY, Mr. LARSEN of Washington, Ms. LOFGREN, Mr. PALLONE, Mr. BEN RAY LUJÁN of New Mexico, and Mr. TED LIEU of California.

H.R. 2909: Mr. COOK and Mr. BYRNE.

H.R. 2938: Mr. POLIQUIN.

H.R. 2948: Mr. HUIZENGA, Mr. LARSON of Connecticut, Mr. CRIST, Mr. KIHUEN, Mr. HULTGREN, Mr. LUCAS, Mr. POSEY, Mr. ROSS and Mr. BUDD.

H.R. 2973: Mr. DUNCAN of Tennessee, Ms. JENKINS of Kansas, and Mr. KNIGHT.

H.R. 2980: Mr. HUDSON.

H.R. 2996: Mr. WILLIAMS.

H.R. 3018: Mr. COFFMAN.

H.R. 3030: Mr. DONOVAN and Ms. KAPTUR.

H.R. 3032: Mr. MOULTON.

H.R. 3076: Mr. GENE GREEN of Texas.

H.R. 3108: Ms. KUSTER of New Hampshire and Ms. LEE.

H.R. 3117: Mr. HUDSON and Mr. LAMBORN.

H.R. 3148: Mr. CARBAJAL.

H.R. 3179: Mr. BUDD.

H.R. 3227: Mr. KENNEDY.

H.R. 3258: Ms. BROWNLEY of California, Mr. CONNOLLY, Mr. LARSON of Connecticut, Mr. HIGGINS of New York, Mrs. CAROLYN B. MALONEY of New York, and Mr. SMITH of Washington.

H.R. 3271: Mr. ROSKAM.

H.R. 3274: Mr. DUNN, Mr. BIGGS, Mr. COLE, Mr. SESSIONS, Mr. WALBERG, Ms. GRANGER, Mr. BABIN, and Mr. TIBERI.

H.R. 3275: Ms. GABBARD and Ms. ROYBAL-ALLARD.

H.R. 3296: Ms. KUSTER of New Hampshire.

H.R. 3320: Mr. CAPUANO.

H.R. 3329: Mr. NORCROSS, Mr. SCALISE, and Mr. GIBBS.

H.R. 3342: Mr. GOTTHEIMER and Ms. MENG.

H.R. 3380: Mr. CÁRDENAS and Ms. ESTY of Connecticut.

H.R. 3394: Mr. BARLETTA.

H.R. 3419: Mr. FRANCIS ROONEY of Florida.

H.R. 3459: Ms. JAYAPAL and Mr. TAKANO.

H.R. 3556: Mr. BUDD.

H.R. 3576: Mr. HUDSON.

H.R. 3596: Mr. EMMER, Mr. HARPER, Mr. ROKITA, and Mr. ROSKAM.

H.R. 3632: Mr. POLIQUIN and Mr. COSTA.

H.R. 3635: Mr. STIVERS.

H.R. 3656: Mrs. RADEWAGEN.

H.R. 3671: Mrs. WATSON COLEMAN and Mr. DESAULNIER.

H.R. 3681: Mr. MEEHAN, Mr. SCHIFF, Mr. GALLAGHER, Mr. SOTO, Mr. FITZPATRICK, Mr. DEUTCH, Mr. PETERS, Mr. WELCH, Mr. TONKO, and Mr. VEASEY.

H.R. 3712: Mr. GALLEGO.

H.R. 3716: Ms. LOFGREN.

H.R. 3720: Mr. LAWSON of Florida.

H.R. 3731: Mr. BISHOP of Michigan.

H.R. 3758: Mr. HOLLINGSWORTH.

H.R. 3767: Mr. CARTER of Georgia, Mrs. BEATTY, Mr. CLAY, Mr. LANCE, Ms. ESTY of Connecticut, and Mr. KENNEDY.

H.R. 3768: Mr. COHEN.

H.R. 3770: Mrs. WALORSKI, Mr. SUOZZI, Mr. FARENTHOLD, and Ms. MCCOLLUM.

H.R. 3782: Mr. DESAULNIER and Mr. LOWENTHAL.

H.R. 3790: Mr. ABRAHAM.

H.R. 3811: Mr. JOHNSON of Georgia.

H.R. 3866: Mr. WESTERMAN and Ms. TITUS.

H.R. 3887: Mr. MEEHAN.

H.R. 3889: Mr. YOUNG of Iowa.

H.R. 3931: Mr. DEFAZIO.

H.R. 3939: Mr. PETERSON.

H.R. 3956: Mr. ROKITA.

H.R. 3963: Mr. PERLMUTTER, Mr. MCGOVERN, and Mr. ELLISON.

H.R. 3966: Mr. ROHRABACHER and Mr. BUCK.

H.R. 3988: Mr. BYRNE.

H.R. 4007: Mr. BROOKS of Alabama.

H.R. 4012: Ms. ROSEN, Mr. GOHMERT, and Mr. FRANCIS ROONEY of Florida.

H.R. 4013: Mr. TED LIEU of California, Mr. BLUMENAUER, Mr. COSTA, Mr. CARSON of Indiana, and Mr. MCGOVERN.

H.R. 4073: Mr. JONES.

H.R. 4079: Mr. BUDD.

H.R. 4082: Mr. VISCLOSKY, Ms. TSONGAS, Mr. WELCH, Mr. PETERS, Mr. COHEN, Mr. BLUMENAUER, Mr. POLIS, Mr. MCGOVERN, Ms. FUDGE, and Ms. ADAMS.

H.R. 4090: Mr. POLIQUIN.

H.R. 4098: Mr. KENNEDY.

H. Con. Res. 10: Mr. BRADY of Pennsylvania.

H. Con. Res. 59: Mr. ADERHOLT.

H. Con. Res. 63: Mr. CARSON of Indiana, Mr. SCHRADER, Mr. LIPINSKI, and Mr. KRISHNAMOORTHI.

H. Con. Res. 81: Mr. COOPER, Ms. JACKSON LEE, and Mr. LABRADOR.

H. Con. Res. 84: Mr. NORMAN, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CARSON of Indiana, Mr. PASCRELL, and Mr. FOSTER.

H. Res. 15: Mr. KNIGHT and Mr. KIND.

H. Res. 142: Mr. SCHNEIDER.

H. Res. 149: Mr. GOTTHEIMER.

H. Res. 188: Mr. BERA.

H. Res. 220: Mr. GOHMERT.

H. Res. 283: Mr. HECK.

H. Res. 307: Mr. KUSTOFF of Tennessee.

H. Res. 318: Mr. KATKO.

H. Res. 346: Ms. LEE.

H. Res. 359: Mr. NORCROSS and Mr. MOULTON.

H. Res. 466: Mr. BOST, Ms. BONAMICI, Ms. SLAUGHTER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CAPUANO, Mrs. DAVIS of California, Ms. KAPTUR, and Ms. WASSERMAN SCHULTZ.

H. Res. 529: Mr. MOOLENAAR.

H. Res. 556: Ms. NORTON.

H. Res. 557: Ms. NORTON.

H. Res. 565: Ms. LEE.

H. Res. 571: Ms. GABBARD.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 3798: Mr. PERLMUTTER.

PETITIONS, ETC.

Under clause 3 of rule XII,

64. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, Texas, relative to remonstrating against the enactment of any legislation by Congress that would end the status of ''Columbus Day'' as an official Federal holiday; which was referred to the Committee on Oversight and Government Reform.

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PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

Vol. 163 WASHINGTON, TUESDAY, OCTOBER 24, 2017 *No. 171*

Senate

The Senate met at 10 a.m. and was called to order by the Honorable BEN SASSE, a Senator from the State of Nebraska.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, who is enthroned on high, thank You for the happiness we receive because of fellowship with You. Keep us grateful for Your sustaining presence that surrounds us with Your favor.

Lord, bless and sustain our Senators. Remind them that You will not forget their faithful service to You and country. Deliver them from anxiety about what the future holds as they confidently trust You to care for them. Clothe them with Your righteousness, and prepare them to see Your face in peace. Help them to see themselves as Your servants, bringing the illumination of Your wisdom and peace to Capitol Hill.

God of our hopes and dreams, we bless Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. HATCH).

The senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 24, 2017.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BEN SASSE, a Senator from the State of Nebraska, to perform the duties of the Chair.

ORRIN G. HATCH,
President pro tempore.

Mr. SASSE thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

NATURAL DISASTER EMERGENCY FUNDING

Mr. MCCONNELL. Mr. President, today, the Senate will pass an important measure to provide relief for communities that are struggling to rebuild after the natural disasters that have affected many different parts of our country. Soon, this emergency funding legislation will be on its way to the President for his signature.

With these new resources, Federal aid workers from FEMA and the rest of the administration can continue their critical recovery operations, including search and rescue missions, debris removal, and infrastructure repair, as well as providing much needed assistance to individuals and to families.

I will continue to monitor these disaster response efforts, and I will continue to engage with leaders both in Washington and on the ground. The Senate will also continue doing its part to help the victims recover.

TAX REFORM

Mr. MCCONNELL. Mr. President, on another matter, as we continue our work in the Senate, we look forward to hearing the President's perspectives on how to advance our shared agenda, particularly the upcoming debate on bringing tax relief, economic growth, and jobs to Americans through tax reform.

Last week, the Senate passed a comprehensive, responsible budget that will help put the government on a path to balance and help put our economy on a road to robust growth. This week, the House plans to bring the budget to the floor for passage by Thursday. Once they pass it, we will have important legislative tools to help our economy grow through tax reform.

As we all know, after years of an economy that failed to live up to its full potential, the time is now to pass tax reform so that we can get America going again and growing again. We want to make taxes lower, simpler, and fairer. We want to close loopholes that are exploited by the wealthy. We want to make it easier to create new jobs in America and keep them here. In short, we want to take more money out of Washington's pockets and put more in yours.

These are the ideas that drive tax reform. They are shared by the President. They are shared by Americans in both political parties. They should be shared by Senators of both political parties, as well, and for many years, they actually were. The former chairman of the Finance Committee, Senator WYDEN, called our current Tax Code an ''anticompetitive mess.'' The senior Senator from Michigan, Ms. STABENOW, expressed her concern for a tax code that incentivizes jobs to be shipped overseas, and our friend, the Democratic leader, wrote about our Tax Code's failure to help American workers compete.

Many Democrats called for action to get tax reform done. I hope that our Democratic friends will work with us now in a serious way to actually do it. After all, it is not as if the need for tax reform has changed since our friends

made these statements as recently as a few years ago. The only thing that has changed is the occupant of the White House. That is the only difference. So let's get this done. The American people are counting on us.

NOMINATIONS OF SCOTT PALK AND TREVOR MCFADDEN

Mr. MCCONNELL. Mr. President, on one final matter, in addition to our important legislative priorities, the Senate is also working hard to confirm the President's excellent judicial nominees.

Last night, I filed cloture on two nominees for U.S. district courts.

Scott Palk has been nominated to serve as a district judge for the Western District of Oklahoma. He has served in multiple roles in the U.S. attorney's office in prosecuting organized crime and terrorism cases, and the Senate Judiciary Committee sent his nomination to the floor with an overwhelming bipartisan vote.

Another nominee, Trevor McFadden, was voted out of the Judiciary Committee with no opposition at all. He has been tapped to serve as a district judge for the District of Columbia, and as a former police officer, Mr. McFadden will bring a wealth of law enforcement experience to the bench.

The Senate will vote on both of these nominees this week, and then we will continue working to confirm President Trump's outstanding judicial nominees. I look forward to supporting these nominees, and I urge my colleagues to join me in voting to confirm them.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. 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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

PRESIDENTIAL LEADERSHIP

Mr. SCHUMER. Mr. President, good morning.

Before I get into everything, I have just seen that President Trump has resumed his Twitter war with another Member of this body, our friend from Tennessee. It is long past time for the President to quit his daily compulsion of engaging in Twitter feuds and, instead, get to work for the American people. We have a lot of serious issues to deal with in this country. Our challenges are too entrenched and complex to be solved if the President spends his time in a meaningless war of words on Twitter—today with this person, tomorrow with another.

We need President Trump to roll up his sleeves and get to work—to stop tweeting and start leading. Let me repeat that. Maybe the President will hear it. For the good of America, we need our President to roll up his sleeves and get to work—to stop tweeting and start leading.

NORTH KOREA

Mr. SCHUMER. Mr. President, concerning North Korea, instead of undermining his Secretary of State and picking Twitter fights with Kim Jong Un that risk a war, President Trump should formulate a serious strategy to put the heat on China to pressure the North Koreans and resolve this crisis. China holds the cards here, but they have done nothing to help us or very little at least.

HEALTHCARE

Mr. SCHUMER. Mr. President, on healthcare, President Trump should stop playing games with America's healthcare and publicly declare his support for the Alexander-Murray compromise.

President Trump is meeting with the Senate Republicans at their caucus lunch today, with Senator ALEXANDER and all other 11 Republican cosponsors of the bill. Why not provide some clarity? Why not say, as he has said in the past, that he supports Senator ALEXANDER's work? I believe many more Republican Senators want to sign their name onto this bill, but they are waiting to hear definitively from the President before they announce their support. After all, nearly every Republican here voted to extend the cost-sharing program already. It was part of their first healthcare bill. Every Democrat supports cost-sharing.

So the President has talked to me about wanting to be bipartisan on healthcare, and the best way to do it is to support Alexander-Murray. It is time that the President catches up to the rest of us and supports the bill. Right now he is the barrier.

Leader MCCONNELL has said that if the President will sign it, he will put it on the floor of the Senate. It will get an overwhelming vote. It will then have to be put on the House floor. So Speaker RYAN will have no choice, or the rise in premiums will be on his back and the backs of his Members whom he seeks to protect.

REPUBLICAN TAX PLAN

Mr. SCHUMER. Probably most of all, when we talk about the President, it is time to stop tweeting and start leading on taxes. Mr. President, it is time to start really engaging with the substance of the tax plan that your staff and congressional Republicans have put together because, Mr. President, your rhetoric does not match the reality on the tax bill.

The President has been selling his tax plan as a boon for the middle class. He told a group of truckers earlier this month that his tax plan is ''a middle-class bill.'' He said: ''The biggest winners will be everyday American workers.'' In his words, the Republican tax plan would bring about a ''middle-class miracle.''

President Trump, I urge you to look closely at the tax plan that your staff and congressional Republicans have put together. Ask the advisers around you what about this tax plan benefits the middle class and the everyday American worker more than the wealthy and the powerful, because trickle-down, if that is the only thing that benefits the middle class in your thinking, doesn't work. No one believes in trickle-down anymore except a small group of very wealthy business people who have undue influence on the Republican Party and, I hope, not on you, Mr. President.

Let's look at this plan that supposedly is a middle-class plan. It repeals the estate tax. That applies to a small number of families with estates over $5 million. It lowers the rate on passthrough entities. That benefits wealthy law firms and hedge fund managers so they can pay less in taxes than the average citizen. It lowers the top rate while raising the bottom one. The cut in the corporate rate would hardly help the American worker. This is trickle-down. Our Republican colleagues don't talk about trickle-down because they know most of America doesn't believe in it.

Our corporations are flush with cash already. They are flush with cash. Giving them more cash is not going to change their behavior. What are they doing with this cash? Most of the large corporations are not creating jobs with the cash they now have. Stock dividends, stock buybacks, dividends, increases in CEO salaries—that is where it goes. So this bill is not a middle-class bill. I believe the President believes it is. You have to read it. No more tweeting, no more superficiality—read the bill. Don't let your advisers just walk in and say: Mr. President, it is a great, middle-class bill, and you just let them go by.

It has already been shown—not just by me but by many others—that Mnuchin and Cohen don't tell the truth about this bill, and they know better. The Tax Policy Center said that the top 1 percent of our country will reap 80 percent of the benefits from this plan. They also said, Mr. President, that it is a middle-class bill. According to the Tax Policy Center—no one has disputed it—a third of all middle-class taxpayers will see their taxes go up. Is that a middle-class tax bill, Mr. President, one in which taxes go up, not down, on nearly 30 percent of middle-class taxpayers?

Now, if this is such a middle-class tax plan, then, why do Republicans here on the Hill keep floating new middle-class deductions to cut—the very deductions on which the middle class depends. First, it was the mortgage deduction and, then, the elimination of State and local deductibility, which made it into the plan. Now they are even talking about capping pretax contributions to 401(k) plans.

There are such huge tax breaks for the wealthy and such a huge deficit hole that the tax writers have no choice but to raise taxes on the middle class and cut deductions. Even the great doubling of the standard deduction, Mr. President, is undone by the elimination of the personal deduction. If you are a family of three, you break even. If you are a family of four, you lose money even before they cut the other deductions.

Now, on State and local, in many Republican districts in the House, in many of our Republican colleagues' States, over 30 percent—certainly, 20 percent, and the lowest number is 17—of taxpayers would use that deduction. Eliminating the State and local deduction is a dagger to the heart of the middle class, Mr. President. You should tell your tax writers in the House and Senate to take it out of the bill.

Here is what PricewaterhouseCoopers just found out. Home values would go down 10 percent if we eliminated the State and local deduction. Homes are the piece of the rock for the middle class. People wait and struggle and pay every month so they can own their own home free and clear, and then that value declines because we eliminated State and local deductibility. Every homeowner is affected, even those who take the standard deduction.

If this were such a middle-class plan, I would say this to the President: Why wouldn't Republicans on the Hill scrap the repeal of the estate tax, which only benefits the very rich—not one drop goes to the middle class—instead of looking for more middle-class deductions, like the 401(k), to reduce or eliminate?

President Trump says he wants to do a middle-class bill, but if the only benefit to the middle class is this trickle-down theory, it is not a middle-class bill at all.

We Democrats have said all along that we want to update our Tax Code to provide middle-class tax relief. My caucus wants to provide tax relief to small businesses, not to big corporations. They are the ones that need the money to create jobs, not the big corporations who are flush with money.

Incidentally, as for AT&T, which is leading the charge for this tax cut, their average tax rate over the last 10 years was 8 percent, and they eliminated 80,000 jobs. So much for the idea that when you pay a low tax rate you are creating jobs.

So we offer this to the President: Come work with Democrats on a real middle-class tax bill. The plan your advisers put together with Republicans on the Hill doesn't do what you say it does. We can put together a tax bill in a bipartisan way that actually gets the job done for the middle class and that tells the rich corporate leaders and financiers that they shouldn't be in control of the bill, which they are now, and you, Mr. President, are going along wittingly or unwittingly. Either way is no good for you, no good for your party, and no good, most of all, for America.

DISASTER RELIEF

Mr. SCHUMER. Now, Mr. President, one final word here on wildfires, which I know my colleague from California is ready to speak about. She has seen the damage and is working so hard to help the people of her State.

So we are going to talk about wildfires, Puerto Rico, and the Virgin Islands. First, we can't forget about the 3.5 million American citizens in Puerto Rico and the U.S. Virgin Islands, who continue to suffer the terrible effects of Hurricane Maria, the strongest storm to hit the island in a century. It has been more than a month since Maria, and 75 percent of Puerto Rico is still without electricity, only a third of the island's cell sites are functional, and many who have diseases like diabetes and other diseases or who are in need of dialysis have been unable to receive their specialized treatments and medication.

One million Americans in Puerto Rico are suffering without access to clean water. We have seen the pictures of them drinking sewage and water from Superfund sites. I read this report that they have accidentally used wells located in one of the most contaminated Superfund sites, Dorado, to get water, because they are so desperate.

I have called on the White House to put a point person in charge of the recovery, and I repeat that request today. The administration should appoint a CEO for response and recovery for Puerto Rico, someone with the ability to bring all the necessary Federal agencies together, cut redtape on the public and private side, turn the lights back on, get clean water flowing, and help bring recovery. It is a national tragedy that deserves the most organized and efficient response. A CEO for response and recovery with a direct line to the President in the White House would help get the house in order.

Now, at the same time, we can't forget the devastation brought by wildfires out West. A group of Senators will be speaking on the floor today—my colleague from California is about to do just that—in support of swift passage of disaster aid for those regions, and I wholly support the effort.

As the number of forest fires and the cost of fighting these fires has risen dramatically, it has left the Forest Service and the Department of the Interior at a severe funding deficit. This has forced the Forest Service to take money from other accounts within the agency to cover the firefighting deficit, in a process called fire borrowing. Fire borrowing prevents the agency from carrying out its other missions, including investing in forest fire prevention.

As we have seen, the terrible forest fires rage across the West, hitting so hard the State of California, which my colleague is going to address. We must take action and provide the Forest Service with a long-term wildfire funding fix.

Some Members want to bog down this process with environmental and forest management riders, but I stand with Secretary of Agriculture Perdue and others who have called to simply fix the funding problem, without riders, to allow the agency to carry on its mission.

I yield the floor and ask unanimous consent that my colleague be given the time she requires to finish her remarks because I went a little over.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SCHUMER. Thank you, Mr. President.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

BANKRUPTCY JUDGESHIP ACT OF 2017

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the House message to accompany H.R. 2266, which the clerk will report.

The senior assistant legislative clerk read as follows:

House message to accompany H.R. 2266, a bill to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; and for other purposes.

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill.

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell amendment No. 1568, to change the enactment date.

McConnell amendment No. 1569 (to amendment No. 1568), of a perfecting nature.

The ACTING PRESIDENT pro tempore. The Senator from California.

Ms. HARRIS. Mr. President, I thank the minority leader, Senator SCHUMER, for his words of emphasis on the need to ensure that not only do our fellow Americans in Florida and Texas receive the relief they so dearly and sorely need but also that our fellow Americans in Puerto Rico and the U.S. Virgin Islands, as well, receive the relief

they need and receive the priority they deserve.

California has been devastated, frankly, by the wildfires that we have just experienced. Ten days ago, I was in Santa Rosa, CA, and witnessed firsthand the devastation that took place throughout that region and, in particular, in Coffey Park.

I met with evacuees. I met with firefighters. I met with community leaders, elected leaders, and others who traveled to that area out of concern and with a desire to help. I met county supervisors, and for two of them in particular, Supervisors Gore and Gorin, their entire districts were on fire. One of the supervisors even lost her own home. Yet they were leading the charge in the recovery efforts and doing so in such a selfless way and with such courage.

Entire communities were devastated, and people have lost everything and are still suffering to an incredible extent because of the loss they have experienced and the fact that they have not been resettled.

My heart breaks, as I know all of us feel for the 42 people and their families whose lives were ended in these fires. There were 42 people in this region who lost their lives. In addition, more than 8,400 homes and buildings were destroyed. For example, in Santa Rosa, 5 percent of the entire housing stock is gone. Many of the folks in these neighborhoods are middle-class families—working families. They are plumbers and teachers and first responders who were barely able to meet their mortgage. The fires have scorched more than 245,000 acres, and 100,000 Californians were forced to evacuate.

I must tell you, I am in awe of the work of the firefighters and first responders who fought tirelessly day and night. I heard stories of firefighters who worked 80 hours straight to do the work of evacuation, ensuring that no lives were lost and no lives were in peril. I am in awe of their work.

I met a firefighter. His first name is Paul, who, when I met him, was finally taking a moment of rest from the firefighting he had been doing. He was wearing sweatpants and a sweatshirt and flip-flops he borrowed from another firefighter because he lost his home and everything he had. Yet there he was on the frontlines fighting to make sure no other Californians, no other people faced the kind of devastation he faced.

There were more than 11,000 total firefighters who went to the fire. Some were from other States and even other countries. They deserve our thanks. I stand here in the U.S. Senate to thank them for the work they did, coming to California and helping us deal with this crisis.

First responders and medical professionals did important work as well. Fifty-one doctors from Santa Rosa Memorial Hospital who lost their homes and possessions still stayed overtime to help crowded emergency rooms full of patients. I am uplifted by what I know, and the world now sees, which is the character of Californians. People rushed to help the elderly in nursing homes evacuate. I heard the story of a doctor who used his motorcycle to save newborn babies from a neonatal unit.

Now these folks need our help. Senator FEINSTEIN and I will continue to demand FEMA resources, which include the need for housing, individual assistance, transportation, and water infrastructure. We need to make sure all Californians, regardless of status, can get help at the shelters.

I spoke with DHS Acting Secretary Elaine Duke and confirmed that ICE will suspend immigration enforcement in the area until further notice. It is our belief, and it is our understanding as Californians, that notice will be clear as to when this effort will end, in terms of not enforcing immigration. We want to be clear when it is going to start so we can tell Californians because right now they are trusting DHS's word that this immigration enforcement has been suspended. We are told that FEMA, through Elaine Duke, will also support emergency packages that provide disaster relief for the hurricanes in Texas, Florida, Puerto Rico, and the U.S. Virgin Islands.

California is resilient and will rebuild, but we need help. More than 12,000 constituents have contacted our office, and we will continue to work with FEMA, HUD, the Small Business Administration, and the USDA to ensure that those affected in my State will get all the relief that is necessary.

Congress needs to fund programs like community development block grants and section 8 housing to help provide affordable housing for low- and middle-class residents. They need the help to find affordable housing. California is facing an affordable housing crisis like many other States in our country, and this is something that has been highlighted by the devastation these various States and territories have experienced recently, but it is an ongoing issue we must deal with.

We cannot stop there. We need larger supplemental emergency packages that include helping California. This has to be a long-term commitment. California is experiencing the worst fires in history, and they are becoming more frequent. In the 1980s, fires burned and wildfires burned under 25 acres, on average. Now typical wildfires will burn over 100 acres. California's 2017 fire season has not yet ended, and it has already burned more acres than the average for the past 5 years. In Southern California, from Kern County to San Diego, red flag warnings are occurring as we speak. There are currently up to 55 mile-an-hour winds and warm, dry weather, with no humidity or very little humidity. These are the conditions that were at play during the most recent wildfire crisis.

We must also look at the future and how we can prevent wildfires from reaching this magnitude as we go forward. We must pass the Wildfire Disaster Funding Act.

Today, over half of the U.S. Forest Service budget is dedicated to combating wildfires, compared to just 13 percent of the budget in 1993. The wildfires are treated differently than floods or hurricanes. The Forest Service is not allowed to use general disaster relief funds at FEMA, and that makes no sense.

Prevention is cheaper than reaction. The U.S. Forest Service estimated that there are 6.3 billion dead trees in the Western States. Removing them would improve safety by mitigating wildfires. Also, it would have an economic benefit and create jobs. There are certain bills, and the bill I mentioned, that will help achieve this because it will allow the Forest Service to dedicate part of the budget to forest management and not just reacting.

We must listen to the experts. For example, CAL FIRE agrees. Too often, States are picking up the bill for prevention in forest management, and we should make it very clear that fires are not partisan. This bill I mentioned, the Wildfire Disaster Funding Act, is a bipartisan bill, and it should be inserted cleanly into the next supplemental emergency package.

Finally, let's recognize the connection between these disasters and climate change. California is leading the way and preparing for increasing wildfires, but the Federal Government needs to do its part. Natural disasters from fires to hurricanes, to floods do not discriminate by region or by party. We must help each other when these travesties hit, but also we must prepare for the future.

In closing, I would suggest and urge our colleagues to pass the supplemental bill and future emergency resources, ensure that Federal agencies deliver prompt help on the ground, and pass the Wildfire Disaster Funding Act.

Thank you.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. NELSON. Mr. President, just as the Senator from California has outlined the needs of her State, having been hit by a natural disaster, so, too, natural disasters, not wildfires—although we have had plenty in Florida—but hurricanes have hit other States.

Yesterday, this Senator spoke at length about the effects on a particular industry, the citrus industry. I showed pictures of 75 percent to 90 percent of the fruit on the ground. This Senator made a unanimous consent request to include a bipartisan amendment to get money for agriculture, not just in Florida but Texas, Puerto Rico, the Virgin Islands, and the wildfires in California into the package—specifically, about $3 billion for agriculture. The losses in Florida's agriculture are $2.5 billion, of which three-fourths of a billion is just losses to citrus growers.

That is all the bad news because the unanimous consent request was rejected. The good news is, although the

White House rejected it, they made a promise to put it in a continuing supplemental emergency appropriations in November for all these natural disasters and get that funding in there for agriculture. Some of us on both sides of this aisle, in order to make sure that promise is kept, have put a hold on the nominee for Deputy Budget Director. I will take the White House at its word, and this ought to all be worked out in November. That was the subject of my address to the Senate yesterday, along with my colleague Senator RUBIO from Florida, as we talked about the losses particularly to agriculture.

Today I want to talk about how a month after the hurricane in Puerto Rico and 2 months after the hurricane in Florida, the aftermath is not going so swimmingly because people are not getting the assistance they need. Mind you, this is 2 months after the hurricanes. People lost all the food in their freezer because they didn't have any power. They are supposed to get assistance in order to be able to buy food. If you are living paycheck to paycheck and you don't have a paycheck, you don't have any money to buy food. Therefore, you should get financial assistance from FEMA and the USDA. Yet you ought to see the lines in Miami, in Orlando, in Tampa, and in Belle Glade, and then they are cutting off the lines. The people who are getting cut out are going without food. So we have a long way to go.

The USDA's Disaster Supplemental Nutrition Assistance Program, called D–SNAP, is supposed to help all of our people recover from losses incurred by Irma by making short-term assistance available. It is especially important for families who are low income, who don't have income, or they are not getting a paycheck. Now they are saddled with unexpected repairs like a storm-damaged roof. They spent money evacuating or they lost wages during the storm, or they lost power and lost all the food in their freezer. Some people buy food in bulk because they can get it cheaper and store it in the freezer. Then, bam. It is all gone because there is no power.

There were 50,000 people waiting at a center in South Florida, and many were turned away after waiting in the heat for hours and hours. The next day it was the same story in another city I didn't mention, Delray Beach. The people are getting desperate.

I thank FEMA for everything it has done. I thank the Congress for doing the first supplemental in September that was intended originally for Harvey in Texas but along came Irma in Florida. I thank the Congress for the additional supplemental we just passed last night, but the administration of all these programs for assistance to people is not going so well.

Let's take another example. You get on the phone and you call FEMA. You are supposed to get a FEMA representative, and you have to wait. If that is because FEMA needs more people on a short-term basis to handle the amount of calls, well, FEMA, let's get it going.

What happens if you are calling because you need to have a FEMA representative come to your house to inspect your house so you can then get the necessary individual assistance to help you? You are waiting for assistance as to when a housing inspector can come and visit the home. Once you get through on the telephone, the last time we checked, the expected wait time to get a housing inspector is 45 days. That is too long for families to wait for an inspector to come because these Floridians are stuck living in damaged homes. Their homes have gotten wet, and, therefore, the mold and the mildew has built up, and they don't have any place else to go. They don't have any income to go down to one of the air-conditioned hotels, and they are still waiting for the FEMA inspector to come and inspect their home so they can get qualified to get the assistance that, in fact, they are due under the law. Our people can't access certain forms of FEMA assistance until the inspection is complete. I am told that FEMA has indeed increased the number of housing inspectors on the ground, but this process has to be expedited.

This isn't the only delay that is causing a very serious threat to health and to safety in Florida. FEMA has been very slow to bring in manufactured homes, mobile homes. Why? Because a lot of people's homes and/or mobile homes were so damaged, they can't go back and live there, so they get temporary assistance. They go into, hopefully, some air-conditioned place, such as an existing apartment complex or, per chance, a hotel. But what if you are in the Florida Keys? What if you are in the Keys, where there are not enough hotels and motels? In fact, there are not a lot of apartments.

By the way, the service industry is necessary to revive the tourism industry in the Keys, as an example, because that is the lifeblood of the economy, and the service industry has no place in which to live because their trailers are history.

I wish I had a picture here to show you of a mobile home park just north of Big Pine Key that I went to. There was not one mobile home that was upright. They were either all on their side, or they were upside down. It is not unusual because these are the Keys. The hurricane came right off the water, a category 4. But FEMA isn't getting those mobile homes, those manufactured homes, in as temporary assistance.

Understand, the example I gave is of the Florida Keys. There is one way in and one way out. But you have to compensate for that. In the meantime, people are suffering, and people are hurting.

The redtape should not stop anyone in this country from having a safe place to live. I urge FEMA to expedite the transporting of these units all over Florida, to Florida communities, and filling them up so that Floridians have a place to live that is safe and clean.

I say to my friend from New Jersey, if what is going on in Florida isn't bad enough, what about Puerto Rico? Right now, more than a month after the hurricane, 80 percent of the island still doesn't have power. I didn't go into the urbanized parts of San Juan, although I was there and did look around; I flew into the mountains, into the little town of Utuado. For 2½ weeks, they were cut off. They didn't have a road to get up there for 2½ weeks.

I say to my friend from Washington, in Puerto Rico, would you believe that over a month after the hurricane, 30 percent still do not have potable water? In Utuado, in the mountains, I saw them going up to a pipe to get water that was flowing down through the mountains. This wasn't necessarily potable water, but it was the only thing they had. They were lining up with their plastic jars and plastic buckets.

Hospitals in Puerto Rico are rationing services. They are forgoing optional operations. They are making difficult decisions on prioritizing patients because of limited medication, and limited facilities, fuel, communications, and power. Dialysis centers are desperate to get clean enough water so that they can process the dialysis for kidney patients.

Clearly, more needs to be done to help the people of Puerto Rico in addition to the people in Florida and all the other States.

I urge my colleagues to remember the plight of Americans trying to put their lives together after a major disaster.

We have heard the Senator from California make a plea about the wildfires. You have heard this Senator make a plea for Florida, Puerto Rico, and the Virgin Islands. We have heard the Texas delegation make a plea for Texas. We all have to come together in this time of need and pass a robust and comprehensive aid bill. We hope the White House will be true to its promise that the additional aid, particularly for agriculture, will be put in the November emergency supplement. There should be absolutely no ambiguity that the Federal Government intends to provide all the necessary assistance to make our people whole.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Mrs. MURRAY. Thank you, Mr. President.

As we speak, millions of Americans are working to put their lives back together after what has been an especially devastating series of disasters, from hurricanes that caused unprecedented flooding, which the Senator from Florida just spoke about, the catastrophic damage there, to deadly wildfires that have scorched communities across the West. From Santa Rosa to San Juan, there are countless families who need a hand up right now,

and we have to be there for them, including our fellow Americans in Puerto Rico, where a vast majority of families on the island are still without power or access to clean water, as we just heard.

I am glad we will soon take up a relief package to send resources to help our neighbors in need, many of whom have lost everything. I am glad, as you will hear from many of our colleagues on the floor today, that this is not the end of our commitment to those affected by these recent disasters but, rather, a downpayment on what we know will be a very long road to recovery for many devastated regions. But I challenge my colleagues to do one better. Not only could we address the longstanding fisheries disaster that continues to cause hardship for the men and women of our fishing industry and our Tribal communities, we could also fix the flawed way this country fights wildfires.

For far too long, the U.S. Forest Service has been forced to use up its budget fighting wildfires every season, only to have no funds left over to work on preventing them. This is a very dangerous cycle and a disservice to so many communities in the West. It has only gotten worse as climate change takes hold, which means our wildfires have grown more massive in size and intensity in recent years. I urge my colleagues to treat wildfires like the disaster they are.

I hope we all take this moment to acknowledge all of our neighbors affected by disaster, even if they don't make the front page of the paper. Let's use this opportunity to get the policy right and help out all our neighbors in need.

Thank you, Mr. President.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I am grateful to be joining with a lot of my colleagues today to talk about the urgency and the importance of what has happened in the aftermath of horrific hurricanes—Hurricane Harvey more than 2 months ago and Hurricane Irma and Hurricane Maria over a month ago. They have wreaked havoc on millions of lives. They have destroyed billions of dollars of property. They have created pain, suffering, and loss—loss of life everywhere from Texas, to Florida, to Puerto Rico, to the U.S. Virgin Islands.

Right now, too many of our citizens are still living in not just unacceptable conditions for an American, but they are really living on the brink of homelessness—food and water insecurity, scarcity, and facing the ravages of poverty, where you have lost everything and you are in a dependent state, dependent upon relief aid, dependent upon your neighbors.

Thousands of families have lost everything, and I believe they have yet to receive the kind of support they deserve from their government. Governments were formed in this country. This Nation was founded on this ideal of common defense. It is literally written into our founding documents, this idea that we are coming together for the protection and the strength of our communities. Right now, we are not doing enough, and that is not the American way.

I have seen it. During the storm that hit New Jersey, Superstorm Sandy, I still remember seeing us at our best, seeing neighbors open their homes, reaching out to one another. They were Americans standing up for Americans and not worrying about what their political parties were, not worrying about the risk there might be to themselves.

In fact, I still remember, as the storm was still raging, driving around my city in an SUV, checking in. I was coming up a hill, and I got a call from the President of the United States checking in on Newark. As the hurricane was beginning to leave, as the superstorm was beginning to leave, I got a call right after that from Governor Chris Christie expressing the same empathy, the same concern, checking in to see how I was doing.

I remember coming up on a hill, and just as I was finishing the last of those two conversations—talking to the most powerful person on the planet, the President, and the most powerful person in our State, the Governor; two different parties, two different backgrounds, but they are Americans—I remember coming up to a street corner where a massive tree had fallen, had torn down lines, and I saw a person in a raincoat standing there by the lines trying to wave me by to make sure my SUV didn't hit what could have been a live wire. I pulled the car over to the side in the wind and the rain, and I saw that it was an elderly man standing there in the streets feeling as if it was his obligation to protect his community. I stood there in the rain and looked at this elderly, African-American man who was standing there trying to protect people who were driving through and thought to myself: I talked to the most powerful guy in the country. I talked to the most powerful person in my State. But the true power that I saw was in an American who was working to take care of his community in a time of trial.

That was the spirit that stayed with me and lifted me during this crisis when I was staying up day after day—seeing his commitment to his community.

Martin Luther King said so eloquently that the ultimate measure of a man—and I would like to expand that and change that for a second—the ultimate measure of a person is not where they stand in moments of comfort and convenience but where they stand at times of challenge and controversy. That is where we are right now.

Tens of millions of us are very comfortable right now. This is a time of comfort and convenience for many. I got up this morning, I turned on my shower, and hot water came out. When I opened my fridge, there was food there. But how can we sit idly by while there is an urgency going on of epic proportions?

Let me tell you about Puerto Rico. As my friend from Florida said, 80 percent of their island remains without power. I saw firsthand what 1 week without power did in my community. It literally led to the deaths of people—not the storm itself, but the lack of power was directly related to the deaths in the city of which I was mayor. There are people who don't have access to things we take for granted, whether it be a bank account or food. It was profoundly stated by my colleague that just access to clean water—right now, there are people who are falling ill and dying in Puerto Rico because of a lack of access to clean water. Sanitation systems, water, roads, bridges, electric grids—all of these urgently need Federal investment.

One of my staffers has a son who is a medic in the Puerto Rico National Guard, and he has told her that people in hospitals have died. The loss of life, the loss of American lives—our fellow citizens have died because of their lack of access to electricity and the lack of access to oxygen.

We are Americans. I know our character. I know our spirit. But right now, there are hundreds of thousands of people in our country who are suffering. They may not be proximate to us in geography; they may not be next to us in sight. But the spirit we need right now is the spirit of that man standing in the storm, watching over his neighbors, watching over people passing through, being there for their own.

We have work to do. We have an urgency. Where children are suffering without the basics, where schools are closed, where crops have been destroyed, where access to food has been destroyed, we have work to do. So my sense of urgency right now is believing that, as a first step, we must have a comprehensive aid package—not just to help our fellow Americans in Florida and Texas where there are urgent crises still going on. The gravity of the pain and suffering in the Virgin Islands and in Puerto Rico right now is unimaginable for those of us who are not experiencing it, and it is unacceptable for us, as Americans, not to be there for our fellow citizens.

We are just 5 days away from the fifth anniversary of the storm that hit New Jersey, and we have made great strides in New Jersey over the past 5 years. But the reality is that today in New Jersey, we are still recovering from that storm.

This is going to be a long process, an urgent process. It is going to be a process that necessitates resilience, necessitates endurance, and necessitates persistence. But it starts with this body, the Congress of the United States of America, putting together an aid package that includes direct grant funding for rebuilding our country. For Puerto Rico and the Virgin Islands, it

must include making sure the island is strong enough. From telecommunications, to energy sources, to schools, we must make sure that the aid package includes all that is necessary for these islands to stand up again and get to work for the many months and years to come of rebuilding.

I support my colleagues on both sides of the aisle. I am encouraged by the spirit I encountered that night, having a Democratic President and Republican Governor call me as concerned Americans. But the spirit I call on tonight is that of the elderly Black guy on a street in a storm who said: The storms may howl; the rain may come; the water may rise. But when it comes to my country, I will stand for America and stand for Americans.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Montana.

Mr. TESTER. Mr. President, Hurricanes Harvey, Irma, and Maria have left a path of destruction along the Texas gulf coast, Florida, and Puerto Rico. The damage caused by these storms will be felt for many years to come.

This emergency supplemental is another step forward to recovery for the millions of Americans who call these places home. But I want to remind my colleagues that there is still an ongoing natural disaster in the West that is leaving families displaced, costing taxpayers billions of dollars, destroying structures, and taking human lives.

As of today, 5,000 firefighters are still battling more than a quarter of a million acres of wildfires burning across the West.

In my home State of Montana, despite an early snowfall, families this last weekend in Musselshell County were forced to evacuate after a fire ripped through a dry landscape and put their homes and livelihoods at risk.

In California, more than 8,000 structures have been lost to wildfires this year alone, and with temperatures expected to be in the 90s all week, there doesn't seem to be any end in sight.

Across the country, in total, fires have burned nearly 9 million acres—significantly more than the yearly average—and 1.2 million of those acres are in Montana. These fires have cost the taxpayers nearly $3 billion to date.

Quite frankly, these wildfires have been devastating in Montana and in States across the West. It is critically important that we take quick action to mitigate the damage caused by these fires and get communities back on their feet.

The funds in this emergency package will reimburse the Forest Service for the funds borrowed to fight wildfires. When the Forest Service has to borrow from its nonfire accounts to cover firefighting on the ground, we lose out on critical maintenance, mitigation, and restoration work. This funding will pay back those accounts and support the work needed to recover after a record-breaking fire season. This funding can help restore the trails and roads that were lost in fires, as well as keep our fishing streams clean and clear from runoff this spring. It will get folks back in the woods, thinning, cutting, and removing debris. It can provide the Forest Service with the resources to quickly salvage the dead and dying trees that are still usable and get that timber into our local mills.

Unfortunately, though, this bill fails to provide a long-term budget fix to pay to fight wildfires. Fire seasons are getting longer and more intense, which is quickly transforming the Forest Service from a forest management agency into a forest firefighting agency.

Folks, our climate is changing. History is telling us that our fire seasons are becoming more intense and they are becoming longer. Longer fire seasons will mean more borrowing from the Forest Service to fight these wildfires. We need a long-term fix.

Fires are burning a hole through the Forest Service budget, which too often leaves our forests unmanaged and at further risk for more catastrophic fires in the future. Money that should be used to curb the fire risks, maintain and improve forest health, research and develop better forest policies, and fund the work that must get done to make our forests more resilient is borrowed to fight wildfires. We must change the way we are paying for fighting wildfires.

The bipartisan Wildfire Disaster Funding Act is one step toward that fix. We must keep pressing forward to get this bill signed into law. Then we need to adjust the disaster budget cap to make sure this is truly a long-term fix.

As I said, this bill doesn't contain all of the answers we need to reduce wildfires, but it is no doubt a step in the right direction. It lets the Forest Service treat wildfires just like other natural disasters. This means more reliable support for forest management projects and emergency funding for catastrophic wildfire seasons.

These important wildfire and forest resources, combined with providing the necessary FEMA, flood insurance, and food assistance to those displaced by hurricanes, will take us a major step forward after a series of devastating natural disasters. But I want to underscore that we aren't at the finish line yet, and I will work with Chairman BOOZMAN on the Homeland Security Appropriations Subcommittee to ensure that all Montanans and all Americans impacted by natural disasters aren't left waiting for Congress to act.

Folks from both parties are going to have to work together to ensure that every community impacted by hurricanes, floods, and fires will have the resources to recover and turn the page. Americans directly impacted by these natural disasters continue to wake up each morning displaced, hungry, without power, and surrounded by destruction. Congress must remain diligent and ensure these communities have the support that they need and that they deserve.

Finally, I will just say this: We are here today talking about the disaster funding bill. We are talking about the disaster funding bill because disasters are becoming more and more common. It is not going to change. We need to address the root cause of this, which is an ever-changing climate. Until we do, we are going to continue to see taxpayer dollars go out the door for disasters year after year.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. STRANGE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GAO CLIMATE CHANGE REPORT

Ms. CANTWELL. Mr. President, I come to the floor this morning to talk about a GAO report, or a Government Accountability Office report, that is being released today, which says that the cost and impact to the Federal Government of climate change is in the billions of dollars. In fact, it is in the hundreds of billions of dollars over the next 5 years, and, over the next decade-plus, it is in the trillions of dollars.

Why is this so astounding? It is astounding because we have not had the Government Accountability Office outline for us before what the impacts of climate costs the U.S. taxpayers, what it costs the Federal Government, and that we are paying an astronomical cost. Right now we are discussing the supplemental, and we can see the costs of the damage we have experienced from storms, damage from wildfires, and damages from other kinds of events and how much it costs the Federal Government. The GAO took the last 2 years to develop this report after receiving a letter from me and Senator COLLINS of Maine to say that we wanted to understand these costs.

Why did we do this? The Senator from Maine and I have long been advocates of looking at issues of adaptation and mitigation. We can debate all we want about what people think the impacts are of climate and what drives it. What we are here today to say is that we know that it is costing billions of dollars, and, as stewards of the taxpayers' money, we ought to do a better job at adaptation and mitigation. That is why we sent the letter, and that is why, probably 7 or 8 years ago, she and I started working to try to encourage various agencies that are most impacted by this to do a better job at adaptation and mitigation.

For us in the Pacific Northwest, we got to this point because we saw a shellfish industry almost devastated by the level of ocean acidification caused by changes in temperature. It was so

much so that we had to help the shellfish industry with science and research. If we wanted to keep a shellfish industry, we had to look at the science behind the seeding and do it at specific times when there was the right chemistry balance in the water. This incredible economy is enjoyed by so many Americans. The Washington shellfish industry that we have—five generations, six generations of families in that industry—was almost lost because of these changes.

Also, as a State that has a great deal of hydropower and very cost-efficient electricity, a 1-degree temperature change means a lot too in terms of snowpack—20 percent less snowpack. It means a lot to us for the challenges we face in keeping affordable electricity rates.

When it comes to fire, we have certainly taken it on the chin with two unbelievable back-to-back fire years, with unfortunate loss of life and billions of dollars of economic loss impacting both the Federal Government and to local communities.

What we are saying is that we can do better. We need to recognize these costs and the impact and do a better job of planning for them in the future. That is why one of the things that I have done with my colleagues—Senator MURRAY from Washington, Senators RISCH and CRAPO from Idaho, and Senators MERKLEY and WYDEN from Oregon—was to introduce a bill to help reduce our risk when it comes to fire seasons and what we can do to better protect our communities. That is the kind of planning and adaptation that we think we need to address.

Today's report cannot be ignored. It cannot be ignored that the Federal Government is going to have to spend this much money dealing with the impacts of climate. That is what the Government Accountability Office is saying. It says we need a better plan. We need to reduce costs. We need to look at these impacts and make sure that we as a nation are putting every resource into this. Otherwise, we really will be spending trillions of dollars.

That trajectory is real. That is what the GAO report says—hundreds of billions of dollars now and trillions in the future, but if we would simply recognize these impacts and start addressing them by having agencies recognize climate and plan for it, both in terms of adaptation and mitigation, I guarantee you that we can save the taxpayers money.

I hope my colleagues on both sides of the aisle will heed this report. This report is saying that climate is impacting us, the Federal Government. It is costing us a great deal of money. I guarantee you that it is money we would rather have to focus on whatever issues my colleagues would like to focus on—whether it is education, job training, or any of the other issues that someone might want to address, such as healthcare. We cannot afford to continue to pay this kind of money while not dealing with climate.

Impacts and costs are only going to accelerate. That is the scary thing. The GAO report says these numbers are going to increase for the future. Can we at least sit down at the table and talk about the ways—just like on fire, just like on flooding, just like on drought—to plan strategies for how we can work together to mitigate these impacts? I guarantee you, if we don't, this bill is going to continue to rise and the conflicts are going to get worse.

If you look at this year alone—even though I am saying it is $600 billion over the next 5 to 10 years and trillions over the next 20—we will probably see $300 billion in economic impacts in Texas, Florida, and Puerto Rico.

What is the conclusion I am drawing? I think the report is very clear. The research is very clear. One thing that is happening, as the climate changes, is that there are more intense weather events. These intense weather events are presenting challenges like we have never seen before. These challenges and the devastation that caused them are something that we need to take into consideration in the future.

Certainly, we need better science. We shouldn't rely on the European weather agency to give us the best, most accurate information about storms and weather. We should do that ourselves. We should use the great research that is being done at the labs in Tennessee on climate and what we can do to best prepare our Nation. We need to come to the table when it comes to the issues of drought and plan for strategies that work and work successfully now, not wait another 20 years and have the cost be even more astronomical.

I thank my colleague from Maine for joining this effort of getting this documentation by the Government Accountability Office. We need to take their accounting very seriously and start doing things that will help us reduce the risk, lower the cost, better protect our communities, and give the taxpayers a sense that we are not leaving them to devastation and storms every year but that we are coming up with better strategies to save lives and to save dollars.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. COLLINS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I am pleased to join with my colleague and friend Senator CANTWELL to discuss a new GAO report on the cost of climate change.

As our Nation begins to recover and rebuild from the devastation of Hurricanes Harvey, Irma, Maria, and Nate, as well as from the wildfires that are sweeping across the West, we cannot ignore the impact of climate change on our public health, our environment, and our economy. Most of the past focus of the impact of climate change has been on public health and the environment—important to be sure—but there has not been nearly enough analysis of the consequences for our economy and for the Federal budget, in particular.

In 2007, I first became interested in the cost of climate change when Senator Joe Lieberman and I headed the Homeland Security and Governmental Affairs Committee. We commissioned a report by the GAO to look at the fiscal risk of climate change for both the Flood Insurance Program and the Federal Crop Insurance Program. Our request was an attempt to sound the alarm that there were very significant fiscal consequences to the Federal Government for failing to take action.

The report found that the Department of Agriculture and the Department of Homeland Security can and should do better jobs of assessing the fiscal impacts that unchecked global warming will have on the taxpayer-funded Federal Crop Insurance Corporation and the National Flood Insurance Program. In addition, the report revealed that insurance programs had not developed a long-term strategy to deal with the effects of global climate change, putting them far behind private insurers that have incorporated these risks into their overall assessments.

According to a 2014 GAO report, the Federal Emergency Management Agency, FEMA, and the Risk Management Agency commissioned some climate change studies in order to better prepare for potential climate effects.

To build upon this important work, 2 years ago, Senator CANTWELL and I asked the GAO to conduct a comprehensive study on the costs and risks to the U.S. Government from climate change and to evaluate policy actions that could be taken by the Federal Government to address these financial consequences. After 2 years of indepth, nonpartisan analysis, the GAO publicly released the results of its findings this morning, and they are astonishing. The GAO estimates that, by the year 2039, climate change will cost U.S. taxpayers more than $1 trillion. In just this past year alone, the economic losses will, almost certainly, exceed $300 billion.

In Maine, our economy is inextricably linked to the environment. We are experiencing a real change in sea life, which has serious implications for the livelihoods of many people in our State, including those who work in our iconic lobster industry. With warming waters, lobsters are migrating into deeper waters, which poses more risks to our lobstermen and lobersterwomen. Additionally, Casco Bay, which is where Portland is located, has experienced an invasion of green crabs, which are not native to Maine and are devastating some of our other sea life population. This change in the Maine waters could be detrimental to our State's economy.

I am also very concerned about the excessively high rate of asthma in my State. According to public health physicians, this is due to air pollution that comes into our State. Now, Maine is not a coal-burning State, but the emissions from other States are causing the changes in sea life and are also contributing to the public health epidemic of a very high rate of asthma. The fact is, Maine is located at the end of our Nation's tailpipe, and we get emissions blown in from other States, which affects our economy and the health of our citizens.

The Federal Government cannot afford the billions of dollars in additional funding that is going to be needed if we do not take into account and start acting on the serious consequences of climate change. Spending more than $300 billion each year, in response to severe weather events that are connected to warming waters and producing stronger hurricanes, is simply not a solution.

I hope the release of this new GAO analysis will encourage all of us to think more broadly about this issue, take a harder look at the economic consequences of climate change, and then use this analysis to inform Federal policy. We need to support practices and policies that promote resilience and reduce risk and exposure to weather-related losses for the Federal Government, for States, and for local communities.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, soon the Senate will pass a supplemental appropriations bill that provides much needed relief for folks across the country who are recovering from hurricane and wildfire devastation. While some of these resources will impact Texans who are recovering from Hurricane Harvey, I stress that much more will be needed in my State.

I will make one point abundantly clear, which is that Harvey has not been permanently handled in Texas. It is not over and done with, and it is not time to just move on. There was the storm, and now there is the storm after the storm.

Nearly 2 months after the hurricane—the most extreme rain event in U.S. history—many Texans are still waiting for normalcy to return to their debris-littered lawns and their torn-up living rooms, to their daily routines, their workplaces, their children's schools. The waters may have receded, but their troubles have not.

I have read, for example, about people having to wait 2, 3, or 4 hours before they can actually even speak to Federal Emergency Management Agency, FEMA, representatives, who themselves are overwhelmed with requests that are related not only to Hurricane Harvey but to Hurricane Irma's devastation in Florida and to Maria's flooding in Puerto Rico and the U.S. Virgin Islands. Never before do I remember a series of natural disasters hitting our Nation in such quick succession.

Yet I know, even as the inspectors are still evaluating damaged properties—moving as quickly as they can—FEMA is hiring hundreds of additional staff in the next few weeks to help with the backlog. I am hopeful this will help my fellow Texans, who have grown frustrated and discouraged by the procedural hurdles. As of Sunday, three shelters remain open in Texas, and over 60,000 people are living in hotels because their homes—reeking of mold—are still not ready, and they will not be for months.

A teacher I heard about is living on a cot in her classroom while her house undergoes repairs. The mayor of Rockport, one of the most devastated communities along the gulf coast, has said that perhaps one-third of the destroyed areas in his town may never be rebuilt. Hundreds of businesses have yet to reopen, and if they don't, it will make matters much tougher on local residents than they already are. The number of houses yet to be repaired is even larger than the number of businesses. The mayor of Port Aransas says that 75 percent of the homes in his community—three-quarters, just imagine—were severely damaged or destroyed. These are just a few of the reasons the situation demands ongoing attention, as well as the full extent of government resources.

Last month Congress got started—that was before subsequent hurricanes occurred—and the first wave of disaster relief was $15.25 billion. Then the House passed the second wave, a $36.5 billion disaster relief package to replenish FEMA's nearly depleted coffers and to address the National Flood Insurance Program, which should help pay some Texas claims.

Here in the Senate, the cloture vote on this second wave was yesterday, and I am glad we moved to end debate. It is clear to me that Texas will need significant additional Federal assistance for our recovery efforts. As I have told folks back home, we don't expect to be treated any better than anyone else, but we are not going to be treated any worse.

Last week, I spoke with President Trump and OMB Director Rick Mulvaney, and they made a commitment to me that there would be another funding request coming over in mid-November that would include Texas-specific hurricane relief. I realize that the folks impacted by Irma and Maria are also reeling, as well, and we want to make sure that we are locking arms with all of our colleagues who represent the areas hit by Hurricanes Harvey, Irma, and Maria, and also those hit by the wildfires out West. We are working together.

I appreciate the President's pledge, and I will continue to work with Senator CRUZ and with Governor Abbott to make sure that Texas has what it needs, not only to make a full recovery but a timely one as well.

TAX REFORM

Mr. President, at lunch, the President of the United States will be joining us to discuss a different but very important topic, and that is Federal tax reform. We want to make sure that hard-working Americans get to keep more of what they earn in their paycheck and that we can help them improve their standard of living by reducing their tax burden.

We passed a budget resolution last week that was step one to getting where we need to be. So I am excited the President is joining us today, and I look forward to hearing his ideas. It is important that we all pull together to accomplish this joint goal. We appreciate his engagement on the issue, which has been clear from day one.

CONGRESSIONAL REVIEW ACT RESOLUTION

Finally, Mr. President, I would like to bring up one additional matter that we will be voting on soon, and that is the repeal of the recent Consumer Financial Protection Bureau rule, which governs how community banks, among others, resolve disputes with consumers. This rule that the CFPB issued bans using arbitration. Arbitration is a widely accepted method of resolving disputes between consumers and banks and other financial institutions, and it actually increases the benefit that flows to the consumer, as opposed to the alternatives, which are class action lawsuits that enrich lawyers, whereas consumers get pennies on the dollar.

The CFPB's own data shows that the rule would transfer hundreds of millions of dollars from businesses to plaintiffs' lawyers over the next 5 years. According to a recent Treasury report, the rule could generate 3,000 additional class action lawsuits over the next 5 years, costing businesses $500 million in defense fees alone and obviously enriching those who would benefit more than the consumers themselves; that is, their lawyers.

The CFPB data itself shows that the vast majority of class action lawsuits delivered next to no relief to the class in question—consumers. And the Treasury report found that the agency, the Consumer Financial Protection Bureau, failed to consider much less onerous alternatives, like increased disclosure or a more limited ban.

I have been around long enough to remember that back in the eighties there was a movement called alternative dispute resolution, led by the Chief Justice of the U.S. Supreme Court, who pointed out that while access to courts was absolutely critical, unfortunately, because of the delay and expense of litigation, alternative dispute resolution mechanisms could actually benefit consumers more if they chose to resort to those alternative dispute mechanisms, and that is exactly what arbitration is. I believe that the CFPB has gone above and beyond its authority in eliminating this very meaningful way for consumers to get compensated when they get involved in disputes with their bank or other financial institutions, and there is no reason for us to enrich a class of lawyers who bring these lawsuits and see consumers end

up with pennies on the dollar, which is what the status quo would permit.

Thankfully, we have the power of the Congressional Review Act to overturn the rule, as the House has already done. I urge my colleagues to repeal the CFPB arbitration rule so that we can get rid of this harmful regulation, which imposes obvious costs and offers invisible benefits.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I want to begin by paying tribute to the people of Puerto Rico, who have been through unimaginable disaster—a natural disaster not of their making and a financial disaster that is not any more their fault than the hurricane they have endured. They have persevered and, indeed, now are surviving and even thriving, despite the hurdles placed in their way by the humongous storm that destroyed parts of their island. In fact, even now, at least a quarter of their water is undrinkable, more than 80 percent of their electricity is down, many of their roads are unpassable, their schools are largely closed, and their island is paralyzed or, at least, largely paralyzed as far as economic progress and job creation are concerned.

They don't deserve this fate. They are Americans. They fought in our wars. I have been privileged to spend time with the Borinqueneers and led the effort to award them a Congressional Gold Medal as a sign of their patriotism and their dedication to our country.

They are not only Americans; they are patriotic Americans. So, too, are the first responders, military, and others from States around the country who have gone to Puerto Rico to help with relief. I want to recognize their courage, sacrifice, and service to our Nation.

The National Guard from Connecticut has gone to the island to help with National Guard from at least 13 States. There are thousands of them now, and they are working with men and women on the ground from FEMA, the Department of Energy, the Department of Homeland Security generally, and our military. They deserve our thanks. Yet, for all that heroic work, this Nation is failing Puerto Rico. Americans are on the verge of failing fellow Americans.

Puerto Rico has a population of about 3.4 million people, roughly the size of Connecticut. If the humanitarian crisis now ongoing in Puerto Rico had occurred in Connecticut, there would be an outcry and outrage of unprecedented proportion, comparable to a public surge of criticism unseen before. Yet the people of Puerto Rico endure this humanitarian crisis seemingly without response.

The President of the United States gives himself a 10. I agree. He deserves a 10 if the grading scale is 1 to 100 because barely one-tenth—in fact, less than one-tenth of what this Nation owes to Puerto Rico—has been done for them.

I flew over the island of Puerto Rico in a Sikorsky Black Hawk during a recent bipartisan trip and saw out of the side of that Black Hawk the devastation and destruction I never thought I would see in America. Whole towns were flattened, homes razed to the ground, community centers destroyed, power lines dangling and down. I heard from the Corps of Engineers that there is no timetable to repair those lines, to restore electricity, which is the lifeblood of civilization and essential to bare economic functioning, let alone progress going forward, which is what the island needs. From what I hear, which families have told me, the shortages of food, water, and medicine persist. The hospitals depend on generators that are sometimes nonfunctional, and medicine is lacking in those hospitals.

What is at stake in Puerto Rico is really our humanity. In the midst of this humanitarian crisis, what is challenged is our humanity, not just the legality or the protocols but our basic instinct to help fellow Americans when they need it.

This Nation should not have a double standard for disaster relief. The Americans of Puerto Rico deserve what Connecticut would receive. I have stood in Connecticut with our Puerto Rican community. We are proud of the fact that we have more Puerto Ricans per capita than any other State in the country. That community has given back to Connecticut and has contributed to our quality of life. And we are proud of all of our Puerto Ricans who came from the island in past generations or recently. I stood with Gladys Rivera, who lived in Connecticut, went to Puerto Rico, and has just come back; with the Bermudez family, who have deep ties and family there and here; with Jason Ortiz, who is in charge of the Puerto Rican Agenda. And I could list many others. They have given me a picture of the humanitarian crisis in Puerto Rico that speaks to my heart—families who continue to suffer and endure these hardships.

The measure we are passing today is a tiny downpayment on what is needed for Puerto Rico. It is a short-term, very small sign of what we owe. It is a downpayment that must be followed by a much bigger long-term commitment, a Marshall Plan that will enable the island to not just repair the power lines or the roads but to rebuild with different kinds of power—renewables and solar—and not be dependent on diesel or coal. It will enable them to build stronger, more resilient structures, whether homes or commercial buildings, that can withstand future hurricanes. What is needed in Puerto Rico is not just repair but true rebuilding and recovery—and not just the physical structures but the sense of financial stability and pride.

So the pittance in this supplemental for Puerto Rico is the least we can do. In fact, it is less than the least we can do because it actually adds to the debt Puerto Rico now has. It adds $5 billion to the $74 billion that is owed by Puerto Rico. It does nothing about the bankruptcy of PREPA, the power company. It in no way alleviates the financial burdens of debt; in fact, it adds to it.

Instinctively, we in this Chamber know we have an obligation to do more. There have been enough reports to fill this RECORD today about the courage of Puerto Rico and about the burdens it has to endure. We have seen and heard enough to know that a longer term plan is necessary, a Marshall Plan. Stronger leadership is necessary. Leadership has been lacking.

I have proposed a disaster relief czar who can cut through the redtape and the bureaucratic lack of cohesion and get this job done, someone who can tell the Corps of Engineers what the deadlines are and bring together the leadership of Puerto Rico and give them the empowering authority in resources, not just in words.

I also call for the CDC to be engaged more actively and effectively because Puerto Rico now faces a potential epidemic of mosquito-borne diseases: Dengue fever, Zika, chikungunya. The standing pools of water throughout the island—and I have seen them—pose a real public health threat at a time when the island is ill-equipped to deal with it.

I have begun working with my colleagues on a longer term plan because this measure must be followed by stronger, more robust steps. The damage done to the island was in the range of $100 billion. That is a rough estimate. That $100 billion must not only be reinvested, it must be used to provide resilience—real investment, real rebuilding. That is what is necessary for Puerto Rico.

I hope to return and visit again shortly, but in the meantime, the voices and faces of our fellow Americans there come to us clearly through my friends and neighbors in Connecticut who have joined with me in this call for real action and real rebuilding and real investment much more than this short-term downpayment which will shortchange the island if we do no more. It must be simply a first step that we owe our fellow Americans in Puerto Rico.

Thank you, Mr. President.

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. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TAX REFORM

Mr. THUNE. Mr. President, I don't need to tell anyone that middle-class Americans have had a rough time in recent years. Stagnant wages and a lack

of opportunities have left many American families stretched thin. Sending the kids to college, a secure retirement, putting something away for a rainy day—for too many families, these hallmarks of the American dream have started to seem more and more doubtful.

A recent survey found that 50 percent of people in this country consider themselves to be living paycheck to paycheck. And about one-third of people in this country say they are just $400 away from a financial crisis. If anyone wants to know why we are taking up tax reform, this is why. We are taking up tax reform because it is not acceptable that 50 percent of Americans are living paycheck to paycheck and because it is not acceptable that one-third of voters are one unexpected car repair away from a financial crisis.

How is tax reform going to help? For starters, our tax reform bill is going to make sure that hard-working Americans are taking home more money from every paycheck. We are going to cut income tax rates. We are going to double the standard deduction—the amount of Americans' income that is not subject to any income tax—and we are going to significantly increase the child tax credit. All these things mean that American families are going to see an increase in their take-home pay. They are going to get to keep more of their hard-earned money. We are also going to simplify and streamline the Tax Code so that it is easier for Americans to figure out what benefits they qualify for, so they don't have to spend a lot of time and money filling out their tax returns.

But we are not going to stop with reforming the individual side of the Tax Code. Another key part of improving Americans' financial situation is reforming the business side of the Tax Code so that we can give Americans access to the kinds of jobs, wages, and opportunities that will set them up for a secure future.

In order for individual Americans to thrive economically, we need American businesses to thrive. Thriving businesses create jobs. They provide opportunities, and they increase wages and invest in their workers.

Right now, though, our Tax Code is not helping businesses thrive. Instead, it is strangling businesses large and small with high tax rates. Our Nation has the highest corporate tax rate in the industrialized world. It is at least 10 percentage points higher than the majority of our international competitors.

It doesn't take an economist to realize that high tax rates leave businesses with less money to invest in their workers, with less money to spend on wages, and with less money to create new and better paying jobs. This situation is compounded when you are an American business with international competitors that are paying a lot less in taxes than you are.

It is no surprise that American businesses that are struggling to stay competitive in the global economy don't have a lot of resources to devote to creating new jobs and increasing wages.

A study from the White House Council of Economic Advisers estimates that reducing the corporate tax rate from 35 percent to 20 percent would increase average household income by $4,000 annually. That is a significant pay raise for hard-working American families.

Another study shows a similar pay increase. Boston University professor and well-known public finance expert Larry Kotlikoff recently issued a study that concluded that lowering the corporate tax rate from 35 percent to 20 percent would increase household income by $3,500 per year on average. Specifically, the study concluded that depending on the year considered, the new Republican tax plan raises GDP by between 3 and 5 percent and real wages by between 4 and 7 percent. This translates into roughly $3,500 annually, on average, per American household.

On top of our high business tax rates, there is another major problem with our Tax Code that is decreasing American jobs, and that is our outdated worldwide tax system. What does it mean to have a worldwide tax system like we have here in the United States? It means that American companies pay U.S. taxes on the profits they make here at home as well as on part of the profits they make abroad once they bring that money back home to the United States.

The problem with this is that most other major world economies have shifted from a worldwide tax system to what is called a territorial tax system. In a territorial tax system, you pay taxes on the money you earn where you make it and only there. You aren't taxed again when you bring money back to your home country, like what happens here in the United States today.

Most of American companies' foreign competitors have been operating under a territorial tax system for years. They are paying a lot less in taxes on the money they make abroad than American companies are, and that leaves American companies at a disadvantage. These foreign companies can underbid American companies for new business simply because they don't have to add as much in taxes into the price of the products or services they sell.

When foreign companies beat out American companies for new business, it is not just American companies that suffer. It is American workers. That is why a key part of the Republicans' tax plan involves lowering our massive corporate tax rate and transitioning our tax system from a worldwide tax system, like we have in America today, to a territorial tax system, like all of our competitors have.

By making American businesses more competitive in the global economy, we can improve the playing field for American workers. So 57 percent of the manufacturers that took part in a recent survey from the National Association of Manufacturers reported that they would be more likely to hire additional workers if comprehensive tax reform becomes law, and 52 percent reported that they would be more likely to increase employee wages and benefits. That would be a tremendous, tremendous boost for American workers.

Comprehensive tax reform will allow us to see the same kind of results in other industries.

The other part of improving the playing field for American workers is lifting the tax burdens facing small businesses. Small businesses are incredibly important to new job creation. Like larger businesses, right now small businesses are being strangled by high tax rates and, at times, even exceeding those paid by some of the largest corporations in our country. Well, that can make it difficult for small businesses to even survive, much less thrive and grow their businesses. Every dollar that we save small businesses by lowering their tax rates is a dollar a small business owner can use to expand the business, add another worker, or give employees a raise.

We can also help small businesses increase wages and create jobs by allowing them to recover their investments in things like inventory and machinery more quickly. Right now, it can take small businesses years, or in some cases even decades, to recover the cost of their investments in equipment and facilities. That can leave them extremely cash poor in the meantime. Cash-poor businesses don't expand, they don't hire new workers, and they don't increase wages.

Allowing small businesses to recover their investments more quickly will mean more jobs and more opportunities for American workers.

The American people had a rough few years, but economic stress doesn't have to become the status quo for the long term. We can start turning things around right now. Comprehensive tax reform along the lines of what is envisioned by the plan that has been put forward in the Republican framework will put more money in Americans' pockets. It will give Americans access to new jobs and more opportunities, and it will increase American families' wages.

I look forward to passing our comprehensive tax reform bill in the near future and to giving the American people the relief they have been waiting for.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

CONGRESSIONAL REVIEW ACT RESOLUTION

Mr. REED. Mr. President, I rise today to oppose the Congressional Review Act resolution repealing the Consumer Financial Protection Bureau's forced arbitration rule. At a time when millions of Americans are suffering the consequences of abusive practices by major financial institutions—including the massive consumer fraud by Wells

Fargo and the exposure of up to half of the national population's personal information due to inadequate cyber security by Equifax—it is simply wrong to give immunity to bad corporate actors against lawsuits by the very customers they harmed.

I urge my colleagues to think about the millions of Americans who still don't know all the facts about whether they are victims of one of these or other major banking scandals. They deserve the chance to gather the facts and hold the responsible parties accountable. This anticonsumer resolution strips away those victims' constitutional first line of defense against lending fraud and permits corporations more opportunities to take advantage of consumers.

We have known for years that forced arbitration clauses harm the financial security of those who are most vulnerable to lending scams. Companies slip these clauses into the fine print of contracts for everything from loan applications to purchases on a smartphone. Let's be clear. Even if every American had the time to read and understand the fine print of every contract they sign, most of these contracts by major financial institutions are one-sided, and the consumer has no power to bargain the terms in the fine print.

With these in place, consumers who learn their bank or lender has overcharged or defrauded them also learn quickly that they have signed away their right to take the corporation to court. Instead, they must choose between dropping their claim or going it alone in an arbitration process that is clearly and notoriously stacked in favor of the corporation.

Forced arbitration makes it easier for predatory lenders to avoid the consequences for taking advantage of consumers. This reality is even more outrageous when we consider the fact that predatory lenders view servicemembers, military families, and veterans as prime targets for financial scams. The CFPB has noted that servicemembers are attractive targets because, among other things, they are required to maintain good finances, their pay is consistent, they often relocate, and many are just starting to make significant financial decisions. The Department of Defense is also well aware that military bases draw predatory lenders selling bad or illegal loans, which is one reason why the Department of Defense recently issued new rules banning forced arbitration for many loans covered by the Military Lending Act. But these rules still don't cover the full range of financial products that may be used to take advantage of military consumers and their families. That is why I have worked for years with Senator LINDSEY GRAHAM on legislation to ban forced arbitration clauses that waive or limit rights under the Servicemembers Civil Relief Act. The CFPB rule bans many of these and other forced arbitration clauses that disproportionately harm servicemembers and their families.

While the CFPB has provided data to support the arbitration rule's positive effects for servicemembers, we should also listen to the servicemember community. Their strong support for this rule speaks volumes. The CFPB rule's supporters include the Military Coalition, which consists of 32 military advocacy groups, including the Veterans of Foreign Wars, and associations representing the interests of members of the Navy, Army, Air Force, and Marine Corps. Moreover, in August, the National Convention of the American Legion adopted a resolution opposing legislation to repeal the CFPB forced arbitration rule because, among other reasons, it ''is extremely unfair to bar servicemembers, veterans, and other consumers from joining together to enforce statutory and constitutional protections in court.'' Simply put, servicemembers and veterans don't want this CRA, and they are watching this vote closely.

Mr. President, forced arbitration is the prime example of a rigged system whereby powerful corporations and interests play by different sets of rules than average Americans. When a normal person defrauds another person, that person is entitled to seek a resolution in court. It is wrong for us to allow major corporations to create their own justice system that serves their own interests at the expense of American consumers, families, servicemembers, and veterans.

I urge my colleagues to oppose this resolution and to permit the CFPB arbitration rule to go into effect.

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. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:29 p.m., recessed until 2:16 p.m. and reassembled when called to order by the Presiding Officer (Mr. HOEVEN).

BANKRUPTCY JUDGESHIP ACT OF 2017—Continued

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, we currently have a $20 trillion debt.

Now, we might ask ourselves, whose fault is it, Republicans or Democrats? The easy answer is both. Both parties are equally responsible, equally culpable, and equally guilty of ignoring the debt, ignoring the spending problem, and really I think allowing our country to rot from the inside out.

This year, the deficit will be $700 billion, for just 1 year for our country, $700 billion. We borrow about $1 million a minute. Under George W. Bush, the debt went from $5 trillion to $10 trillion. Under President Obama, it went from $10 trillion to $20 trillion. It is doubling under Republicans and Democrats.

Right now, we are in the midst of another spending frenzy. People will say: Well, we are spending the money for something good. We are going to help those in Puerto Rico, in Texas, and in Florida. My point is, if we are going to spend money to help someone in need, maybe we should take it from another area of spending that is less in need. I think that just simply borrowing it—even for something you can argue is compassionate—is really foolhardy and may make us weaker as a nation.

Admiral Mullen put it this way. He said: The No. 1 threat to our national security is our debt. In fact, most people who follow world politics—while we do have problems around the world—don't really see us being invaded anytime soon by an army or an armada, but people do see the burden of debt.

So what we have before us is a bill, $36 billion, much of it going to Puerto Rico, Texas, and Florida. My request is very simple: We should pay for it.

About 1 month ago, we had $15 billion for the same purposes. We are set, in all likelihood, to have over $100 billion spent on these hurricanes. I simply ask that we take it from some spending item that seems to be less pressing. We could go through a list of hundreds and hundreds of items.

One thing I think we could start with is why don't we quit sending money to countries that burn our flag? If you are a country saying: ''Death to America,'' burning the American flag, maybe we shouldn't give you any money. We give money to Pakistan, we trade and sell arms with most of the Middle East, which does not like us, and we do this with borrowed money. We don't even have the money we are sending, but we can make the burden a little less if we say: Let's not give any money to countries that hate us, to any country burning our flag.

In Pakistan, there is a Christian woman by the name of Asia Bibi. She has been on death row for 5 years for being a Christian. She went to the well to draw water, and the women of the village began chanting, ''Death. Death to the Christian.'' As she was being beaten and pummeled on the ground and thought she was going to die, the police finally showed up. She thought they were there to rescue her. They were there to imprison her. They took her off to prison. That was 5 years ago. It is not easy being Christian in the Middle East.

In Pakistan, there was a doctor who helped us get bin Laden. His name is Afridi. He also has been in jail now for about 5, 6 years. He helped get us information that helped us to target bin Laden and finally get this great enemy of our country. The Pakistanis put him in jail for helping us.

The Pakistanis help us one day and stab us in the back the next day. When the Taliban was defeated under President Obama, when he put 100,000 troops in there, they scurried off into Pakistan, they had a sanctuary, and then they came back. I think we ought to think twice about sending money to countries that burn our flag, sending money to countries that persecute Christians, sending money to countries that, frankly, don't even like us.

We spend about $30 billion helping other countries. If you were going to help your neighbor, if your neighbor was without food, would you first feed your children, and if you have a little money left over, help the children next door? That is what most people would do. If you are going to give money to your church or synagogue, would you go to the bank and borrow the money to give to somebody? Would that be compassionate or foolhardy? Is it compassionate to borrow money to give it to someone else?

People here will say they have great compassion, and they want to help the people of Puerto Rico and the people of Texas and the people of Florida, but notice they have great compassion with someone else's money. Ask them if they are giving any money to Puerto Rico. Ask them if they are giving money to Texas. Ask them what they are doing to help their fellow man. You will find often it is easy to be compassionate with somebody else's money, but it is not only that. It is not only compassion with someone else's money, it is compassion with money that doesn't even exist, money that is borrowed. Of the $20 trillion we owe, China holds $1 trillion of that.

All this might be said, and you might say: We just have to help people. You are worrying too much. Do you have to talk about details? Really, all the money is being well spent. If you look back at money that has been spent before on disasters, guess what—people replace everything, including things that weren't broken.

I remember, in Katrina, a family who was holed up in a beachside resort for weeks with taxpayer money. They could have put them up across the street for about $60 or $50 a night. They were staying in a $400-a-night beachside resort with government money, with FEMA money.

I think we have to look at how well government spends money. Do you want an example of how well government spends money? Last year, we had some great science. There was a lot of great taxpayer-funded science going on. They wanted to study whether Neil Armstrong, when he set foot on the Moon, said: ''One small step for mankind'' or whether he said: ''One small step for a man.'' So it was either ''One small step for man'' or ''One small step for a man.'' They wanted to know if the article ''a'' was in there. So they took money that was actually intended for a good purpose—to study autism—and they studied Neil Armstrong's statement when he landed on the Moon, $700,000.

In the NIH last year, they spent $2 million studying whether, if someone in front of you in the buffet line sneezes on the food, are you more or less likely to eat the food that has been sneezed on? I think we could have polled the audience on that one.

They spent $300,000 studying whether Japanese quail are more sexually promiscuous on cocaine. I think we could probably just assume yes.

This kind of stuff goes on year after year. You think: Oh, those are aberrations. That is new.

William Proxmire was a Senator—a conservative Democrat back in the day—and he used to do something called the Golden Fleece Award. He would put out these awards. They sound exactly the same as the stuff we are finding now.

We spent money studying the gambling habits of Ugandans. We have studied how to prepare the Philippines for climate change. You name it, we are studying it around the world, with money we don't have.

If you want to make the argument: We are running a surplus, we are a great country, we are going to help all the other countries of the world—I would actually listen to you if we were running a surplus, but we are not. We are running a $700 billion deficit. We borrow $1 million a minute.

We have a lot of rich people here. We ought to ask these rich Senators: What have you given to Puerto Rico? What are you giving to Texas? Instead, they are giving your money. They are really not even giving your money. They are giving money they borrowed.

So what am I asking? Not that we not do this. What I am asking is: Why don't we take it from something we shouldn't be doing or why don't we try to conserve? So if you decided you want to help the people next door, you might say: I am not going to the movie theater. I am not going to go to the Broadway play. I am not going to the NFL game. I am going to save money by cutting back on my expenses so I can help the people next door who are struggling, the father and mother out of work, and they need my help—but you wouldn't go to the bank and ask for a loan to help people. That is not the way it works, unless you are a government. Then common sense goes out the window, and you just spend money right and left because you are compassionate, you have a big heart, because you have the ability of the Federal Reserve just to print out more money.

There are ultimately ramifications to profligate spending. We are approaching that day. Some say you get there when your debt is at 100 percent of your GDP. We have now surpassed that. We have about a $17 trillion, $18 trillion economy, and we have a $20 trillion debt. Is it getting any better? Have we planned on fixing it at all? No, there is no fixing. Is one party better than the other? No, they are equally bad. They are terrible. One side is at least honest. They don't care about the debt. The other side is just hypocrites because they say: We are going to win the election by saying we are conservative, we care about the debt, but they don't. The debt gets worse under both parties. Voters need to scratch their head and say: Maybe they are both equally bad with regard to the debt.

Most of the debt is driven by this. It is driven by mandatory spending. What is mandatory spending? These are the entitlements, Medicare, Medicaid, food stamps, Social Security. This is driving the debt. It is on autopilot. So when we talk about a budget, nobody is talking about doing anything about the spending on autopilot. Why? It is risky to talk about reforming entitlements because everybody is getting one. If we don't, though, we are consigned to more and more debt, and ultimately I think we are consigned to resign to a time in which the currency may well be destroyed and the country could be eaten from the inside out through this massive debt.

Last week, we voted on a budget. From appearances, you would say: Well, the Republicans put forth a conservative budget. It had $6 trillion worth of entitlement savings. In the first year, it had $96 billion worth of entitlement savings.

But ask one Republican, ask any Republican in Congress ''Where is your $96 billion worth of entitlement spending coming from?'' and most of them wouldn't even know it was in the budget. It is in the budget to make it look good and look as if it balances over 10 years. Yet there is no plan to do anything to entitlement spending. There is no plan to do any entitlement savings. There is no bill in committee and no bill to come forward.

I introduced an amendment to the budget. I said: Well, if you are going to cut or save or somehow transform the entitlements into responsible spending, where we spend what comes in and we don't borrow, why don't we put rules or reconciliation instructions into the budget to tell people that, yes, we are honest, we are sincere, and we are actually going to cut spending? Do you know how many people voted for it? There are 52 Republicans; we had 5. They say they are for spending cuts, but they are not really because nobody will vote to give the instructions to actually do the spending cuts.

The budget we typically vote on is called discretionary spending. This is the military and nonmilitary. If you were to eliminate all of that, you still wouldn't balance the budget. That is one-third of the budget. You can't even balance the budget by eliminating one-third of it. You have to tackle the entitlements. Yet nobody has the wherewithal, the guts, or the intestinal fortitude to actually do it.

We did have a big fix once upon a time on Social Security. In 1983, President Reagan and Tip O'Neill—Republican and Democrat—came together to

say that we were out of money, and we gradually raised the age of Social Security to 67. Is anybody happy to do that? Is anybody jumping up and down, saying: Oh, I want to wait longer to get Social Security. No, nobody is, but if we don't do it, there will be no Social Security because we are destroying the system.

Social Security pays out more than it brings in. Once upon a time, it was the other way around. We used to have about 16 workers for every retiree. Now we have a little bit less than three workers for every retiree. Families got smaller.

People ask me: Why are Social Security and Medicare running a deficit? Whose fault is it—Republicans or Democrats? Really, it is a little bit of both, but it is also the fault of your grandparents for having too many kids. A whole bunch of baby boomers were born, and they are all retiring, but the baby boomers had fewer kids, and the baby boomers' kids had even fewer kids, so it is a demographic shift.

If we put our heads in the sand and do nothing, the debt will continue to accumulate. We are accumulating debt by the billions of dollars every year. This year, it is $700 billion, and it is estimated that it will be close to or may exceed $1 trillion next year. During President Obama's tenure, we had deficits of over $1 trillion in several years. Over an 8-year period, we actually increased the debt over $1 trillion a year. There was about a $10 trillion increase in the debt in the 8 years of President Obama.

If we look at whose fault it is, Republicans or Democrats, it is both. But I will tell you the way it works around here. People say that it is noble, that you are enlightened if you compromise. So here is the compromise you get. You heard that four of our brave young men died in Niger the other day. Most of the people here didn't even know we were there, to the tune of 1,000 soldiers. Once they heard about it—the hawks—they said: Oh, we need more. They didn't know 1,000 were there, but they said that we need more there, that we need more people in Niger.

No one has bothered to have a debate over what the war in Niger is about, whether we should be there, and whether we should send our brave, young men and women there. Our Founding Fathers said that was the first principle—the first principle of going to war. The initiation of war, the declaration of war, is to be done by Congress. They specifically took that power away from the President. It is not just about funding, although that is another way we control war, but the primary way we control whether we enter into war is the declaration of war. It is under article I, section 8. This is where the congressional powers are laid out. People say: Oh, that is an anachronism; we don't obey that anymore. They certainly don't. But it was never removed from the Constitution; they just quit and began ignoring this.

How important was this to our Founding Fathers? Madison wrote this. Madison said that the executive is the branch of government most prone to war; therefore, the Constitution, with studied care, granted the power of war to the legislature. It wasn't just Madison who said this; it was Jefferson, Washington, Adams. The whole panoply of Founding Fathers said that war was to be initiated by Congress.

We have had no vote, no debate, and most of the Members didn't know we were in this part of Africa. Yet here we are. But the knee-jerk reaction by those on the right typically, but some on the left, is that we need more, that we wouldn't have lost those 4 lives had we had 10,000 troops in a country in which none of us knew we were going to be at war. None of us fully debated who the parties are to the war. Yet we are going to be at war there now. So the knee-jerk reaction is that we are to expand our role in this war in Africa.

I had my staff ask a question: How many troops do we have in Africa? Nobody here knows. We looked it up, and we found out it is 6,000. We have 6,000 troops in Africa. We knew we were at war in Iraq, Syria, Afghanistan, and Libya, but we didn't really know we had 6,000 troops in Africa. That would include Libya. Six thousand troops are in Africa.

The point is, when you get back to the debate we are talking about—the budget—there are a great deal of expenditures to have troops in a hundred-some-odd countries. So we literally have troops in over 100 countries. We currently have 6,000 troops in Africa. It is expensive. How do you convince the other side of the aisle to pay for it?

Typically, the Republican side of the aisle says: ''Katy, bar the door.'' We will spend whatever it takes, and then some, on the military.

The Democrats say: Well, what about welfare? We need more welfare.

Then they tell you that to compromise is noble, to be enlightened, to be pragmatic, that to compromise is what we should shoot for, that we should work with the other side. So that is what happens.

There has been a bipartisan consensus for maybe 50, 60, 70 years now, and that is to fund everything. If the right wants warfare, the left says we must get more welfare. If the left wants welfare, the right says we have to have more money for warfare. So it is guns and butter. It began in an aggressive way during the Vietnam war, but it has proceeded apace. We continue to spend money as if there is no tomorrow, but both parties are guilty. It is the right and the left. It is compromise that is killing this country. It is the compromise to spend money on everything, for everyone, whether you are from the right or the left.

But there could be another form of compromise. We could say that we wish to compromise in the reverse direction. We wish to say that, look, maybe for the Republicans, national defense is more important than welfare, and maybe for the Democrats, welfare is more important than warfare, but maybe the compromise could be, you know what, we don't have enough money for either one. Maybe the compromise could be that we will spend a little bit less on each.

You know what. We did that recently. When I first came up here, I was elected in this tea party tidal wave that was concerned about debt. Something called a sequester was passed. Guess who hated it. All the big-spending Republicans and all the big-spending Democrats. They couldn't pass out their goodies and favors enough because there was some restraint.

You say: Well, I heard the sequester was terrible. I saw people at school and I saw people in my town saying that the sequester wasn't giving them enough money.

The sequester was actually a slowdown in the rate of growth of spending. This is why you have to understand newspeak. We talk about newspeak and how people change the meaning of words to make them meaningless or even to make them mean the opposite. You hear all the time—when we were having the debate on repealing ObamaCare, we were talking about capping the rate of growth of Medicaid. You heard all the squawking on the left saying we were going to cut Medicaid. No. We were going to cut the rate of growth of Medicaid.

So we had a sequester, and it was evenly divided between military and nonmilitary, between Republican interests and Democratic interests. It did not cut; it slowed down the rate of growth of spending over 10 years. It was actually working to a certain degree. We got it because people who were concerned about the debt fought and fought and said: We need to be concerned about the debt. We are hollowing out the country from the inside out.

Who destroyed the sequester? Really, the voices were louder on the Republican side than the Democratic side, but both parties were complicit. The sequester has essentially been gutted and destroyed, and the spending caps have become somewhat meaningless.

We have before us today $36 billion. It will exceed the spending caps. We have a sequester in place, but there are all these exemptions, so it is exempt. Anytime you say it is an emergency, it is an exemption. Within the $36 billion, though, there is $16 billion because we run a terrible government-run flood program that is $16 billion in the hole. So we are going to bail it out by letting it wipe out all of its debt. That sounds like long-term mismanagement in a badly run program rather than an emergency. Yet it is going to be stuck in an emergency bill so it can exceed the caps.

What am I asking for today? I am asking that we obey our own rules. We set these rules. We set these spending caps. We set the sequester. Let's obey

them. The other side will say: Oh, we are obeying the rules; we are just not counting this money. That is the problem. We have this dishonest accounting where people say: Oh yeah, we are obeying the rules. But we are not.

There are a couple of ways you could pay for this. The first way, I tried a couple of weeks ago. We had a $15 billion bill, and I said: Why don't we pay for it with the foreign aid, the welfare we give to other countries? Why don't we say: You know what, it is time we looked at America first. It is time that we took care of our own. It is time that we spend money taking care of those in Texas, Florida, and Puerto Rico, but let's spend money that we were going to send in the form of welfare to other countries. Maybe we should take care of our own.

Instead, though, the Senate voted otherwise. I forced the issue. They weren't too happy with the amendment. I only got the vote because I was persistent and I threatened to delay things, and I was able to get a vote. Do you know how many Senators voted for this? No Democrats. No Democrats wanted to offset any spending, and 10 Republicans did. I think the vote was 87 to 10. Eighty-seven Senators voted to keep spending money without any offsets, to basically just borrow the money.

Now we are having the same debate again. I have an amendment to offset the $36 billion. In all likelihood, I am not going to get an amendment vote because they don't have time. It would take 15 minutes, and God forbid we spend 15 minutes talking about how we are being eaten alive by a $20 trillion debt. God forbid we talk about how a $20 trillion debt is an anchor around the neck of the country. God forbid. God forbid we offer an amendment and at least take 15 minutes to have an offset, to say we should pay for this money we are going to send to Puerto Rico, Texas, and Florida, pay for it by taking it from some other element in the budget.

Last time, I offered foreign welfare. This time, what I put on the table is something that is very similar to a bill that has been put forward and offered for several years called the Penny Plan. The Penny Plan is this. There is a great illustration of this—if you want to look at this on YouTube—of a guy with a bunch of pennies stacked and showing sort of in a visual way what it would be like to cut one penny out of every dollar. That is what we are talking about. A 1-percent cut across the board would pay for this $36 billion bill. It is actually a little bit less than 1 percent. One percent of a $4 trillion budget would be $40 billion. We need $36 billion, so it is less than 1 percent. Just cut the budget less than 1 percent.

Do you think there might be 1 percent waste in every department, including even departments of government you might like? Do you think any American families ever had to deal with a 1-percent cut? Government is so wasteful at every level that we could probably cut several percentage points of every division and department of government, and you wouldn't know it was gone. I mean, the waste is astounding. When we looked at where money is spent, we looked at some of the money that was being shipped overseas not too long ago, and one of the programs that we found was a televised cricket league for Afghanistan. All right, self-esteem is really important, and you are going to pay for it. So we are going to pay for television so that the Afghans can feel better about themselves by watching cricket on TV.

The first problem is that we don't have the money. We have to borrow it. The second problem is that they don't have televisions in Afghanistan. Well, some do, but the 1 in 1,000 people who have a television, I guess, are going to feel better about the Americans paying so that they can watch cricket on TV. It is one thing after another. We paid $1 million for a variety program to put little songs and skits on their televisions. Once again, most of them do not have a TV to watch.

In the war effort in Afghanistan, we spent trillions and trillions of dollars on the war effort. We have defeated the Taliban many times, and I am sure that we could defeat them again, but that just means that they will go across the border, hide in caves, and go back when we are tired.

We spent $45 million on a gas station in Afghanistan. This is an interesting gas station. It serves up natural gas. You might say that is great because we are lessening the carbon footprint in Afghanistan, except that it is completely absurd. They do not have any cars that run on natural gas in Afghanistan.

So they built a $45 million plant. The original estimate was that it was going to cost about $500,000. It was like 46 times the cost of overruns, and it ended up costing $45 million. It serves up natural gas, but nobody has a car that runs on natural gas.

We said whoops, and we immediately bought them 24 cars that run on natural gas so they could go to the $45 million gas station to get their natural gas. But that was not enough. We had natural gas cars for them, but they had no money with which to buy the natural gas. So we bought them all credit cards. We bought them natural-gas-burning cars, we gave them a natural-gas gas station, and we bought them credit cards to reduce the carbon footprint of those who are living in Afghanistan. This is absurd.

When we look at the budget and when we look at accounting, a lot of the money that has been spent overseas in the Iraq war, the Afghanistan war, the Syria war, the Niger war, the Libya war, the Somalia war, and the Chad war is not really budgeted. A lot of this money is actually done as an off-budget thing. It is called the overseas contingency operations. It is really a way of cheating, a way of being dishonest in your accounting. It is a way of evading spending caps, but it has also gone a long way toward making it easier to keep spending money without restraint. We tried to put restraints on military and nonmilitary, and they were exceeded by this slush fund. They call it OCO funding, or overseas contingency operations. When we had the budget vote recently, I put forward an amendment and simply said that we should not spend above our caps. If we put these caps in place, this is what we should spend. I think that we got maybe 15 or 20 votes on that, but this is the problem.

Ultimately, we have to decide as a country this: Are we going to obey the Constitution? Are we going to go to war only when we declare war, when Congress does its job and declares war, or are we going to go to war anytime, anywhere? That is sort of what we do now. We go to war anytime, anywhere on the face of the planet, and it is not for free.

Not only is it expensive in dollars, but it is expensive in the lives of the young men and women who are sent to these wars. Yet no one has ever voted on them. We lost a soldier in Yemen 3 or 4 months ago. For his family, it was devastating, but America pays little attention because America is, basically, not fighting the war. A very small percentage of America—brave young men and women who are often from rural parts of our country—is fighting our wars, but the mass of America is not fighting. You could say that they are volunteers—that is great, and I think that is the best kind of army to have—but I hate it that we do not show the responsibility and care of actually doing our job and of taking the time to debate it.

Should we be at war in Yemen or not? Should we be at war in Niger? Should we be at war in Libya? Should we be at war in Chad? Should we be at war in Somalia, in Djibouti, in Pakistan, in Afghanistan? We have troops in probably 20 or 30 nations in which there is conflict going on, and we are actively involved in the midst of conflict in at least 6 or 7. It is very expensive in human lives and dollars.

We need to ask ourselves this: Will we do this forever?

The Sunnis have been fighting the Shia for about 1,000 years.

People say: Well, we are going after ISIS in Africa.

ISIS is basically a name for radical jihadist Islam, and it is all over the planet. Are we going to go everywhere and kill every one of them? Is there a possibility that, when we kill 1 that 10 more will pop up? Is the Whac-A-Mole strategy for killing every terrorist on the planet or every radical on the planet the way that we are going to win?

We went into Yemen on a manned raid in January or February of this year, and we lost one brave Navy SEAL. They say that we got information, but they will not exactly tell me what information they got. They claim

that it was this great information that is going to make the war on terror so much easier. I have my doubts. In the raid, though, which was a manned raid in the middle of Yemen, women and children died. I do not blame our soldiers. I have members of my family who are Active Duty. They do what they are told. They take orders. It is tough being put in a situation like that. You are dropped in the middle of nowhere in a village. Maybe the women and children are shooting at you as well. You have to defend yourself and complete your mission.

Yet I wonder whether or not the policymakers should be more involved with making the decision as to whether we should be in Yemen and whether or not the people who live in the surrounding area to that village will, for 100 years or more, recite through oral tradition the day that the Americans came, and whether or not we will have actually killed more terrorists than will have been created by the oral tradition of when the Americans came.

We are also aiding and abetting Saudi Arabia in this horrific war in Yemen. There are 17 million people who live on the edge of starvation in Yemen, and the war is exacerbating that. Yemen is a very poor country to begin with. They import about 80 percent of their food. Currently, the Saudis have a blockade. So no food is getting in. They say that it is to prevent arms, and I am sure it is, but one of the consequences is no food. There are a half million people with cholera right now. It is sort of a bad form of dysentery, and in poor countries, you die from cholera. There are a half million people with cholera. It goes along with no food and no clean water.

The Saudis are blockading Yemen, and the Saudis are bombing Yemen. We are selling the Saudis the weapons. We are refueling the planes and helping the Saudis pick the targets. One of the Saudi targets about 1 year ago was a funeral procession. This was a funeral procession of a Houthi leader or rebel. There were 500 people—civilians—who were wounded in that procession, and there were 150 who were killed by a Saudi bomb on civilians.

Do you think they are going to soon forget that? Do you think that by killing 150 people in a funeral procession and wounding 500, you killed more terrorists that day than you created?

I would say that that day will live on in oral history for 1,000 years. The day the Saudis came with American bombs and bombed an unarmed funeral procession will live on for 1,000 years, and hundreds—if not thousands—of people will be motivated to become suicide bombers because of the day that the Saudis bombed a funeral procession.

It is incredibly expensive in lives—their lives, our lives. When you look at the cause of famine around the globe and when you look at it extensively and study the causes of famine, it is war probably 6 or 7 times out of 10. War is a terrible thing, and we must acknowledge that and try to think of ways that we can make war the last resort instead of the first resort.

I mean, for goodness sake, the people on television this Sunday did not know how many troops were in Niger. Yet their immediate response was that we should have had more—that we need more troops over there in Africa—in a place that most Americans have not heard of and have no idea who is fighting whom or whether or not it is an achievable goal. They say that 1,000 was not enough, that if we had had 10,000 in air support and all of this, we would have prevented these deaths. That is one lesson you could learn. The other lesson you could learn is that maybe we should not have been there at all.

You see, people have to stand up for themselves. There is this idea of sort of self-rule and independence, but if people are coddled and not sort of forced into the position of defending themselves, they will not.

We have been in Afghanistan for 16 years. In the 16 years we have been there, what have we found? We have found that about 60,000 to 80,000 Afghans have come over here. We have to help these translators. Well, they speak English, and they are pro-West. So they need to stay in Afghanistan and create a country. The best people left.

It is the same in Iraq. We won the war in Iraq, and all of the good people came over here. I have nothing personally against those who came other than that I am disappointed that there were not enough people who were heroic enough to stay in their country to help build a new country.

Who fights over there? Some of the Afghans fight. Some people join their army to shoot us. We have this green on green, where their soldiers are shooting our soldiers because they come in and intentionally are there to kill our soldiers. Yet the question is, How come, after 15, 16 years, the Afghans cannot fight to preserve their nation?

Now everybody says: Oh, if America comes home, the Taliban will take over. The Taliban is not quite ISIS. It is also not quite the same international sort of jihadist. They did harbor bin Laden once upon a time. Most of those people are dead if not all of them.

If you look at how terrorism ended when the IRA ended in England and in Ireland, it ended up being a negotiation. So many say that they will never negotiate with the enemy. If you never negotiate with the Taliban—they are, unfortunately, pretty popular in Afghanistan, and they are going to be there forever—can we kill them all? No. It is just like the radicals throughout these Islamic countries. I think there are too many to kill. The question is, Do you create more than you kill?

If you put this in context and say that we have to be able to defend ourselves and that our country needs to be strong to defend itself, I could not agree more, but do you know what? We become weaker every day as we run up this debt. We are $20 trillion in debt—$700 billion this year. We borrow $1 million a minute. Realize that predicament, and then realize that the powers that be do not want to allow amendments to offset spending.

I am proposing, if we spend money on Puerto Rico and Texas and Florida, that we offset it by taking it from something that is less of a priority, from something else in the budget. If we were to cut 1 percent of the rest of the budget, we would have more than enough to pay for this. Would anybody notice 1 percent? Sure. One would have to push things around a little bit, but they would all survive.

We have looked at spending, and to show you how bad spending in the Federal Government is, it gets faster each month as you get toward the end of the year. When there is only 1 month left, these bureaucrats say: Oh, my goodness, we might not be able to spend the money fast enough. So spending in the last month of the year is, actually, five times faster than in any other month of the year. In fact, in the last month of the fiscal year, not only is it five times faster, but each progressive day it gets faster. The last month of the fiscal year is September. On September 1, they spend the money like this. On September 2, it is like this. On September 3, it like this. On September 4, it is like this. It goes up every day because they are trying to shovel the money out as fast as they can. If they do not spend it all, they are afraid they will not get it next year. The common parlance is ''use it or lose it.''

When you get all the way to the last day of the fiscal year, spending actually increases and goes with the rising and setting Sun. So it is 8 o'clock, earlier here than it is in California. As the Sun rises, we begin spending money in the East. We are shoveling it out as fast as we can. As the Sun progresses towards sunset, the spending shifts to the west coast. They are shoveling it out at 5 o'clock Pacific time in their trying to get rid of the money.

If you look at when most conferences are, when most government employees go to a conference in Las Vegas, it is in the last months of the year. They found that they have some money. What is a million bucks? You don't mind spending a million bucks, right? You want these government employees to have a good time. So there was a group—I think it was the General Services Administration—a couple of years ago, and you saw those pictures of the head of the GSA and his wife in a big Las Vegas hot tub, drinking champagne. I think that was a million-dollar event—it was either at that conference or at another one—in which they decided that it would be good and instructive for their employees if they actually had a Star Trek reenactment. So they hired Star Trek reenactors.

With that, I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Arizona.

PROTECTING OUR DEMOCRACY

Mr. FLAKE. Mr. President, I rise today to address a matter that has been very much on my mind. At a moment when it seems that our democracy is more defined by our discord and our dysfunction than by our own values and principles, let me begin by noting a somewhat obvious point that these offices that we hold are not ours indefinitely. We are not here simply to mark time. Sustained incumbency is certainly not the point of seeking office, and there are times when we must risk our careers in favor of our principles. Now is such a time.

It must also be said that I rise today with no small measure of regret—regret because of the state of our disunion, regret because of the disrepair and destructiveness of our politics, regret because of the indecency of our discourse, regret because of the coarseness of our leadership, regret for the compromise of our moral authority, and by ''our,'' I mean all of our complicity in this alarming and dangerous state of affairs.

It is time for our complicity and our accommodation of the unacceptable to end. In this century, a new phrase has entered the language to describe the accommodation of a new and undesirable order, that phrase being the ''new normal.'' But we must never adjust to the present coarseness of our national dialogue with the tone set at the top. We must never regard as normal the regular and casual undermining of our democratic norms and ideals. We must never meekly accept the daily sundering of our country, the personal attacks, the threats against principles, freedoms, and institutions, the flagrant disregard for truth and decency, the reckless provocations, most often for the pettiest and most personal reasons, reasons having nothing whatsoever to do with the fortunes of the people whom we have been elected to serve. None of these appalling features of our current politics should ever be regarded as normal. We must never allow ourselves to lapse into thinking that is just the way things are now. If we simply become inured to this condition, thinking that it is just politics as usual, then Heaven help us.

Without fear of the consequences and without consideration of the rules of what is politically safe or palatable, we must stop pretending that the degradation of our politics and the conduct of some in our executive branch are normal. They are not normal. Reckless, outrageous, and undignified behavior has become excused and countenanced as ''telling it like it is'' when it is actually just reckless, outrageous, and undignified.

When such behavior emanates from the top of our government, it is something else. It is dangerous to a democracy. Such behavior does not project strength, because our strength comes from our values. It instead projects a corruption of the spirit and weakness.

It is often said that children are watching. Well, they are. And what are we going to do about that? When the next generation asks us ''Why didn't you do something? Why didn't you speak up?'' what are we going to say? Mr. President, I rise today to say ''enough.''

We must dedicate ourselves to making sure that the anomalous never becomes the normal. With respect and humility, I must say that we have fooled ourselves for long enough that a pivot to governing is right around the corner, a return to civility and stability right behind it. We know better than that. By now, we all know better than that.

Here, today, I stand to say that we would better serve the country and better fulfill the obligations under the Constitution by adhering to our article I ''old normal''—Mr. Madison's doctrine of the separation of powers. This genius innovation, which affirms Madison's status as a true visionary and for which Madison argued in Federalist 51, held that the equal branches of our government would balance and counteract each other when necessary. ''Ambition counteracts ambition,'' he wrote. But what happens if ambition fails to counteract ambition? What happens if stability fails to assert itself in the face of chaos and instability or if decency fails to call out indecency?

Were the shoe on the other foot, would we Republicans meekly accept such behavior on display from dominant Democrats? Of course we wouldn't, and we would be wrong if we did.

When we remain silent and fail to act when we know that silence and inaction are the wrong things to do because of political considerations, because we might make enemies, because we might alienate the base, because we might provoke a primary challenge, because ad infinitum, ad nauseam, when we succumb to those considerations in spite of what should be greater considerations and imperatives in defense of our institutions and our liberty, we dishonor our principles and forsake our obligations. Those things are far more important than politics.

I am aware that more politically savvy people than I will caution against such talk. I am aware that there is a segment of my party that believes anything short of complete and unquestioning loyalty to a President who belongs to my party is unacceptable and suspect. If I have been critical, it is not because I relish criticizing the behavior of the President of the United States. If I have been critical, it is because I believe it is my obligation to do so as a matter of duty of conscience.

The notion that one should stay silent as the norms and values that keep America strong are undermined and as the alliances and agreements that ensure the stability of the entire world are routinely threatened by the level of thought that goes into 140 characters, the notion that we should say or do nothing in the face of such mercurial behavior is ahistoric and, I believe, profoundly misguided.

A Republican President named Roosevelt had this to say about the President and a citizen's relationship to the office:

> The President is merely the most important among a large number of public servants. He should be supported or opposed exactly to the degree which is warranted by his good conduct or bad conduct, his efficiency or inefficiency in rendering loyal, able, and disinterested service to the Nation as a whole.
>
> Therefore, it is absolutely necessary that there should be full liberty to tell the truth about his acts, and this means that it is exactly as necessary to blame him when he does wrong as to praise him when he does right. Any other attitude in an American citizen is both base and servile.

President Roosevelt continued:

> To announce that there must be no criticism of the President, or that we are to stand by a President, right or wrong, is not only unpatriotic and servile, but is morally treasonable to the American public.

Acting on conscience and principle is the manner in which we express our moral selves, and, as such, loyalty to conscience and principle should supersede loyalty to any man or party.

We can all be forgiven for failing in that measure from time to time. I certainly put myself at the top of the list of those who fall short in this regard. I am holier than none.

But too often, we rush not to salvage principle but to forgive and excuse our failures so that we might accommodate them and go right on failing until the accommodation itself becomes our principle.

In that way and over time, we can justify almost any behavior and sacrifice any principle. I am afraid this is where we now find ourselves.

When a leader correctly identifies real hurt and insecurity in our country, and instead of addressing it goes to look for someone to blame, there is perhaps nothing more devastating to a pluralistic society. Leadership knows that most often a good place to start in assigning blame is to look somewhat closer to home. Leadership knows where the buck stops, humility helps, and character counts.

Leadership does not knowingly encourage or feed ugly or debased appetites in us. Leadership lives by the American creed, ''E Pluribus Unum''—''From many, one.'' American leadership looks to the world, and just as Lincoln did, sees the family of man. Humanity is not a zero-sum game. When we have been at our most prosperous, we have been at our most principled, and when we do well, the rest of the world does well.

These articles of civic faith have been critical to the American identity for as long as we have been alive. They are our birthright and our obligation.

We must guard them jealously and pass them on for as long as the calendar has days. To betray them or to be unserious in their defense is a betrayal of the fundamental obligations of American leadership, and to behave as if they don't matter is simply not who we are.

Now the efficacy of American leadership around the globe has come into question. When the United States emerged from World War II, we contributed about half of the world's economic activity. It would have been easy to secure our dominance, keeping those countries that had been defeated or greatly weakened during the war in their place. We didn't do that. It would have been easy to focus inward. We resisted those impulses. Instead, we financed reconstruction of shattered countries and created international organizations and institutions that have helped provide security and foster prosperity around the world for more than 70 years.

Now, it seems that we, the architects of this visionary, rules-based world order that has brought so much freedom and prosperity, are the ones most eager to abandon it. The implications of this abandonment are profound, and the beneficiaries of this rather radical departure in the American approach to the world are the ideological enemies of our values.

Despotism loves a vacuum, and our allies are now looking elsewhere for leadership. Why are they doing this? None of this is normal. What do we, as U.S. Senators, have to say about it? The principles that underlie our politics, the values of our founding, are too vital to our identity and to our survival to allow them to be compromised by the requirements of politics because politics can make us silent when we should speak, and silence can equal complicity.

I have children and grandchildren to answer to, and so I will not be complicit or silent. I have decided I will be better able to represent the people of Arizona and to better serve my country and my conscience by freeing myself of the political considerations that consume far too much bandwidth and would cause me to compromise far too many principles.

To that end, I am announcing today that my service in the Senate will conclude at the end of my term in early January 2019. It is clear, at this moment, that a traditional conservative who believes in limited government and free markets, who is devoted to free trade, who is pro-immigration has a narrower and narrower path to nomination in the Republican Party—the party that has so long defined itself by its belief in those things.

It is also clear to me, for the moment, that we have given up on the core principles in favor of a more viscerally satisfying anger and resentment. To be clear, the anger and resentment that the people feel at the royal mess we have created are justified, but anger and resentment are not a governing philosophy.

There is an undeniable potency to a populist appeal, but mischaracterizing or misunderstanding our problems and giving in to the impulse to scapegoat and belittle threatens to turn us into a fearful, backward-looking people. In the case of the Republican Party, those things also threaten to turn us into a fearful, backward-looking minority party.

We were not made great as a country by indulging in or even exalting our worst impulses, turning against ourselves, glorifying in the things that divide us, and calling fake things true and true things fake, and we did not become the beacon of freedom in the darkest corners of the world by flouting our institutions and failing to understand just how hard-won and vulnerable they are.

This spell will eventually break. That is my belief. We will return to ourselves once more, and I say, the sooner the better because to have a healthy government, we must also have healthy and functioning parties. We must respect each other again in an atmosphere of shared facts and shared values, comity, and good faith. We must argue our positions fervently and never be afraid to compromise. We must assume the best of our fellow man and always look for the good. Until that day comes, we must be unafraid to stand up and speak out as if our country depends on it because it does.

I plan to spend the remaining 14 months of my Senate term doing just that. The graveyard is full of indispensable men and women. None of us here is indispensable, nor were even the great figures of history who toiled at these very desks in this very Chamber to shape the country we have inherited. What is indispensable are the values they consecrated in Philadelphia and in this place—values which have endured and will endure for so long as men and women wish to remain free. What is indispensable is what we do here in defense of those values. A political career does not mean much if we are complicit in undermining these values.

I thank my colleagues for indulging me here today. I will close by borrowing the words of President Lincoln, who knew more about healthy enmity and preserving our founding values than any other American who has ever lived. His words from his first inaugural were a prayer in his time and are no less in ours:

> We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break the bonds of our affection. The mystic chords of memory will swell when again touched, as surely as they will be, by the better angels of our nature.

Thank you, Mr. President.

I yield the floor.

(Applause, Senators rising.)

The PRESIDING OFFICER. The majority leader.

THANKING THE SENATOR FROM ARIZONA

Mr. MCCONNELL. Mr. President, colleagues, we regret to hear that our friend from Arizona will conclude his Senate service at the end of his 6-year term.

I would like to say, on behalf of myself and I think many of my colleagues, we just witnessed a speech from a very fine man—a man who clearly brings high principles to the office every day and does what he believes is in the best interest of Arizona and the country.

I am grateful the Senator from Arizona will be here for another year and a half. We have big things to try to accomplish for the American people. From my perspective, the Senator from Arizona has been a great team player, always trying to get a constructive outcome no matter what the issue before us.

So I thank the Senator from Arizona for his service, which will continue, thankfully, for another year and a half, and for the opportunity to listen to his remarks today.

The PRESIDING OFFICER. The senior Senator from Arizona.

Mr. MCCAIN. Mr. President, it is very hard for me to add to the eloquence of my dear friend from Arizona, but I do want to say it has been one of the great honors of my life to have the opportunity to serve with a man of integrity, of honor, decency, and commitment to not only Arizona but the United States of America.

I have seen JEFF FLAKE stand up for what he believes in, knowing full well that there would be a political price to pay. I have seen him stand up for his family. I have seen him stand up for his forbearers who were the early settlers of the State of Arizona. In fact, there is a place called Snowflake, AZ, and obviously the ''Flake'' part comes from his direct predecessor.

It is the Flake family and families like them who came and worked and slaved and raised families and made Arizona what it is, and it has never had a more deserving son than JEFF FLAKE and his beautiful wife Cheryl and children.

So I would just like to say, JEFF, I have known you now for a number of years. I know you have served Arizona and the country, and there is one thing I am absolutely sure of, and that is you will continue that service, which is part of your family. It is part of your view of America. It is part of your willingness and desire to serve Arizona. One of the great privileges of my life has been to have the opportunity to know you and serve with you.

As we look, all of us, at some point at our time that we have spent here—whether it be short or whether it be long—we look back and we think about what we could have done, what we should have done, what we might have done, the mistakes we made, and the things we are proud of. Well, when the Flake service to this country in this Senate is reviewed, it will be one of honor, of brilliance and patriotism and love of country.

I thank you. God bless you and your family.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, all postcloture time now be considered expired, all pending motions and amendments be withdrawn, except for the motion to concur, and that Senator PAUL be recognized to speak for up to 5 minutes and then make a budget point of order; that myself or my designee be recognized to make a motion to waive; that following disposition of the motion to waive, the Senate vote on the motion to concur in the House amendment to the Senate amendment to H.R. 2266; and that if the motion is agreed to, the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, all postcloture time has expired.

Under the previous order, the motion to concur with amendment is withdrawn.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, there have been many who have said, including Admiral Mullen, among others, that the greatest threat to our national security is our debt. We have a $20 trillion debt. This year, the debt for 1 year will be about $700 billion. We borrow $1 million a minute. What we have before us is a bill that will exceed our spending caps.

We will be told that this is an emergency and we must do it. Yet I think the true compassion comes from helping those but also making sure we don't add to our debt. I think the truly compassionate person helps their neighbor by giving part of their surplus to their neighbor but not going to the bank and borrowing money to give it to their neighbor.

We are $700 billion short in the budget, and we are simply going to print more money and send it to Puerto Rico, Texas, and Florida. What I ask is, if you are going to help people, why don't we set our priorities? Why don't we take money from other areas of the budget where it is not needed?

What I propose is that we cut 1 percent or a little bit less than that across the board. I think there is not a department of government that couldn't deal with 1 percent less, and we would take that money and we could spend it on the emergencies in Puerto Rico and Texas.

I think if we think somehow that it is compassionate to go ahead and just borrow more money and continue doing this, I think we are fooling ourselves. I think our country becomes weaker each day we add to the debt, and I think it is time we become honest with ourselves.

If you look at whose fault this is, there is enough blame to go around, frankly. The debt doubled under George W. Bush from $5 trillion to $10 trillion. The debt then doubled again from $10 trillion to $20 trillion under President Obama.

We are on course to add, some estimate, another $10 to $15 trillion over the next 8 years. This is a real problem for our country. So I think, as we look toward helping those who suffer from the hurricanes, we should look toward taking it away from less pressing priorities.

There is also $16 billion in here for the flood program that continues to pay people to build in flood zones. We do it year after year after year. We continue to rebuild in flood zones, and then the taxpayers are left on the hook. So we are wiping out $16 billion in debt for the flood program, and we are also then spending money we don't have.

At this point, what I would like to do is raise a point of order that has to do with us exceeding the spending caps. I think, if we are going to be honest with ourselves—we are in the midst of talking about a large tax cut, which I favor, but how can we be the party or the people who cut taxes at the same time we continue to borrow more? So what I am asking, through this budget point of order, is that we actually adhere to our rule to not exceed our spending caps and try to slow down the accumulation of debt.

With that, I raise the section 314(e) point of order, pursuant to the Congressional Budget Act of 1974, against sections 304, 306, 308, and 309 of the Additional Supplemental Appropriations for Disaster Relief Requirements Act of 2017.

The PRESIDING OFFICER (Mr. PORTMAN). The Senator from Kansas.

Mr. ROBERTS. Mr. President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purpose of H.R. 2266, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

The yeas and nays resulted—yeas 80, nays 19, as follows:

[Rollcall Vote No. 247 Leg.]

YEAS—80

Alexander	Capito	Cruz
Baldwin	Cardin	Daines
Bennet	Carper	Donnelly
Blumenthal	Casey	Duckworth
Blunt	Cassidy	Durbin
Booker	Cochran	Ernst
Boozman	Collins	Feinstein
Brown	Coons	Fischer
Burr	Cornyn	Franken
Cantwell	Cortez Masto	Gardner
Gillibrand	Manchin	Schatz
Graham	Markey	Schumer
Grassley	McCain	Scott
Harris	McCaskill	Shaheen
Hassan	McConnell	Stabenow
Hatch	Merkley	Sullivan
Heinrich	Murkowski	Tester
Heitkamp	Murphy	Tillis
Heller	Murray	Udall
Hirono	Nelson	Van Hollen
Hoeven	Peters	Warner
Isakson	Portman	Warren
Kaine	Reed	Whitehouse
Kennedy	Roberts	Wicker
King	Rounds	Wyden
Klobuchar	Rubio	Young
Leahy	Sanders	

NAYS—19

Barrasso	Johnson	Sasse
Corker	Lankford	Shelby
Cotton	Lee	Strange
Crapo	Moran	Thune
Enzi	Paul	Toomey
Flake	Perdue	
Inhofe	Risch	

NOT VOTING—1

Menendez

The PRESIDING OFFICER (Mr. STRANGE). On this vote, the yeas are 80, the nays are 19.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The point of order falls.

MOTION TO CONCUR

The question is on agreeing to the motion to concur.

Mr. ALEXANDER. I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. JOHNSON). Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ) is necessarily absent.

The PRESIDING OFFICER (Mr. RUBIO). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 82, nays 17, as follows:

[Rollcall Vote No. 248 Leg.]

YEAS—82

Alexander	Franken	Murray
Baldwin	Gardner	Nelson
Bennet	Gillibrand	Peters
Blumenthal	Graham	Portman
Blunt	Grassley	Reed
Booker	Harris	Roberts
Boozman	Hassan	Rounds
Brown	Hatch	Rubio
Burr	Heinrich	Sanders
Cantwell	Heitkamp	Schatz
Capito	Heller	Schumer
Cardin	Hirono	Scott
Carper	Hoeven	Shaheen
Casey	Isakson	Stabenow
Cassidy	Kaine	Sullivan
Cochran	Kennedy	Tester
Collins	King	Thune
Coons	Klobuchar	Tillis
Cornyn	Leahy	Udall
Cortez Masto	Manchin	Van Hollen
Cruz	Markey	Warner
Daines	McCain	Warren
Donnelly	McCaskill	Whitehouse
Duckworth	McConnell	Wicker
Durbin	Merkley	Wyden
Ernst	Moran	Young
Feinstein	Murkowski	
Fischer	Murphy	

NAYS—17

Barrasso	Inhofe	Risch
Corker	Johnson	Sasse
Cotton	Lankford	Shelby
Crapo	Lee	Strange
Enzi	Paul	Toomey
Flake	Perdue	

NOT VOTING—1

Menendez

The motion was agreed to.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table with respect to the prior vote.

The Senator from Idaho.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY BUREAU OF CONSUMER FINANCIAL PROTECTION—MOTION TO PROCEED

Mr. CRAPO. Mr. President, I move to proceed to H.J. Res. 111.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to H.J. Res. 111, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to ''Arbitration Agreements.''

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF A RULE SUBMITTED BY BUREAU OF CONSUMER FINANCIAL PROTECTION

The PRESIDING OFFICER. The clerk will report the joint resolution.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 111) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to ''Arbitration Agreements.''

Mr. CRAPO. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DAINES). Without objection, it is so ordered.

Mr. BROWN. Mr. President, what Congress is trying to do today, this evening, as long as it takes, as long as the arms are twisted, is frankly outrageous. Our job is to look out for the people whom we serve, not to look out for Wells Fargo, not to look out for Equifax, not to look out for Wall Street banks, not to look out for corporations who scam consumers.

Forced arbitration, pure and simple, takes power away from ordinary people. It gives it to the big banks, it gives it to Equifax, it gives it to Wells Fargo, it gives it to Wall Street companies that already have an unfair advantage. We know the White House increasingly looks like a retreat for Wall Street executives. I would hope the Senate wouldn't follow suit.

Look at Equifax. In early September, we learned it compromised the personal data of more than 145 million Americans'—5 million in my State, probably twice that in the Presiding Officer's State—names, dates of birth, addresses, Social Security numbers, driver's licenses, more than half the adult population of the United States of America.

So how did Equifax respond? By immediately trying to trick customers—their consumers, their customers—into signing away their rights to access the court system in exchange for credit monitoring.

So here is what Equifax did in simple terms. Equifax said: Oh, we will give you a free year of credit monitoring; sign right here. Oh, yeah, when you sign right here, the fine print says: but you can't ever sue us. You have to go through this forced arbitration, which of course almost nobody does, almost nobody understands, and almost no consumer ever wins. Only after Senators and consumer groups led a public outcry did they back down.

We sat in the Banking Committee and listened to the just-retired CEO of Equifax and then the next week listened to the trade association where the CEO of the trade association, who wasn't paid the tens of millions of dollars, I assume, that the retired CEO of Equifax was—the recently retired because he didn't do his job, even though he was getting all kinds of compensation. There is more on that later.

They backed down from this idea of forced arbitration because the public said: You basically have to be kidding. You are going to defraud 145 million people, and then they are going to sign something and the fine print says: Sorry, nah, nah, nah, nah, nah, you can't sue us. So they backed down. Great.

Then he said he was going to give up his bonus. That was really generous when he made in 2016 and 2017—as Senator CRAPO and I in the Banking Committee talked about today—he made about $140 million in those 2 years, which is not real difficult math. There were 145 million people scammed, and the CEO, not doing his job, made $140 million, so that is about a dollar per ''scamee.'' I know that is not a word, but it sort of fits.

You would think after public shaming, Equifax would have learned its lesson. So last week Equifax again was just abusing the public trust. You wonder why people are cynical or people are skeptical. People are so frustrated about Wall Street and about financial services in this country because you have these multigazillionaires—again, in 2 years, he made $140 million. Well, you have these very wealthy executives who think they are doing us a favor because they are giving back their bonus. They already have $100 million in their pocket, and that is just in the last 2 years. Who knows how far it goes back.

So they sent a representative to testify in front of the Banking Committee. Do you know what he said when we asked him—I asked him and others asked him—he still thinks it is appropriate for Equifax and the other credit bureaus to use forced arbitration clauses that prevent Americans they have hurt from having their day in court. He seemed to learn nothing from this. Even after the huge harm Equifax has caused 145 million Americans, 5 million Ohioans, they still defend their use of forced arbitration clauses.

Why do they like them so much? Why are they willing to stand strong and to hold on to their right to forced arbitration? Because they make so much money from forced arbitration because it keeps that power relationship. When Wall Street has all the power and 145 million consumers have almost no power—that is why they like forced arbitration and that is why they are turning the heat up on all of my colleagues here to stand strong for the banks, for Wall Street, for Equifax, for Wells Fargo, for forced arbitration. That is Equifax.

Let's take a look at Wells Fargo. In 2013, they used a forced arbitration clause to silence a customer who had accused the company of opening fake accounts in his name. OK. I will say that again. They used a forced arbitration clause to silence a customer who had accused the company of opening fake accounts in his name. Well, it turns out this customer was not just right, but we found out Wells Fargo opened 3.5 million of these fake accounts. Think about that. You have a relationship with a bank, and it happens to be Wells Fargo, which used to have a really good reputation as one of America's largest Wall Street banks—and neighborhood banks too. There are 6 million, if I am right, 6 million community banks, as they like to say. There are 6 million little branch offices in everybody's neighborhood.

So this bank took relationships they had with their customers, and they opened accounts pretty much for 3.5 million of their customers—accounts they never approved. Say you had a checking account with them. They went and opened another checking account in your name and didn't tell you. That is what they did.

So then they subjected their employees who opened those accounts to harsh sales goals. That is what they did—harsh sales goals. They threatened to fire anyone who didn't keep up. Here is the forced arbitration. Because Wells Fargo had the power of the forced arbitration clause, they were able to sweep this 2013 lawsuit under the rug, allowing the scandal to continue for years.

So go back to that. In 2013, if that customer didn't have that forced arbitration—which that customer didn't even know he or she signed. When they

wanted to sue, they found out they couldn't sue because they had signed, in the really small print that almost nobody reads—I am not a lawyer, and I don't know if I could understand that small print. I know many Americans can't. So that person couldn't sue.

Imagine if that person had been able to sue in an open court and then in discovery they had found out: Oh, my gosh. Wells Fargo opened 3.5 million of these accounts. Maybe we ought to do something about it. Instead, because of forced arbitration, the public didn't find out about what Wells Fargo had done until about 3 years later. So think of the damage. Maybe it wasn't 3.5 million cases—maybe they didn't open 3.5 million in 2013. Maybe it was only a million there, but every month they opened more and more and more fake accounts, false accounts, because nobody could sue because they were forced into arbitration, and arbitration always happens in a back room somewhere. Nobody really knows it is going on.

Again, think how much damage could have been prevented if that customer was allowed to take Wells Fargo to open court 4 years ago. When the scandal was finally brought to light, customers found out that forced arbitration was such a powerful tool for Wells Fargo and others and that it was all without their consent.

The Economic Policy Institute studied people who went into arbitration with Wells Fargo. They found out, on average—now, most people don't even try with arbitration. They just give up because it is only a few dollars, but those courageous souls or angry customers who actually went into arbitration, ended up—they didn't just lose and not win any money from Wells Fargo, they, on the average, had to pay Wells Fargo—maybe we would call it, in layman's terms, a countersuit in some sense—they had to pay Wells Fargo an average of $11,000.

So they can't sue under Federal law. They have lost their day in court, under Federal law, because of this forced arbitration law. So they went to arbitration, and Wells Fargo, with their very smart, very well-paid lawyer—keep in mind, their CEO made about $20 million. Their really well-paid legal team does very well. So that well-paid legal team went to work, and the average customer, who had no legal team on her side or on his side, ended up paying Wells Fargo, on the average, $11,000. No wonder they love this forced arbitration law.

You heard that right, the customers ended up paying the bank. So the same bank that cheated customers into opening false accounts—they cheated, they deceived into opening false accounts and that doesn't even talk about the car insurance they made them buy down the road. That is another story. The same bank that cheated customers into opening false accounts, the customers ended up having to pay Wells Fargo for the privilege of getting scammed. Congratulations.

No wonder people don't trust Wall Street. No wonder people are mad at Wells Fargo and Equifax and these companies that scam the public and these banks that—I live in Cleveland, OH, in ZIP Code 44105. My ZIP Code had more foreclosures in 2007 than any ZIP Code in the United States of America, and I see what these banks did to my neighborhood, and I see what they do to Wells Fargo accountholders, and I see what they are doing to the 145 million whom Equifax has scammed.

Studies show that Wall Street and other big companies win 93 percent of the time in arbitration. Ninety-three percent of the time in arbitration the companies win. No wonder they are fighting like hell. No wonder they have lobbied this place like we have never seen. No wonder every Wall Street firm is down here begging their Senators to stand strong with Wall Street and pass this CRA, pass this resolution to undo the rule stopping forced arbitration.

So Wells Fargo's multidecamillionaire CEO came and testified in front of the Banking Committee early this month on an entirely new scandal. This is another Wells Fargo scandal, a scandal the last CEO in front of us didn't disclose. There was a new scandal he knew about and didn't tell us about. He said that Wells Fargo plans to keep using forced arbitration. It is amazing that bank that has hurt so many Americans would continue to crusade against consumers' right to a day in court.

This vote is all about a consumer's right to a day in court, pure and simple. These forced arbitration clauses are powerful. They are everywhere. They are in student loans. They are in credit card agreements. They are in nursing home agreements, even in employment contracts.

Gretchen Carlson, the well-known FOX News anchor, was prevented from suing her employer for sexual harassment by a forced arbitration clause in her employment contract. She has been urging Senators today to vote against the repeal of the consumer bureau's rule. In her words, forced arbitration ''has silenced millions of women who otherwise may have come forward.'' With all the other things about forced arbitration, think about what she said. She says forced arbitration ''has silenced millions of women who otherwise may have come forward.''

Forced arbitration is about the biggest companies in the country, the biggest Wall Street firms and silencing customers, silencing victims. It is about giving more power to corporations. If you ask Americans if they think corporations have too much power, resoundingly, they say yes. This gives more power to those corporations that already have too much power in the lives of working Americans.

Let me tell you a story about an Ohioan. I will use only his first name, George. George is from Mentor, OH, a community east of Cleveland in Lake County. George's wife suffered physical and mental abuse in a nursing home. Guess what. The nursing home had an arbitration clause. It denied him and his family their day in court. This nursing home could physically and mentally abuse his wife, who was helpless in this nursing home. She couldn't really fight back. She couldn't really do much herself to stop it. They couldn't go to court because they had signed a forced arbitration clause. George didn't know what a forced arbitration clause was, I assume, until that happened.

Forced arbitration clauses were so powerful and so effective that when George went to a lawyer, his lawyer said: You don't stand a chance fighting against it because they are going to put you into forced arbitration. They are not going to give you a free day in court.

Veterans and servicemembers have a lot of experience with this issue. A big Wall Street bank called Santander was illegally repossessing cars from servicemembers all over the country several years ago. When servicemembers spoke up about their rights—special protections they earned by serving our country—Santander used forced arbitration to keep them out of court.

We talk a good game about veterans here. We are always saying how we are on the side of veterans. I have served in the Veterans' Affairs Committee longer than any Ohio Senator ever. I pay a lot of attention to these issues, and I hear all of my colleagues mouth wonderful words about how we love veterans and ought to take care of veterans. The American Legion held its national convention in August and adopted a resolution supporting the consumer bureau's rule and opposing today's attempt to repeal it. The assistant director of the American Legion's veterans employment and education division said: ''Our membership has stated unequivocally that we will not accept a future where our military veterans' financial protections are chipped away to increase the margins of the financial sector.''

These arbitration rules go after families of people in nursing homes. They go after customers who they get to sign up for things they didn't know they were signing up for. They go after people whose credit has been hacked and whose credit rating has been dinged, and they go after soldiers, airmen, sailors, and Coast Guard members. How will Members of this body look those servicemembers in the eye and explain that they chose to stand with Wall Street over our military members?

Forced arbitration hurts the 3.5 million people who had bank accounts fraudulently opened by Wells Fargo. Forced arbitration hurts the 145 million Americans who had their personal data put at risk by Equifax. It hurts employees who have been hurt by their employers. It hurts students who have been cheated by for-profit colleges. It hurts family members in nursing

homes. It hurts America's veterans. Forced arbitration hurts millions of Americans with student loan debt and credit cards. Damn near everybody in the country is potentially vulnerable to forced arbitration.

Who does forced arbitration help? We know that it is Wall Street banks and huge corporations that never pay the price for cheating working people. Those CEOs who make $20 million and, then, generously give up their bonuses, will not give up forced arbitration because they know that will help their bottom line. That will help their stock bounce back. That will help their dividend. That will help their compensation.

I urge my friends on the other side to ask themselves: Whose side are we on—the people we serve who get hurt by forced arbitration or Wall Street CEOs who cash in? I ask my colleagues: Choose to side with the people we serve. Vote against repeal of the consumer bureau's rule. Give some power back to regular Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, we are having a very interesting and, obviously, intense debate tonight about arbitration clauses in financial contracts. Those who oppose the resolution that is on the floor tonight would have you think that the battle is over whether or not to stop what they call forced arbitration clauses in contracts.

The real issue is whether we will try to force the resolution of disputes in financial resolution into class action lawsuits. This is a question about whether we should force dispute resolution mechanisms into class actions. In fact, let me read the actual language of the rule that we are debating. It doesn't say anything about forced arbitration clauses. In fact, the rule doesn't stop arbitration clauses in contracts. It stops protections in arbitration clauses against class action litigation. Let's read what the actual rule says: The CFPB rule prohibits a company from relying in any way on a predispute arbitration agreement with respect to any aspect of a class action that concerns any consumer financial product or service.

In other words, the entire purpose of this rule is to promote class action litigation and to stop arbitration resolution when there is a dispute. Specifically, the rule requires any predispute arbitration agreement to include this specific language. In other words, people and companies are required to put this language into their agreements. This tells you what the dispute is about.

The language mandated by this rule is this: We agree that neither we nor anyone else will rely on this agreement to stop you from being part of a class action case in a court. You may file a class action in court or you may be a member of a class action filed by someone else.

It is about as clear as it could be. The issue here is this: Do we force the resolution of disagreements or disputes in financial transactions into class action litigation?

This is a rule to benefit the plaintiff's bar.

The rule also requires that companies that go through arbitration must submit records of arbitration cases to the CFPB within 60 days of those records.

Some have raised the argument that arbitration agreements gag consumers, including, as was suggested, saying that, were it not for arbitration agreements, the Wells Fargo fake accounts scandal would have been discovered earlier. The only thing confidential in arbitration is what is brought as specific evidence in that arbitration proceeding. The clauses in the law permit people to discuss the claims they are bringing and the company and the individual, if they choose to discuss them.

Nothing stopped anyone from talking publically about what was going on at Wells Fargo. Arbitration keeps evidence confidential for the protection of consumers, but it does not keep them from speaking out about it.

Further, if judges believe that clauses do that, they often find them unconstitutional, as they stop consumers from speaking out. In fact, if you think about it, what generated the public understanding of the Wells Fargo circumstance, if I recall correctly, was a Los Angeles Times news article. It was the CFPB itself that failed, apparently, to read the news and understand what was going on at Wells Fargo. That was the reason that we saw it take so long for any action to take place—not an arbitration agreement.

In addition, those who are attacking arbitration agreements seem to make the case that arbitration agreements stop consumers from having options. The CFPB's own study said: The clear majority of arbitration clauses within our review specifically recognize and allow access to small claims court as an alternative to arbitration.

Let's just be clear. Arbitration clauses don't gag consumers. They don't stop them from speaking out about what they see going wrong. They don't force them out of the courts if they want to go into a small claims court. The only thing they do that is being objected to here is that they try to force them to not agree to go into a class action lawsuit. It is literally that question that is the biggest issue that we are dealing with here.

Mr. MERKLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. CRAPO. I haven't finished yet.

Mr. MERKLEY. I am sorry.

Mr. CRAPO. I am looking for more pages.

Mr. MERKLEY. While he is looking, will the Senator perhaps yield for a question?

Mr. CRAPO. I will yield for a question.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. The thing that confused me about the Senator's commentary is that the Senator referred to people, through this regulation, being forced into court, but in reality, they would still have a choice of arbitration or court, as opposed to being locked into arbitration.

Are you familiar that under this rule people would still have the option of arbitration, if they thought that was good?

Mr. CRAPO. I am familiar that they would still have the option of arbitration.

That is why, when those who criticize our effort to reject this rule say we are trying to stop forced arbitration, the rule itself still allows arbitration agreements. What it stops is allowing the company to reach an agreement with the consumer to avoid class action litigation.

Mr. MERKLEY. I could possibly clarify that. My understanding is that, currently, when you have an arbitration clause, you have one option, and that is to go into arbitration.

Mr. CRAPO. That is not true.

Mr. MERKLEY. In this rule you have the ability to go to court or the ability to go to arbitration.

Mr. CRAPO. Let me reclaim my time, and the Senator can respond on his own time.

Let me clarify. As I indicated, even the CFPB, in its own study, said that most of the contracts—not all companies use the same contract—already allow two actions: No. 1, to go to small claims court or, No. 2, to go to arbitration. What the agreements don't allow is class action litigation. The specific and only restriction of the rule we are debating tonight is about whether class action litigation should be incentivized by taking out the ability of companies to insist that not be an alternative.

There is one restriction that we are debating here, and that is whether it is appropriate to allow companies to negotiate away class action litigation.

On July 10, the CFPB finalized its rule, as I have said, specifically prohibiting the use of predispute arbitration agreements that prevent consumers from participating in class action lawsuits.

The Dodd-Frank Act—the statute under which the CFPB was created—also set forth when the CFPB was authorized to prohibit, impose conditions upon, or limit the use of such agreements; namely, if the CFPB finds—and this is what they are required by law to find—that any such action was, No. 1, in the public interest and for the protection of consumers and, No. 2, consistent with the CFPB study's findings.

It is clear that the CFPB failed the legal requirements on both counts. In 2015 the CFPB released its final study and report on predispute arbitration to Congress. To say that the study was flawed is an understatement. It was panned for its questionable analysis,

data, and conclusions by the public, by academics, by consumers, by businesses, by Federal regulators, and by Members of Congress who noted that it could make consumers worse off by removing access to an important dispute resolution tool.

I will spend a few minutes delineating some of the valid criticisms, since the study was the basis and the legal requirement for the final rule. First, the study only compared class action settlements with arbitration awards. By only looking at arbitration awards and not consumer recovery in arbitration settlements that occur before awards, the CFPB ignored substantial evidence of arbitration agreements benefiting consumers.

The analogy that comes to mind is thinking about how much money you have in the bank by looking at your checking account, while ignoring what is in your savings account. Given this methodological flaw, it is difficult to make apples-to-apples comparisons about class action versus arbitration, but the Wall Street Journal's editorial board made a helpful observation: ''Of the 562 class actions the CFPB studied, none went to trial.'' Let me read that again: ''None went to trial.'' Most were dismissed by a judge or withdrawn by the plaintiffs or settled out of class.

The putative class victims received benefits in fewer than 20 percent of the cases, and the average cash recovery was—wait for it—$32. Lawyers took an average 24 percent cut of the cash payments, about $424 million in cases that settled.

Meanwhile, consumers were awarded relief in 32 of the 158 arbitration disputes the bureau examined—

These are arbitration results now—

and rewards averaged $5,389—or about 57 percent of every dollar claimed. Consumers who used arbitration received relief on average in two months after filing their claim. Class-action members had to wait two years.

Clearly, the CFPB cherry-picked the information it liked and omitted what it did not like. The CFPB and its advocates of the rule also argue that the rule restores a consumer's day in court. But, again, the CFPB's study explicitly states that no class actions filed during the time period that the CFPB studied from 2010 to 2012 even went to trial.

The study added that most arbitration agreements in consumer financial contracts contain a ''small claims court carve-out,'' which provides the parties with a contractual right to pursue a claim in small claims court.

The CFPB claims that the rule will deter companies from bad behavior in the face of an increase in class action lawsuits. Yet there is no evidence to that effect.

A report released by the Treasury Department this week notes that ''after years of study, the Bureau has identified no evidence indicating that firms that do not use arbitration clauses treat their customers better or have higher levels of compliance with the law.''

The truth is, rather than deterring companies from bad behavior, this rule will encourage frivolous lawsuits that companies feel compelled to settle, shifting hundreds of millions of dollars from businesses to plaintiff attorneys.

Many Members of Congress have weighed in on both the CFPB's arbitration study and how the final rule was developed. In 2015, 86 Members of the House and Senate wrote to Director Cordray asking that he reopen the arbitration study due to concerns about the Bureau's process. In 2016, 140 Members of the House and Senate again wrote to Director Cordray, raising concerns about the CFPB's proposed rule and asking the Bureau to reexamine their approach to arbitration. Unfortunately, the final rule was still issued without addressing any of the concerns identified.

Federal financial regulators have raised a number of concerns with the assumptions used in the development of the rule and the lack of consideration for alternative approaches. Recently, the Treasury Department issued an analysis that concluded that the CFPB did not sufficiently substantiate with any quantitative assessment its assumption that the current level of compliance in consumer financial markets is ''generally sub-optimal,'' which means that the CFPB has not adequately demonstrated the rule will solve the assumed problem it set out to fix.

Treasury also noted the CFPB could have considered less costly alternatives, including more effectively informing consumers, clearer disclosure, or more targeted regulation. However, it failed to do so, opting instead for an all-or-nothing approach, which, again, is specifically designed to generate a phenomenal increase in class action litigation.

The Acting Comptroller of the Currency has also raised serious concerns with the rule and asked for the opportunity to review the CFPB's data and analysis to determine the potential impact of the rule. According to a recent letter by the Acting Comptroller of the Currency:

Eliminating the use of this tool could result in less effective consumer protection and remedies, while simply enriching class-action lawyers.

At the same time, the proposal may potentially decrease the products and services offered to their consumers, while increasing their costs.

The CFPB attempted to estimate the increase in costs, albeit incompletely, that are associated with this final rule and that could be passed onto consumers. The CFPB estimates in its final rule that the companies will incur $2.6 billion of additional fees and settlements over the next 5 years, $330 million of which will go directly to plaintiff lawyers. As astounding as these numbers are, the estimate includes only Federal court cases and fails to include State court cases.

Treasury's analysis also notes that the CFPB appears to understate the share of class actions dismissed by the courts, thus failing to adequately consider the costs of meritless cases. According to Treasury, assuming that just 10 percent of class action cases are meritless, ''the Rule would have to reduce harm to consumers by $500 million per year to demonstrate any net benefit to society. The Rule does not come close to making that showing.''

The OCC recently shed more light on how the CFPB's final rule could impact the cost of consumer credit. While the CFPB said that it could not identify any evidence to that effect, it did concede that ''this does not mean that no pass-through [to consumers] occurred; it only means that the analysis did not provide evidence of it'' and that ''most providers will pass through at least portions of some of the costs.''

Using the same data, the OCC conducted its own analysis and found ''a strong probability of a significant increase in the cost of credit cards as a result of eliminating arbitration clauses.''

In fact, the OCC found an 88-percent chance that the total cost of credit will increase and a 56-percent chance that costs will increase by at least 3 percent.

As Acting Comptroller Noreika noted, that means that a consumer, living week to week, could see credit card rates jump from an average of 12.5 percent to nearly 16 percent. He correctly added that ''to the extent the CFPB's arbitration rule is being undermined, it is undermined by the CFPB's own data and the working paper on which the CFPB relied.''

Community banks and credit unions across this Nation are raising concerns with the rule. The Independent Community Bankers Association opposes the arbitration rule because:

Community banks are relationship lenders, many of which have served their communities for multiple generations. A reputation for fair dealing is essential for their success, and abusive consumer practices have absolutely no place in their business model. Community banks invest heavily in resolving customer complaints amicably and on a timely basis.

In addition, the Credit Union National Administration, or CUNA, opposes the arbitration rule because ''[a]mong the many consumer protections associated with the mission of credit unions is the high-quality service they provide to their members, which has prompted a successful system for quickly and amicably resolving disputes in the limited instances where they arise.''

While the CFPB claims that many community banks and credit unions do not even have these clauses, I have heard from many small financial institutions that this rule would have a significant impact on their operations.

On July 25, by a vote of 231 to 190, the House voted to overturn this rule. The administration weighed in on the House's efforts, saying: ''This legislation would protect consumer choices

by eliminating a costly and burdensome regulation and reining in the bureaucracy and inadvisable regulatory actions of the CFPB.''

It is alarming that the CFPB moved forward with a final rule in this manner, especially in light of the numerous concerns expressed. The CFPB could have made recommendations to improve the arbitration process or arbitration clauses if it identified concerns.

Aside from the substantive concerns about this specific rule, it brings the CFPB's own structure and accountability into focus. The CFPB is unlike any other Federal agency. Since its creation, we have argued that far too much power is invested in the CFPB Director without any effective checks or balances.

Last year, the DC Circuit Court of Appeals ruled that the CFPB, as it is currently structured, is unconstitutional. The ruling stated that Congress erred in creating a far-reaching agency that is led by a single Director. In particular, the ruling noted that ''the CFPB's concentration of enormous executive power in a single, unaccountable, unchecked Director not only departs from subtle historical practice, but also poses a far greater risk to arbitrary decision-making and abuse of power.''

The Director is further insulated by being able to automatically withdraw funds from the Federal Reserve, rather than being required to justify the CFPB's annual funding needs to Congress.

The court's decision mirrored arguments from Members of Congress that the Director has wide-ranging power with little oversight and is a gross departure from the settled historical practice of having multimember commissions at agencies to keep them in check. In fact, the Senate repeatedly urged the prior administration to impose checks on the CFPB.

In 2011, 44 Senators wrote to the administration expressing concern about the lack of accountability in the structure of the CFPB. In 2013, 43 Senators wrote to the administration once again. In each instance, we advocated for the establishment of proper checks and balances for the agency, which, had they been imposed, almost certainly would have avoided this crisis rule that we see coming out.

Some of the specific checks and balances for which we advocated included replacing the single Director with a bipartisan commission to run the CFPB, subjecting the CFPB to congressional appropriations, and establishing safety-and-soundness checks for prudential regulators. Nevertheless, despite our efforts, this agency remains just as powerful and unaccountable today, and this rule is just the most recent demonstration of its continued lack of accountability.

Now the Senate has the opportunity to take another step toward holding this agency accountable. The CFPB failed to demonstrate that consumers will fare better in light of its arbitration rule. In fact, they may be worse off.

I urge my colleagues to help ensure that consumers maintain access to quick, inexpensive, and efficient mechanisms of dispute resolution by overturning this rule.

Thank you.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I couldn't disagree more with my colleague from Idaho. He gave a very studious presentation that missed all the key facts. He made a big point out of the fact that we would lose a dispute resolution tool, but, in fact, access to small claims and access to arbitration remain in place, so it is simply wrong.

He noted that small claims is a great option, but, of course, what we are talking about are provisions in which credit card companies and cell phone companies and broadband companies put charges on your bill that are unjustified, but they are small amounts. They are little amounts. It is $5 here, slammed there; it is $10 there, jammed on your bill there. You discover it, and you call them up, and they say: Well, you can come to arbitration. Of course, arbitration means they choose the decision maker; they pay the decision maker, and that decision maker comes to them for future business. So it is completely rigged.

If anyone wanted to see an example of the swamp at work here in DC, we have it on the floor tonight. This is Big Business taking justice and ripping it out of the hands of consumers across our Nation.

It costs fees to go to small claims; you can't go to small claims for $10 or $5 or $20. This is well understood.

My colleague made a big point about the fact that a lot of companies settle. These companies have the best lawyers that money can buy. They settle only when they have cheated the consumer and they know there is a chance they are going to get a worse verdict if it goes to trial. It is smart for them, and it saves money for them not to continue to adjudicate a case in which, clearly, they are wrong. So, of course, they will settle. This is not an argument against consumer rights; it is an argument for consumer rights.

My colleague made the argument that 25 percent of the fees go to the lawyers, but he didn't point out that means 75 percent goes to the consumers. Why is that a fair deal? Because consumers can't afford to go to court for $10 or $20 or $15, so they are awfully happy to be able to get 75 percent of what they are owed.

Again, he didn't begin to mention the fact that the whole point is deterrence. These companies are given a right to cheat because there is no way for a customer to get a fair adjudication. In arbitration, the company chooses the judge; the company pays the judge. And these judges come back time and again for case after case after case, finding for the companies time after time after time. So if you want a rigged system, if you want an example of a swamp flooding this room right here, this is it, right here, right now.

Deterring companies from cheating individuals makes a lot of sense. It adds a lot of value to our society. Credit card customers, nursing home residents, students with loans, veterans—veterans weigh in heavily against the abusive practice of a rigged system—certainly customers of cell phone companies and broadband.

I have had this experience myself. I looked at a bill, and I said: Wait, what is this charge on here that I have never seen before? I called up the company. Of course, you go through a phone tree, and you spend an hour trying to talk to some real person who is way overseas somewhere. They say: Well, we just added it to your bill 6 months ago, and you should have protested it the first month it was on your bill. Well, I don't look at the details every single month to see if the company tried to cheat me. And if they did it to me, they did it to thousands and thousands of others. They were willing to reimburse 1 month of this, but not the first 5 months. At $10 a month, that is $50. You can't go to small claims for $50. You can't go to court for $50. The only fair thing is to have the full range of options, and that is taken away by arbitration.

I would bet none of my colleagues here, not a one—and if any colleague would like to stand up and say they disagree, I would like to hear it—not a one would agree to have a serious dispute settled in which the opponent chooses the judge, pays the judge, and that judge gets business from them all the time. That is rigged and that is wrong, and that is why I encourage my colleagues to vote against this resolution tonight.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Mr. President, Wells Fargo creates 3.5 million fake accounts, charging customers fees and ruining credit scores. Equifax lets hackers steal personal information on 145 million Americans, putting nearly 60 percent of American adults at risk of identity theft. And somehow we are about to vote on a Republican proposal that makes it harder for consumers to hold companies like Wells Fargo and Equifax accountable. I know it sounds nuts, but it is true.

Here is the issue: If you have a checking account, credit card, private student loan, or any number of financial products, there is a good chance you have given up your right to go to court if that financial firm cheats you. That is because tens of millions of consumer financial contracts include a forced arbitration clause that says that if this financial company cheated you, you can't join with other consumers in court; you have to go to arbitration by yourself. Tens of millions of consumers, including around 80 million

credit card customers, can't go to court if their banks cheat them.

Think about what this means in the real world. You wake up in the morning and find a mysterious $30 fee on your account statement. You call the bank and say: I didn't agree to this. The bank tells you to pound sand. So what are your options? Well, if there is no forced arbitration clause in your contract, you have a choice: You can go to court, or, if your bank offers it, you can pursue arbitration.

Here is what you want to think about. Chances are pretty good that if the bank cheated you with a $30 unauthorized fee, there are other customers in the same boat. That means, if you want, you can join a class action lawsuit against the bank for free. A class action gives you a chance to get some money back, and it doesn't cost you anything. A class action also means the bank might have to cough up some real money and think twice before hitting you and their other customers with hidden fees the next time around.

Now think about what happens if there is a forced arbitration clause. You can't join with other customers in court. Your only option is to file a solo arbitration claim, which will cost you $200 or more just to get started. Who is going to pay $200 up front to try to get back a $30 fee? No one. That is exactly what the banks are counting on. They can get away with nickel and diming you forever.

But say the bank steals a bigger amount and you just can't stand it anymore, so you decide to be one of the roughly 400 consumers a year who go before an arbitrator. If you don't like the result, there is no appeal. Even worse, the banks are allowed to swipe your wallet in secret. The records of these proceedings are not public, so the regulators and the American people don't get to know what their banks are up to. Does that sound like justice in America?

Earlier this year, the Consumer Financial Protection Bureau put a stop to that. They issued a new rule that prohibits financial companies from forcing you to give up your right to join other customers in court and hold your bank accountable. House Republicans already voted to reverse that rule. The Senate will soon decide whether to follow suit and take away American families' freedom to choose to go to court if they are cheated by their bank.

Make no mistake—anyone who votes to reverse this rule is saying loud and clear that they stand with banks instead of their constituents, because bank lobbyists are the only people asking Congress to reverse this rule. Every other organization—all the ones that represent actual human beings, not banks—every one of them wants this rule to be saved. Let me tell you about some of them.

The Military Coalition, which represents more than 5.5 million veterans and servicemembers, supports the CFPB rule because ''our nation's veterans should not be deprived of the Constitutional rights and freedoms that they put their lives on the line to protect, including the right to have their claims heard in a trial.'' The coalition says that ''[f]orced arbitration is an un-American system wherein servicemembers' claims against a corporation are funneled into a rigged, secretive system in which all the rules, including the choice of arbitrator, are picked by the corporation,'' and they warn that ''the catastrophic consequences these [forced arbitration] clauses pose for our all-voluntary military fighting force's morale and our national security are vital reasons'' to preserve the rule. That is from the Military Coalition.

The AARP, which represents nearly 40 million seniors, says that the CFPB rule should be preserved because it ''is a critical step in restoring consumers' access to legal remedies that have been undermined by the widespread use of forced arbitration for many years.'' Older consumers are often at increased risk of financial scams, so the ''AARP supports the availability of a full range of enforcement tools, including the right to class action litigation to prevent harm to the financial security of older people posed by unfair and illegal practices.'' That is the AARP, which represents seniors across the country.

The Main Street Alliance, which represents thousands of small businesses, says that the CFPB rule will help small businesses fight against big financial firms that try to drive up their fees. Since almost ''20% of [small] business owners rely on credit cards as a source of investment capital—many of which contain arbitration clauses—forced arbitration makes it nearly impossible for small businesses and consumers alike to protest hidden fees, illegal debt collection, and other deceptive practices.'' That is from the Main Street Alliance.

So there it is. Veterans, servicemembers, seniors, small businesses, and consumers are all lining up to support the CFPB rule. But that is not all. Let Freedom Ring, an organization that proudly touts itself as ''supporting the conservative agenda,'' likes the CFPB rule, too, saying it is ''in keeping with our Framers' concerns that without appropriate protections, civil proceedings can be used as a means to oppress the powerless.''

That is the thing you have to understand. The effort to reverse the CFPB rule isn't about promoting a conservative agenda, and it sure as heck is not about promoting a working people's agenda or a small business agenda. It is about advancing the banks' agenda, period.

The banks and their lobbyists actually have the gall to claim that they want to kill the rule because it is bad for their customers. That claim is just plain laughable. According to a rigorous, 3-year-long CFPB study, consumers recovered an average of $540 million annually from class action settlements, while receiving less than $1 million annually in the arbitration cases the agency reviewed. It is not even close. Even if there are instances in which arbitration is a better option for consumers than a class action lawsuit, the CFPB rule doesn't stop consumers from choosing arbitration. The rule simply says that consumers—consumers—should also have the freedom to go to court if that is what they prefer.

I will tell you one thing: When it comes to what is right for consumers, I listen to servicemembers, veterans, seniors, consumers, and small businesses. I don't listen to bank lobbyists. When a bunch of bank lobbyists tell you they know what is best for consumers, hang on to your wallet.

Millions of Americans of all political parties think the game in Washington is rigged against them, and this vote is exhibit A. Companies like Equifax and Wells Fargo have hurt millions of consumers and then turn around and try to escape accountability, using forced arbitration clauses. The Republican Congress hasn't done a thing to help the people hurt by Wells Fargo. The Republican Congress hasn't done a thing to help the people hurt by Equifax. Instead, tonight they are actually taking away one of the few legal tools to hold companies like Wells Fargo and Equifax accountable.

This is shameful, and I mean that. Any Senator who votes against our servicemembers and our veterans in order to shield big banks from accountability should be ashamed. We should vote down this proposal.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, the resolution we are debating today demonstrates the lengths Donald Trump and the Republican Party will go to protect the special interests that contribute billions of dollars to their political campaigns.

Earlier this year, the Consumer Financial Protection Bureau, CFPB, issued a rule to prevent certain financial service companies from forcing consumers to sign predispute arbitration clauses that block class action lawsuits. This might sound like a boring, technical change, but it is not. At stake is nothing less than the right of millions of Americans to be heard in a court of law.

Contracts mandating forced arbitration can be found in virtually every contract someone signs these days. Every time you agree to an update to the iTunes terms of service, purchase a Fitbit, or open a credit card, you are signing away your right to join together with others to sue in a court of law if something goes wrong.

In 2010, President Obama and Democrats in Congress created the CFPB to protect the American people from predatory business practices by consumer finance companies. And while the

CFPB can't do anything about the iTunes terms or service, it can protect you, through the rule we are debating today, from companies that sell products and services related to consumer credit, automobile leasing, debt management, credit scores, payment processing, check cashing, and debt collection—industries that serve some of our most vulnerable communities.

The resolution we are debating today would eliminate these protections and expose millions to the tyranny of forced arbitration. This is particularly relevant in light of two major news stories this year in which the negligence, fraud, and malfeasance of major financial institutions harmed consumers across the country. This rule, for example, would protect the 805 Hawaii residents who had fake bank accounts opened in their names by Wells Fargo. These people suffered real and material harm, but the fine print in their agreements explicitly prevents them from banding together in a class action lawsuit. This rule would prevent banks like Wells Fargo from doing this now and in the future.

In the wake of the massive Equifax data breach, the company initially forced consumers who registered for credit monitoring to forgo their right to join a class action and instead force them into private arbitration. These are high-profile examples of the problem but aren't the only ones. Hundreds of Hawaii residents have filed complaints with the CFPB about problems with credit reporting agencies and credit report errors that can increase the cost of a loan or result in the denial of credit.

Under a recent class action settlement, Hawaii customers falsely matched with someone on the terrorist watch list can receive over $7,000 from TransUnion. Is it really any wonder why TransUnion and other credit bureaus have fought so hard to block class action lawsuits with forced arbitration?

This rule would also protect consumers from predatory payday lenders that are extorting over $3 million in fees a year from Hawaii consumers alone. Over 98 percent of storefront payday lenders use forced arbitration clauses in their contracts.

Hawaii is home to more than tens of thousands of Active-Duty servicemembers, reservists, and veterans. This rule protects them too. In 2016, the Office of the Comptroller of the Currency fined Wells Fargo millions of dollars after they illegally foreclosed on homes or repossessed cars in violation of the Servicemembers Civil Relief Act. Without the CFPB rules, similarly affected servicemembers would be restricted from banding together to sue. It is why the American Legion, in announcing their support for the CFPB's rule and opposition to this resolution, said it would be ''extremely unfair to bar servicemembers, veterans, and other consumers from joining together to enforce statutory and constitutional protections in court.'' It isn't difficult to understand why. Big banks and megacorporations want to force their customers to adjudicate disputes through arbitration.

According to the CFPB, companies win claims in arbitration 91 percent of the time. The deck is stacked against the consumer in these forced arbitration situations, and after these judgments, consumers were forced to pay an average of over $7,000 to companies to even engage in the proceedings. Talk about a major imbalance of power.

Director Cordray and the entire CFPB spent years developing this essential consumer protection regulation, but I am not at all surprised that the President and his allies in Congress desperately want to eliminate this consumer protection rule. I urge my colleagues to vote no on this resolution.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, this vote really gives the U.S. Senate a choice. On one side, we have the biggest banks in America, financial institutions, which are arguing that you as a consumer, as someone who uses their banks, should be basically signing an arbitration clause that denies you the freedom to go to court. On the other side, the Consumer Financial Protection Bureau has argued these financial institutions are misusing this power, denying people access to courts, and it should come to an end. That is the choice.

I think I know who is going to win. I am not sure if the party on the other side of the aisle would have called this issue if they didn't already have it lined up for the financial institutions. I know many on the other side, maybe most, hate the Consumer Financial Protection Bureau like the devil hates holy water. The notion that this agency is going to stand up for consumers across America is something they find repugnant, something they would like to end tomorrow. I say thank goodness they are there.

There ought to be one agency in the Federal Government, at least just one, that speaks up for the little guy when it comes to these transactions. Think about the 3½ million people defrauded by Wells Fargo. These were people who had their identities stolen, had their Social Security numbers purloined for opening credit card and bank accounts that they never asked for—3½ million of them.

Let me tell you the story of one of them. It is a pretty interesting story. Her name is Tracy Kilgore. She is from New Mexico. She was not even a customer of Wells Fargo Bank, but she went in because she was the treasurer of a local chapter of the Daughters of the American Revolution. She went to the Wells Fargo branch one day in 2011 to have the names on the organization's existing account changed. A few weeks later, she received a rejection letter for a Wells Fargo credit card that she had never applied for.

It turns out the bank teller at Wells Fargo had taken the information she had given and submitted a credit card application on her behalf without her knowing it. The application was rejected and hurt Ms. Kilgore's credit score for a credit card she never asked for. Ms. Kilgore is fighting for her right to hold Wells Fargo accountable in court and to join with millions like her who have been victims of Wells Fargo's misconduct.

The Republicans tonight are saying they feel sorry for Wells Fargo. They really do. To think that this company manufactured and created 3½ million phony credit card and bank accounts at the expense of customers like Tracy Kilgore doesn't seem to move them at all. Instead, they want to stand by Wells Fargo, which put in that credit card application an arbitration clause which said: Tracy Kilgore, you can't go to court. You can't have your day in court. You have given it up. You signed it away to Wells Fargo.

Would Tracy go to court anyway? Let's say she had to file a new credit report and it cost her $100. Is she likely to file a lawsuit against Wells Fargo? Probably not. Multiply that times 3½ million people who were defrauded by this bank, and you understand how a class action suit can finally hold Wells Fargo's feet to the fire, hold them accountable for literally cheating this woman and millions just like her.

The Republicans are arguing tonight that we ought to feel sorry for Wells Fargo. I don't. I don't feel sorry for them. I feel sorry for Tracy Kilgore, who, because of the arbitration clause, lost her opportunity to go to court and ask for simple justice from a judge or jury.

How about Equifax? If you think 3½ million people defrauded by Wells Fargo is a pretty awful situation, here is one dramatically worse. One hundred forty-five million—let me see. Right off the top of my head, that is about half of the people in this country. One hundred forty-five million Americans—five and one-half million who live in my State, that is almost half of our State population—had their personal data exposed in a massive Equifax data breach. In other words, if you had filed in the distant past, and there was a credit report on you, Equifax had all the information about you and your family, your banks, your Social Security numbers, and all the rest of it, Equifax ended up with a massive breach. Somebody hacked into their computer and stole your personal identity information, to the tune of 145 million Americans.

Equifax really felt bad about this. Here is what they said. Equifax, in response to this data breach, initially offered a free credit monitoring service for any customer who signed up, out of the 145 million. In other words, we will monitor to see if somebody stole your identity, they are misusing it, and hurting your credit status, but they added something: as long as the customer signed a forced arbitration

clause in fine print that prohibited them from joining a class action. Equifax wants to help you, even though they initially hurt you, as long as you will guarantee that you will never hold them accountable in court. How about that for a deal?

That is what the Republicans are defending tonight, exactly what I just described. They feel sorry for Equifax. They feel sorry for Wells Fargo. They want to make sure these banks and these credit companies really have a friend in the U.S. Senate.

We don't know if Equifax, which now claims it will no longer impose this forced arbitration on victims, will stand by that if they are ever challenged in court. We ought to ask ourselves why major groups across the United States standing up for just ordinary Americans find this Republican strategy on the floor tonight so reprehensible.

Listen to the groups that oppose this effort: the American Legion, the Consumer Federation of America, the NAACP, the United Automobile Workers, and many other consumer groups. They are saying: Why won't somebody in Washington speak up for the average American who is being defrauded by these banks, defrauded by these credit agencies? Why won't somebody in the Senate stand up for the agency that finally said enough and finally said that these financial institutions have had their way long enough?

Many of these financial institutions are hiding behind your local hometown banks. You know the ones I am talking about. I have them in my hometown of Springfield, IL. They are saying that this is all about your local community banks and your credit unions. We don't want to hurt them.

Here are the facts. Ninety percent of your community banks and credit unions do not have these arbitration clauses in their agreements. Do you know who does? The big banks. Sixty percent of the big Wall Street banks have these clauses, and they are the ones who are really behind this fight, the Wells Fargo and the other ones who want to maintain this ability to stop consumers from going to court to protect themselves when they have been defrauded by banks and credit and financial institutions.

This is a classic illustration of power in Washington. Is there any power in the hands of consumers and ordinary Americans? We will find out in the vote tonight. I am afraid it wouldn't be called on the other side of the aisle unless they figured the banks were going to win, again. It is unfortunate. We ought to live in a society where consumers have a fighting chance, and the system is not rigged against them. An arbitration clause is a way to rig a contract so a consumer is going to lose twice: lose when the bank takes advantage of them and lose when they try to go to court and they are stopped by the arbitration clause.

Consumers in this country have a battle on every single day to make a living and to get by. This is an effort to take away one of your freedoms to go to court with a group of people who have been aggrieved just like you, have your day in court, win or lose. The Republicans want to take that away and so do the banks. I hope they don't prevail.

I yield the floor.

Mr. LEAHY. Mr. President, something truly outrageous is happening today on the floor of the Senate. The resolution we will consider today signals to the American people, in no uncertain terms, that they do not deserve the right to seek justice when big banks or other financial service providers rip them off, leave their personal information exposed to hackers, or engage in discrimination. The resolution of disapproval before us today will strip Americans of their rights in court and will ensure that corporate wrongdoing can remain shrouded in secrecy—all to protect powerful companies like Wells Fargo and Equifax.

Access to our court system is a fundamental principle in American society. It ensures that all those who wrong others, no matter how powerful, are equal in the eyes of the law and can be held accountable. That may no longer be the case. Access to our courts is under assault by companies that slip forced arbitration clauses into the fine print of agreements for basic services like checking accounts and credit cards. For some of these companies, like Equifax, consumers are not even their customers. They sell consumers' financial information to other companies. They have little incentive to protect consumers or even treat them fairly. That is how Equifax can actually make significant profits after it carelessly allowed the personal information of half of the adult population in the United States to be compromised. This is wrong.

The Consumer Financial Protection Bureau, CFPB, rightly put some commonsense limitations on the abuse of forced arbitration clauses. The rule provides that financial services companies cannot force consumers to sign away their right to join a class action lawsuit. The rule also requires more transparency when arbitration is used to ensure that wrongdoing cannot be hidden by powerful companies to keep consumers in the dark. Protecting consumers in this way should not be controversial.

With the blunt instrument of a resolution of disapproval, the majority is seeking to strike the CFPB's rule and prevent it from ever implementing a similar rule in the future. This action, through a simple majority vote, would slam the courthouse door shut on every American who is ever ripped off by a company like Wells Fargo or has their sensitive personal information carelessly left unprotected by a company like Equifax. If we go down the path of striking this rule, consumers will only be left with the same empty, meaningless apologies we always hear from these companies when they are finally caught red-handed.

I hope the American people are following this vote today. If they want to know whether their Senator stands with them or stands with corporate abusers, they will certainly find out. Whose side will the Senate be on when the rollcall is taken on this key vote? The American people, and their rights as citizens and as consumers? Or the powerful corporate interests who are pushing to repeal this protective rule? We shall soon see.

This should not be a partisan issue. We all represent the American people. It is time we act like it. The Vermonters I represent are watching. They know what is at stake by repealing this rule. I urge every Senator who shared my outrage at Wells Fargo and Equifax to take a stand and reject this shameful resolution.

Mr. DURBIN. 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. CRAPO. 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. CRAPO. Mr. President, while we have a little bit of open time in between speakers, I thought I might respond to some of the things that have been said.

Those who are opposing this resolution tonight continue to put it as though this were a case of trying to stop consumers from having an adequate way to access dispute resolution and make it look like it is the big guys against the little guys. First of all, this rule we are talking about only applies to financial institutions. It doesn't apply in all the other kinds of cases that have been thrown out here tonight. If you want to look at the financial institutions that are the most concerned about this rule, it is the little guys. It is the credit unions. It is the local community banks that are pleading with us to stop this abusive rule. I just think that part of the record needs to be set straight.

Again, I am going to lay out what this debate is really about. This debate is not about trying to help facilitate banks and credit card companies and others in cramming down some solution on consumers. It is about trying to facilitate pushing dispute resolution into class action litigation. This is a very clear move to drive our dispute resolution in this country into class litigation.

I am going to give a little bit of history, but before I do that, I want to again read to the folks who are listening in on this debate what this rule exactly does. You would think from all of the debate that it stops consumers from going to court or that it forces consumers to use an abusive arbitration process. It is very clear. This rule

prohibits a company from relying in any way on a predispute arbitration agreement with respect to any aspect of a class action that concerns any consumer financial product or service.

The rule goes further. Remember that the ones that are the most worried about this are the credit unions and the small banks. Every agreement they enter into has to contain this language. This tells you what the fight is about.

We agree that neither we nor anyone else will rely on this agreement to stop you from being part of a class action case in court.

That is the rule we are talking about. You may file a class action in court or you may be a member of a class action filed by someone else. Are we fighting against a mandate—basically, a rule that is going to drive decisions and dispute resolutions into class action litigation? Yes, we are. We are fighting to protect the current system, which is one that has worked for years and years. I am going to get into that system. In fact, I will get into it right now. Let's compare class action litigation with arbitration as one of the alternatives.

In fact, before I make that comparison, let me point out that the CFPB's own study shows that the clear majority of arbitration clauses they studied allow access to small claims court as an alternative to arbitration. There is no effort to say to the consumer, if you want to, you can go to small claims court. In the United States, the limit in small claims is different in each State. It ranges from $3,000 to $15,000, but I would say the most common level is about $10,000 of a claim. So a consumer who has any kind of a claim up to about $10,000 can go to a small claims court.

Let's compare arbitration with class action litigation.

How much does the consumer recover? In a class action, the average is $32 per person. In arbitration, the average is $5,389 per person.

How long does it take to get the recovery? In a class action, it is 23 months, on average. In arbitration, it is 5 months, on average.

How many of them actually go to trial? Now, this is interesting because you think of a class action as your day in court. Remember that those who argued earlier tonight were telling consumers they were not going to get their day in court. The number of class action lawsuits that went to court were zero. Class action litigation is a mechanism to drive settlements. As for the number of arbitration suits that went to court, 32 percent reached a decision on the merits. That was not an actual court case, but it was a resolution by a decision maker. With regard to settlements, 12 percent classwide are made. In arbitration, 57 achieve settlement.

Here is one of the striking ones. How much is paid in attorneys' fees? In a class action, according to this study, which is the CFPB's study, $424 million goes to attorneys' fees. There were no attorneys' fees under the arbitration. There were some arbitration fees, and I will get to that in a minute, but they were nowhere close. By the way, this number, the $424 million that went into attorneys' fees, is the reason we are having our debate tonight. This rule seeks to drive this decision-making model into this zone.

As for estimated additional class action costs for covered companies, it is $2.6 billion for class actions and none for arbitration.

Some have said this is just an example of the Republicans trying to help Wells Fargo out. First of all, I am the chairman of the Banking, Housing, and Urban Affairs Committee. We have held hearings on the Wells Fargo situation and continue to look at it very closely. Senators from both parties take it very seriously and are working to find a resolution, but when it comes to the question of whether Wells Fargo used arbitration agreements to avoid liability, these are the facts.

Wells Fargo, which was found to have opened millions of unauthorized accounts in the names of its consumers, agreed to settle this for $142 million—twice as much as the projected consumer loss. They made that agreement because arbitrating them in individual disputes would have cost much more. The argument that Wells Fargo is the example of what we are working to try to facilitate here is just not true.

As I said, let's talk a little bit about arbitration. On the floor tonight, arbitration has been characterized as this terrible, devilish idea that has been designed by Big Business in America to try to push the little guy out of a fair chance at recovery in a dispute. The Acting Comptroller of the Currency, who heads the independent Bureau of the Treasury, which is in charge of supervising and regulating national banks, has raised serious concerns.

In his recent letter, he indicates that arbitration can be an effective alternative dispute resolution mechanism that can provide better outcomes for consumers and financial service providers without the high costs associated with litigation.

That is key. In fact, if you look at history, nearly a century ago, Congress made private agreements to resolve disputes through arbitration valid, irrevocable, and enforceable under a Federal law, which is called the Federal Arbitration Act. This was a decision by this Congress nearly 100 years ago that said we have to find a way that is fair to resolve disputes that is not so expensive as the current dispute resolution models we have, namely, litigation. This longstanding Federal policy in favor of private dispute resolution serves the twin purposes of economic efficiency and freedom of contract.

Some have said this just lets banks get away with cheating their customers, but the opposite is true. Eliminating the use of this tool could result in less effective consumer protection and fewer remedies while simply enriching class action lawyers. At the same time, the proposal may potentially decrease the products and services offered to consumers while increasing their costs.

The Wall Street Journal's editorial board similarly noted that arbitration has allowed consumers to easily resolve disputes by phone or online without their having an attorney.

As I have said, virtually every consumer who does not like this solution has the alternative to go to small claims court. The question here is whether we will facilitate pushing consumers out of the choice of arbitration. If the law is changed, which is what this rule seeks to do, then the disincentive for financial institutions to rely on arbitration will be seriously injured. The worry we have—and the intent of this rule—is that it will drive dispute resolution into class action litigation. That is what this whole dispute here tonight is about.

One of my colleagues tried to characterize arbitration as this system in which this company hires these decision makers, these arbitration judges, and that the judges are going to be biased because the judges are bought by the companies that use them for the arbitration. That is not an accurate description of what arbitration is.

There is actually a Federal law, which I have already referenced, which sets up the parameters in which arbitration operates, and there is an American Arbitration Association that administers it. When a person chooses to go into arbitration, what happens is that the whole system that takes over is administered not by the company but by the AAA, and under the American Arbitration Association's procedures, it appoints an arbitrator. The implication made earlier was that the arbitrator always rules for the company because that is the company that hires him.

Here is the truth. In the appointments of 1,847 disputes that the CFPB studied, arbitrators were appointed in 975 that involved 477 different arbitrators. In 704 of those disputes, the AAA appointed arbitrators who had also been in other financial disputes. Some of these arbitrators get picked a couple of times, but they are not picked by the company, and they are not beholden to the company. That is one of the reasons we set up the Federal arbitration system the way it is.

My point is, the effort to try to characterize this as some devious system that has been created to try to stop consumers from having access to fairness is simply false. We have a very fair system that has been working for over 100 years in this country. It has been litigated and litigated because those who want litigation to be the norm hate it. They do not want arbitration to work, but the reality is, it has worked wonderfully, and it has survived the litigation assaults.

Now those who want to drive decision making more into the courts and more

into class action litigation have been able to get a willing, listening ear in the Director of the CFPB, who, as I have said earlier, has no accountability to Congress, who does not even look to Congress for his budget, and is obviously on the side of the litigation bar, which wants to, once again, drive our decision-making system into a litigation mode.

That is the debate we are having. That is the argument tonight. Anyone who tries to say this is an effort by your local credit union, your local community bank, or your large credit card company to try to stop consumers from having adequate access to dispute resolution is mischaracterizing what the debate tonight is about.

I encourage all of my colleagues to reject this inappropriate and, frankly, expensive and dangerous rule.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I would like to say a few words about the battle between the jury system and a system in which regular Americans are forced into arbitration, which has a terrible record.

I can remember years ago, when I was attorney general, the attorneys general shut down one of the arbitration systems because it was so corrupted and was throwing decisions to big corporate interests, and you cannot really understand that unless you understand the importance of the role of the jury in our country.

For centuries, the jury has served as a last sanctuary within our constitutional structure for people who seek justice and fair treatment under the law. It was designed for a specific purpose. When Big Interests control our executive officials, as the Founding Fathers knew they could, when lobbyists have the legislatures tied in knots, as our Founding Fathers knew they could, and when media outlets steer public opinion against individuals, as our Founding Fathers saw that they could, the hard, square corners of the jury box stand firm against that tide of influence and money.

There is a lot of history here. It was the earliest American settlers who brought the jury to our country as precious cargo from England.

The Virginia Colony established the jury in 1624, roughly a year before the Dutch even settled the island of Manhattan. Early Americans created juries in 1628 in the Massachusetts Bay Colony, in 1677 in the Colony of West New Jersey, and in 1682 in Pennsylvania. Indeed, in our Declaration of Independence, our colonists put forward a list of grievances and admonished King George III for—and I quote them in the Declaration of Independence—''depriving us in many cases, of the benefits of Trial by Jury.''

When the original Constitution was silent on the jury, Americans sounded the alarm, and the Seventh Amendment was sent to the States in the Bill of Rights.

Alexander Hamilton, a famous Revolutionary-era Founder, stated in Federalist No. 83: ''The friends and adversaries in the plan of the convention, if they agree in nothing else, concur at least in the value they set upon the trial by jury; or, if there is any difference between them, it consists in this: the former regard it as a valuable safeguard to liberty; the latter represent it as the very palladium of free government.''

Going on to the mid-19th century, when Alexis de Tocqueville wrote his famous ''Democracy in America,'' he observed that the jury should be understood in America as a ''political institution'' and ''one form of the sovereignty of the people.'' What did he mean? How does the jury protect the sovereignty of the people? Well, in two ways, as Sir William Blackstone explained.

Sir William Blackstone was probably the most cited source in those early days of the founding of our Republic and in the early days of the development of our laws. Sir William Blackstone explained that trial by jury ''preserves in the hands of the people that share which they ought to have in the administration of public justice, and prevents the encroachments of the more powerful and wealthy citizens.''

Those are two separate thoughts. First, the civil jury devolves a share of government power—power which they ought to have—directly to the people. But second and uniquely, in a Constitution otherwise devoted to protecting the individual against the power of the State, the civil jury is designed to protect the individual against other individuals—more specifically, against other more powerful and wealthy individuals.

Even former Chief Justice William Rehnquist observed about this era that ''the Founders of our Nation considered the right of trial by jury in civil cases an important bulwark against tyranny and corruption, a safeguard too precious to be left to the whim of the sovereign.''

That is at heart what this fight is about. Remember Blackstone's words: The jury ''prevents the encroachments of the more powerful and wealthy'' citizens. That means the jury is intended to be a thorn in the side of the powerful and wealthy. It is intended to make the powerful and wealthy stand equal—annoyingly equal to them—before the law with everyone else. The jury is intended to be the little branch of government that the wealthy and powerful can't get to, can't fix, can't control. That is why jury panels are new every time. If you had a permanent panel of the same jurors over and over, the powerful and wealthy would tend to influence the institution. The jury stands against all that tide of influence. That is what it is there for. That is how it was designed. Who is more powerful and wealthy today than mighty corporations and big special interests? And guess what—big corporations and special interests hate the jury. The small institution has big enemies.

It would astound the Founding Fathers to see how far we have fallen from the popular affection and loyalty for the jury trial in 1776. Juries are indeed about dispute resolution and about making sure that everybody can get a fair shake and that powerful and wealthy interests can't put the fix in, but more than that, the civil jury helps check power.

The American system of government is built on the premise that divided government and separated powers—checks and balances—will best protect individual liberty. The civil jury distributes authority of the State directly to citizens, giving them direct power to resolve disputes—sometimes very important disputes—and it gives them this power in a way that makes it very hard for special interests to control.

Well, if we look around today, the influence of wealth and power suffuses the legislative and executive branches. Corporate lobbying and corporate and billionaire election spending are at unprecedented levels. In our political debate, dark money dollars drown out the voices of average citizens in what has been called ''a tsunami of slime,'' and all that money is not spent for nothing.

Powerful interests love a game that is rigged in their favor—always have, always will. It is a tale as old as time. Well, rigging the game doesn't go over well in the jury box. Special interests may seek special influence with legislators and regulators all of the time. It is their constant activity, licensed and regulated by lobbying and campaign finance laws. Their every waking moment is devoted to tampering with the legislative and executive branches, but tampering with a jury is a crime, and it is a crime for a reason.

In a world where so many feel powerless, juries give regular citizens real authority. In a world of fractious partisanship, juries make citizens work together and decide together. And in a world in which injustices pile up against barricades of well-kept indifference, a jury can blow the status quo to smithereens. This is the vital constitutional role of the civil jury. This is what mandatory arbitration is designed to attack—to remove the access of regular citizens to this institution of our government which was so important to our Founding Fathers because it is an institution that the wealthy and powerful cannot control. They can control mandatory arbitration. Over and over again, it has been shown to be subject to corporate favoritism and control. There is a reason that the big and powerful special interests want to get rid of access to a jury and want to force people into mandatory arbitration. They are not doing it for the sake of having their adversaries and opponents get better access to justice; they are doing it to shut off access to the civil jury. They want everybody forced into rigged games.

We ought to be fighting to preserve and enhance the civil jury as an element of the uniquely American system of self-government. Our forefathers fought and bled and died to create and preserve this system of government in which the civil jury has a vital role. From Alexander Hamilton to Alexis de Tocqueville, to William Blackstone, to William Rehnquist—you can go on and on in our history with people who have pointed out the vital role of our jury. Squelching it is the task of the wealthy and powerful, mighty corporations that seek to squelch it and force everybody into corporate-friendly, mandatory arbitration.

We should think on this question in the long view—not who gets the immediate benefit of not having to face trained lawyers, not having to face people in an open forum, not having to be before a free and independent jury. We should think of the message of our Founding Fathers, who put the need for a civil jury right into the Declaration of Independence, who demanded it as part of our Bill of Rights, and who saw it as an essential element of our liberty.

With that, I yield.

I see my distinguished colleague from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Thank you, Mr. President.

I want to start by thanking my friend and colleague from Rhode Island for pointing out why we have a jury system, a system of our peers who can listen to all sides of an argument in a fair way and render justice.

What this resolution does is prohibits many consumers around the country from having the choice of going before a jury as part of a group of people who have been wronged.

For months, the American people had been hearing stories of how big banks, big financial institutions, have engaged in various schemes that harmed consumers and cheated consumers out of millions and millions of dollars. The most notorious recently, of course, was the case of Wells Fargo, which opened up a lot of fake accounts—meaning they opened accounts without consumers asking them to open accounts—and then charged consumers for those accounts. It is a fact that Wells Fargo in many cases tried to use forced arbitration to prevent those people who had been wronged from getting access to justice, from being compensated for their harm.

We also heard about the Equifax case. Equifax is a credit reporting agency. They collect gobs of information on all of us—on over 170 million Americans—without our permission. We don't say: Equifax, go out and dig up as much information about us as you can and put it on your computer system. They go out and do it. We all know that they were subjected to a massive hack and that very confidential, highly personal information on over 100 million Americans has now been compromised.

One of the things Equifax did after that was they said to consumers: You know what, we know that your information may have been compromised because of this hack on our system, and we want to help protect you, but if you want our protection, you have to sign away your rights to be part of a class action lawsuit against us.

That was their original plan and their original instinct. Well, there was a big public outcry about that, and they backed off. But the former CEO of Equifax, in a Banking Committee hearing just a few weeks ago, said they backed off in response to the public outcry, but if they had done business as usual, they would have prevented those consumers from getting compensation for wrongs through the court system.

Even after we hear about Equifax and that scandal and the Wells Fargo banking scandal, we are here on the floor of the Senate not to help even the playing field for consumers but to take away a right that consumers now have to help even the playing field against these big banks and financial institutions. It is entirely backward.

I want to read from the statement that was issued by the Consumer Financial Protection Bureau, the CFPB, on July 10 of this year when they issued their new rule. Here was the headline: ''CFPB issues rule to ban companies from using arbitration clauses to deny groups of people their day in court.'' Simple as that. It went on to say that financial companies can no longer block consumers from joining together to sue over wrongdoing. It pointed out that companies use mandatory arbitration clauses to deny groups of people their day in court. They went on to say that many consumer financial products, like credit cards and bank accounts, have arbitration clauses in their contracts that prevent consumers from joining together to sue their bank or financial company for wrongdoing. That is right. We all know that in the fine print of a lot of credit card applications, in the fine print that consumers get from a lot of big financial institutions, and in the fine print of auto loans, they have buried these provisions that compel those consumers to give up their rights.

This is not a question—I have heard conversations on the floor today—about whether arbitration in and of itself is a good or a bad way to resolve disputes. If I have been wronged or you have been wronged and you agree voluntarily to enter into an arbitration dispute mechanism, fine. Do it voluntarily. That is not what this is about. It is not what it is about at all.

This is about forcing arbitration. We listened to the CEO of Wells Fargo. We listened to the former CEO of Equifax. They all say they value their consumers. They want to make sure they do right by their consumers, but it turns out they don't trust their consumers at all because they want to take away from those same consumers the right to seek justice through the court system if that is what those consumers choose to do. That is exactly why the Consumer Financial Protection Bureau took the action it did to protect consumers and to make sure that they could not be compelled into arbitration. If they chose it after they had been wronged, that is their decision, but this is about mandatory arbitration and forcing consumers to give up their rights.

We have heard a lot about the Washington swamp. This resolution to overturn this consumer protection provision is the Washington swamp at its muckiest and at its smelliest.

Now, I have a letter I received today from the American Legion, people who have represented men and women who have served our country. Here is what it says. This is from the legislative director at the American Legion:

Dear friends and colleagues, I write to reiterate the American Legion's strong support for the Consumer Financial Protection Bureau arbitration rule in light of reports that the Senate could vote on the matter as early as this evening.

The alarm bells went up at the American Legion and other places.

You may recall that I emailed you about this on October 2. That email is below, but today I want to share a couple of additional points.

Point No. 1 is in bold.

A vote to overturn the Consumer Financial Protection Bureau arbitration rule is a vote against our military and veterans.

That is from the American Legion.

I want to read some of the other veterans organizations that are against this action that the Senate is headed toward tonight: Blue Star Families, Military Order of the Purple Heart, the National Guard Association of the United States, National Military Family Association, Reserve Officers Association, and the list goes on and on. They are joined by consumer protection groups.

Here is what the American Legion said in their October letter to every Member of the Senate. It says that the Consumer Financial Protection Bureau's rule on arbitration agreements addresses the widespread harm of forced arbitration by restoring the ability of servicemembers, veterans, and other consumers to join together and seek relief in class action lawsuits when financial institutions break the law.

The American Legion summed it up just perfectly here. They pointed out that the Consumer Financial Protection Bureau put forward a rule that said that veterans who have been wronged or cheated can join together to seek justice in the court system and that other consumer groups can as well. I have heard a lot of talk today about people saying: You know what, we actually passed this law a little while ago that would protect servicemembers and that would allow servicemembers to band together to seek justice.

Well, I have two points. One is the American Legion and all of these veterans groups, they don't think that was good enough, and they are appalled at what the Senate is thinking about doing tonight.

The second question is this. Yes, we should protect our veterans, but why shouldn't we also be protecting all of the other consumers around the United States of America? Why shouldn't they be able to seek justice? Why should they be compelled to go to arbitration when they would rather choose to go through the court system?

We have heard fellow Members talk about why the deck is stacked against individuals. Just think about it. You get cheated by your bank. Maybe it is 100 bucks, or maybe it is 500 bucks. You get on the phone, and you know you are put on there forever. You are put on hold. You are put on hold, and you finally get through. You get somebody. Maybe they pass you to somebody else or maybe you get dropped in the process. But at the end of the day, in order for you to get your money back when they have been wronged, under this provision, the old provision, you would have to go to arbitration and you would have to shell out a lot of money, and the big banks know that. So what they fear is that all of us, as consumers who have been cheated, we have a chance to get together. It is a class action. It is when everyone who has been wronged can get together and actually have a little bit of power and leverage against a big bank, whether it is Wells Fargo or Equifax or whoever it may be. That is the whole idea of a class action. People get to band together, and that is what the American Legion is asking the Senate to do—to let veterans band together but also just to let American consumers band together to seek justice.

I just want to share with the Senate a story about one of my Maryland constituents and what happened to one of my Maryland constituents because I think a lot of people can relate. This is a pretty extraordinary story, but they can relate to how one individual feels like when they are fighting against a big organization. This was a story that was reported on NPR, and the Maryland constituents' name is Michael Feifer.

Here is what happened. One morning in February, Michael Feifer was heading off to his job in Maryland at a company that builds guitars. He walked to the spot where he parked his car. His car wasn't there, and so he called the police. He called the police. He said: I was livid. I thought someone stole my car.

Well, somebody had made off with Feifer's car, but it wasn't a car thief. It was Wells Fargo Bank. The police informed him of this when he called them up, and Michael Feifer said: That is when I found out my car was repossessed.

Now, he had no idea why Wells Fargo wanted to repossess his car. He says his payments were automatically taken out of his checking account—his car payments. So he called Wells Fargo, and he found out that the bank had put another insurance policy on his car. Lenders sometimes do this when a borrower doesn't have insurance. Wells Fargo calls it collateral protection insurance, CPI. Now, sometimes there is nothing wrong with that, but Wells Fargo imposed this insurance on nearly half a million people who already had bought insurance. They were already covered. Wells Fargo just decided to put another insurance plan on them and—guess what—started charging them for it.

So that is why right after Feifer's car got repossessed, Wells Fargo told him that he had been marked delinquent for not paying his insurance. Now, this again was insurance he didn't want and he didn't need. Well, they said: Too bad, you owe us $1,500.

Now, Michael Feifer then showed up at the bank with his bank statements and showed all the payments he had made for the vehicle. He showed proof of insurance showing that he never had a lapse in his insurance, and he says the people at the bank said: Well, you shouldn't owe anything; it is not your fault. He said: They were just as confused as I was.

Well, then, he said the branch employees tried to be helpful. They called up the Wells Fargo department that dealt with the details of car repossessions to find out what was going on, and they kept putting them on hold. So this is the Wells Fargo department putting their own Wells Fargo's branch folks on hold. He was there 2½ hours, and then it turns out they told him to call back a couple of days later.

Well, he called back a couple of days later, and they said there was no prior record of his calls to the bank. He said they were very rude to him. Then, while he was arguing with the bank, they said: We have repossessed your car. If you don't pay us 600 bucks, we are going to sell it off. So he paid them 600 bucks. Then he found out that he wasn't alone and that Wells Fargo had also engaged in this scheme to sell people car insurance as part of their car loans when they already had insurance.

So this is a very simple issue. The issue is whether or not consumers who have been wronged by big banks or other financial institutions can choose to band together with others to seek justice. What the Consumer Financial Protection Bureau did was to say that consumers have that right. They have the right to choose how to go about getting justice.

What this Senate resolution does is to take that right away from consumers and says: If you want to seek justice, you can only go through forced arbitration, where we know the deck is stacked against the lonely consumer and stacked in favor of the big banks and the big financial institutions.

Let's not do that. Let's vote down this resolution. Let's protect the consumer protections that are in place today.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Thank you, Mr. President, for the recognition this evening.

Mr. President, I rise to support the Consumer Financial Protection Board's arbitration rule that has been spoken about this evening very eloquently by my colleagues here on the Democratic side.

The new rule protects consumers from predatory financial practices. These consumers are our everyday constituents. They are servicemembers and veterans, moms and dads, the elderly, students, and working people. It protects these folks by limiting binding arbitration clauses.

Now, what is a binding arbitration clause? These clauses take away consumers' rights to seek relief in court when they are wronged. This rule puts money in the pockets of consumers who have been taken advantage of.

The Consumer Financial Protection Board estimates that the rule will mean $342 million per year in compensation to consumers. Repealing the rule would take that money, which should go to consumers, and give it to some of the wealthiest corporations in this Nation.

When millions of consumers are scammed, what is the most logical remedy? When millions of consumers are scammed, what is the logical remedy—millions of separate cases before arbiters selected by the corporation or a class action case before an impartial judge and jury?

The right to go to court before a jury of your peers is enshrined in the Constitution. The Seventh Amendment states:

> In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved. . . .

Now, let's talk about the Seventh Amendment and what one of our Founders said. James Madison wrote:

> Trial by jury in civil cases is as essential to secure the liberty of the people as any one of the pre-existent rights of nature.

This rule guarantees access to our impartial courts. It is always good to have the spirit of the Constitution and the Founders on your side.

I stand with the supporters of this rule. Who are they? There are many. For example, there is the American Legion. Just today, its legislative director wrote in no uncertain terms:

> A vote to overturn the CFPB arbitration rule is a vote against the military and veterans.

The Military Coalition, representing 5.5 million servicemembers, also supports this rule. In July, they wrote: ''Forced arbitration is an un-American system wherein servicemembers' claims against a corporation are funneled into a rigged, secretive system in which all the rules, including the choice of the arbitrator, are picked by the corporation.''

These are incredibly strong statements of opposition from military and veterans groups. Also in July, over 300 consumer, civil rights, labor, and small business groups wrote: ''The rule . . . is a significant step forward in the ongoing fight to curb predatory practices in consumer financial products and services and to make these markets fairer and safer.''

Signers of this letter include the AFL–CIO, the American Federation of Teachers, Consumers Union, the NAACP, LULAC, and dozens of other organizations.

Conservatives also support this rule. One of the early tea party activists, Mr. Judson Phillips, wrote an op-ed in the Washington Times. He said: ''This time, the CFPB is right and the Republicans should stand on the side of American citizens and protect the Constitution and the Seventh Amendment.''

Where are our Republican friends? They are not here on the floor talking about this rule.

Finally, the American people broadly support this rule. A recent poll showed 67 percent supported the rule; only 13 percent opposed it. So who opposes this rule and who is behind this resolution to repeal it? Corporations that want to avoid penalties in court when they abuse their customers and big financial industry trade associations and lobbyists.

It would allow credit card, student loan, and payday lending firms—which would see big benefits if this resolution passes—to keep forcing consumers to sign contracts that take away their right to go to court.

Wells Fargo, one of the largest banks in America, spent years creating millions of fake accounts, just to bill their own customers more fees. They eventually admitted a complete and total fraud of epic proportions. Equifax, one of the largest credit bureaus in America, allowed over half of all American consumers' personal information to be hacked. These companies should not be able to use binding arbitration to avoid the legal consequences of their actions. Today's debate is a perfect example of how policymaking in Washington is broken.

A Federal agency did what is required. It undertook an exhaustive study and created a rule to protect consumers from abusive contracts. Now the affected industry is spending millions on lobbying and public relations to repeal the consumer protection rule—to protect their bottom line at all costs.

This vote will decide the fate of $342 million per year. Should it go to consumers who were wronged? Of course, it should. Or should it stay with the corporations that committed those wrongs? Of course, it should not.

Congress is not popular these days. Americans overwhelmingly believe special interests and lobbyists have too much power compared to the regular people. Today, we can take a step to repair our reputation. We should side with our constituents on this important vote and reject this resolution. I urge a ''no'' vote.

I yield back.

The PRESIDING OFFICER (Mr. ROUNDS). The Senator from Illinois.

Ms. DUCKWORTH. Mr. President, I come today to speak out in opposition of this misguided effort to overturn the Consumer Financial Protection Bureau's arbitration rule, which protects the rights of consumers and protects our brave servicemembers and veterans from being taken advantage of by unscrupulous financial institutions.

It was only a couple of weeks ago that we had the CEO of Equifax here on Capitol Hill, testifying about how his company had failed to protect Americans' private financial information and put more than 140 million consumers at risk of fraud or worse. That wasn't too long after we had the CEO of Wells Fargo here, testifying about how his company had defrauded millions of consumers by forcing them into accounts and fees they had never signed up for and, certainly, had not agreed to.

The American people were outraged by these scandals, and with good reason. Both of these companies had committed serious wrongdoings, and they admitted it. But that still didn't stop either from trying to shield themselves from the legal liability their own actions had risked.

Both of these companies tried to prevent the people they had taken advantage of from holding them accountable in court by using what is known as forced arbitration clauses. They thought—and it seems they were right—that if they could stop people from suing them for their wrongdoing and, instead, force them into private arbitration that heavily favored megabusinesses at the expense of consumers, they would have a better shot at saving money for their company. They didn't care about consumer rights or even justice. They just wanted to make as much money as they could—legally or illegally—and then get out of Dodge as cleanly as possible.

But because the American people were so outraged by these scandals, we noticed what they were trying to do. The actions of both companies caused an uproar that ultimately led them to back down and ensure that American consumers didn't have to give up their right to a day in court just for doing business with these companies. Those sorts of forced arbitration clauses were exactly what the CFPB was trying to stop when it implemented the rule my colleagues on the other side of the aisle are trying to repeal tonight. Wells Fargo's and Equifax's attempts to force consumers into mandatory arbitration clauses should have been a lesson, but I guess those working to reverse this rule here tonight didn't learn it.

It is common to hear stories throughout my State of Illinois—and throughout the military community—of servicemembers being taken advantage of through predatory loans, scams, abuses, and fraud. That is because Active-Duty servicemembers are particularly vulnerable consumers, especially when they are deployed. They get a guaranteed paycheck, but they also have limited time to read their credit card statements and keep up with security breaches to see if their identities have been stolen. They are too busy carrying out their mission.

Servicemembers are also frequently on the move between deployments and base relocations, often separated from their spouses and their families for long periods of time. Despite that, they still need to wire money when emergencies happen. They still need to pay bills, and their focus isn't always on whether a loan they took out has hidden fees or if a company is charging them a higher rate than they are supposed to. What they are focused on, and rightly so, is carrying out their mission, often in places like Afghanistan.

Corporations and scam artists know this, and they take advantage of it. The CFPB's forced arbitration rule could help protect our servicemembers from this sort of abuse. It seems that a few of my colleagues want to make it harder for military families to get by, and that is a shame.

Abusive corporate practices, left unchecked, not only cause incredible financial difficulty for servicemembers and their families, but they also have national security implications, directly impacting military readiness. In the military, bad credit can affect your security clearance and advancement. When the DOD loses qualified servicemembers because of financial instability, they also lose mission capability and the significant investments made in that person's training. This is an expensive loss. DOD estimates that each separation from service costs taxpayers more than $57,000.

Corporate abuse also causes personal difficulties. When someone is deployed, the last thing they should have to worry about is whether their house is going to be foreclosed on or their car is going to be repossessed because they were a victim of a scam. When they are going to battle or heading out on a mission, the last thing our troops should be thinking about is how a company took advantage of the fact that they were out of the country—and how there is so very little they can do about it.

Unfortunately, this isn't a hypothetical issue. Servicemembers get taken advantage of all the time, and we have seen countless times how their ability to file lawsuits holds bad actors accountable. Not too long ago, the banks Santander and Wells Fargo paid tens of millions to resolve lawsuits that were filed because they were illegally repossessing servicemembers' cars. JPMorgan Chase paid $27 million to settle a lawsuit from servicemembers who were being overcharged for mortgages. And student loan servicer

Navient paid 78,000 servicemembers $60 million after overcharging them on their student loans. In each of these instances, servicemembers, sometimes with the help of government, filed a lawsuit to get relief and hold these financial actors accountable. When companies force our servicemembers—or any consumer—into arbitration, military families lose the right to hold wrongdoers accountable.

That is what happened to Archie Hudson, a disabled veteran, father of two, and husband from Waynesboro, MS. A few years ago, Archie requested a loan from Wells Fargo to replace his home's windows. Instead, he received a Wells Fargo credit card along with sky-high interest rates and a forced arbitration clause hidden in the fine print. He didn't realize it at the time, like the millions of others that Wells Fargo scammed, but it ultimately helped to ruin his credit. When Archie tried to get his day in court, he was, instead, forced into an arbitration proceeding that favors lenders over consumers. He is not alone. The vast majority of people who have been forced into arbitration could tell you that the system is rigged.

When the CFPB first looked into this issue, they found that when consumers file an arbitration claim against a company that takes advantage of them, they have to pay an average of $161 in filing fees, and they almost always lose.

Companies, on the other hand, won a whopping 91 percent of the time that they go into arbitration against consumers. On average, the consumer then had to pay $7,725 in damages to further pad corporate profits.

Banks sometimes try to defend these clauses by saying that the reduced legal liability helps them reduce costs for consumers, but there is absolutely no evidence that is true. In fact, when companies have added these forced arbitration clauses in the past, the evidence suggests that they never reduce costs for consumers. These clauses simply mean bigger profit margins for those banks that break the law.

There is a reason so many military veterans service organizations like the American Legion, the Air Force Association, the Marine Corps League, the National Guard Association, the Vietnam Veterans of America, and groups like the AARP oppose this effort. Remember, arbitration isn't about saving lawyers' fees or decreasing costs to consumers. It is there to protect the interests of banks over consumers.

Look, I am not naive. I get that companies—especially banks—are in the business of making money. It makes sense that they would want to force all their customers into arbitration because that saves them money. But why on Earth would my colleagues in the Senate go along and help them rob servicemembers and consumers of their rights to go to court? Why would we allow bad actors to get off scot-free?

If they believe that our servicemembers are unfairly getting rich off suing companies that wrong them, they should say that. If they believe companies that break the law should be shielded from having to answer for their illegal actions in court, they should say that. We shouldn't let them hide behind cutting regulations. I am all for cutting needless redtape, but the arbitration rule is an example of a regulation that actually helps Americans. It helps our servicemembers and our military families.

A vote to overturn the arbitration rule is a vote against our military and against those who wake up every single day to serve and protect the greatest Nation on the face of the Earth.

Thank you.

I yield back.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I ask unanimous consent that following my remarks of no more than 2 minutes, Senator FRANKEN follow me, and then Senator BLUMENTHAL.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROWN. Mr. President, I just want to make an observation after listening to the words of my friend Senator DUCKWORTH, who speaks, as Holly Petraeus and so many others have spoken, about the importance of this rule to veterans in this country.

It is not just consumers. It is not just women who have been abused in the workplace. It is not just people who sign up for credit cards. It is veterans in this country who are the losers if this vote passes tonight.

I would first like to read the number of Democrats who have been on the floor in opposition to this motion in support of the rule. I started, then Senator MERKLEY, Senator WARREN, Senator HIRONO, Senator DURBIN, Senator WHITEHOUSE, Senator VAN HOLLEN, Senator UDALL, Senator DUCKWORTH, soon after, Senator FRANKEN, and Senator BLUMENTHAL.

On the other side there has been one Senator. Senator CRAPO is a good friend of mine. He is chairman of the committee. I am the ranking member. He is doing his duty and defending his position well. But no other Republican Senator, no supporter of this resolution—nobody wants to come down here and speak. Why? Because they don't want to be seen as defenders of Wall Street. They don't want to be seen as defenders of the most powerful people in this country. So they stay back in their offices quietly.

They will come down here meekly on the floor, and they will vote yes, and they will go home and hope nobody knows about it. But they are not willing—again, Senator CRAPO, whom I admire and respect greatly, knows those aren't just words. I mean it. He is doing his duty as chairman of the Banking Committee. None of the rest of them want to join him. I think that tells you a whole lot.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I rise to discuss the Consumer Financial Protection Bureau's recently finalized rule to limit the use of predispute, forced arbitration clauses in contracts for financial services and products. I strongly oppose the Congressional Review Act resolution to dismantle this vital consumer protection.

Forced arbitration clauses force individuals to sign away their right to go to court as a condition of buying a product or a service, and they allow corporate America to take advantage of a shadow justice system that is inherently biased toward the corporation and offers no meaningful appeals process. To put it bluntly, these clauses serve one purpose and one purpose alone, to help make sure the giant corporations still come out on top if they have wronged consumers.

Thankfully, we started to make some progress in addressing forced arbitration. Five years ago, the Consumer Financial Protection Bureau began an intensive study of forced arbitration clauses in consumer financial services contracts for things like credit cards, savings accounts, and private student loans. The study confirmed that forced arbitration stacks the deck against consumers and in favor of powerful corporations. Of the 341 reviewed cases of forced arbitration in which consumers made claims against financial institutions, the CFPB found that consumers obtained relief in just 32 disputes. That is 32 out of 341—9 percent of the time.

By contrast, of the 244 cases of forced arbitration in which companies made claims against their customers, the companies obtained relief in 227 of them or 93 percent of the time. For the consumers who did obtain relief, the CFPB found they won far less than they had claimed, while the companies that obtained relief recovered nearly the entirety of their claim.

The study also demonstrated how giant financial institutions have learned to pair forced arbitration clauses with class action bans to shutter the courtroom doors on groups of individuals with small claims. Once blocked from going to court as a class, most people drop their claims entirely because they lack the financial means or will to fight a corporation in arbitration as an individual, where outcomes are seemingly predetermined in favor of the corporation.

Although millions of financial consumers are covered by forced arbitration clauses and class action waivers, the CFPB found, on average, that only 25 consumers with claims of less than $1,000 pursue arbitration annually. Think about it. That is just license for corporations to rip you off $20, $30 at a time. It is license.

Finally, forced arbitration is shrouded in secrecy, which shortchanges current and prospective customers of information that may affect their financial decisions. Between confidentiality requirements contained in many forced

arbitration agreements and the secretive nature of the arbitration proceeding itself, financial institutions use force arbitration agreements to shield themselves from accountability to the courts and to the public eye.

Let's take the Wells Fargo scandal. Just last year, the public was shocked to learn that over the course of 5 years, Wells Fargo employees had been incentivized to open millions of sham accounts in the names of Wells Fargo customers, including over 31,000 in my State of Minnesota. Then the bank charged the customers for those accounts without their permission. One reason this fraudulent practice was able to continue for so many years is because Wells Fargo's customer account agreement included and continues to include, yes, a forced arbitration clause.

When customers discovered and attempted to sue Wells Fargo for the sham accounts, the company forced them into arbitration, having successfully argued that any dispute arising from the sham account was covered by the arbitration clause in the agreement for the real account.

Let me say that again. Wells Fargo successfully argued that any dispute arising from the sham account was covered by the arbitration clause in the agreement for the real account. That is what we are voting on here.

If these claims—some of which date back to 2013—had been able to proceed to court rather than in private, forced arbitration, other Wells Fargo customers would have been alerted to the wrongdoing and may have been able to save themselves and thousands of others from being ripped off and prevented damage to their credit. That really matters to people. A bad credit score can mean the difference between getting a mortgage and not getting a mortgage, getting a car loan or not, or even getting a job or not

Fortunately, a few months ago, the CFPB issued a rule to ban financial institutions from preventing their customers from banding together to seek justice in a public court of law. This is good news for consumers who have been scammed by payday lenders, debt relief companies, or big banks like Wells Fargo; it is good news for our servicemembers and veterans who wish to vindicate their rights under the Servicemembers Civil Relief Act; and it is good news for small businesses, community banks, and credit unions that have been forced to compete with powerful corporations that are pocketing billions in stolen money from consumers.

Let's be very clear about what the rule doesn't do because I think there has been some misinformation put out there. The rule is not about banning arbitration altogether, and the rule does not prevent a consumer from pursuing arbitration if he or she wants to, assuming the corporation also wants to go to arbitration. Instead, the rule simply takes the ''forced'' out of ''forced arbitration'' and gives the consumers a real choice again to pursue a claim of wrongdoing in arbitration or band together with similarly harmed consumers to seek justice in a public court of law.

Now the big banks and financial institutions—including Equifax, the massive credit bureau that put 143 million Americans' private information at risk—are trying to kill the rule, and they are far too close to getting their way.

As long as I have been in the Senate, I have been fighting to end forced arbitration. I have always said my efforts are about reopening the courtroom doors because they should never have been closed in the first place.

I urge my colleagues on both sides of the aisle to see the CFPB's rule for exactly what it is, a commonsense way to restore transparency and accountability in our Nation's financial system and to level the field between Wall Street and consumers. We must allow the CFPB to move forward in implementing this critical consumer protection.

I ask you to please join me in showing strong support for the CFPB's rule, knowing what is in the rule, knowing what this is about, and then opposing the special interests that are attempting to take this rule away.

Thank you.

I yield the floor to the Senator from Connecticut.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am honored to follow my colleague from Minnesota, who has made many of the same arguments very eloquently that my colleagues have made as we approach a vote literally in the dead of night. There is a reason for the timing of this vote.

My Republican colleagues would much rather have it done past the deadline for the newspapers, out of the public eye, because most Americans would be repulsed by the idea that they are losing fundamental rights, and what could be more fundamental than the right to go to court. That is the right that will be lost to countless Americans if this vote in favor of S. J. Res. 47 succeeds tonight. It would literally repeal the Consumer Financial Protection Bureau's arbitration rule using the Congressional Review Act.

Most Americans will discover this repugnant step when they go to their lawyer's office, and they state their grievance, their harm, their cause of action, and their lawyer looks at a contract or some other piece of paper, which has in fine print a forced arbitration clause. That forced arbitration clause, in effect, blocks the courthouse door. It denies them their day in court. It compels them to go before a group of people—often, the majority selected by the big company they want to sue. At best, the result is to give them less to remedy the wrong against them than they suffered in harm.

Often, the lawyer will say: You know, this effort is going to cost you more than you will gain. In good consciousness, I must tell you that you will not recover as much as you have to pay me, and that is because those consumers cannot join together in arbitration as they can in a class action. Often, it is because the cost of going to court individually, even if they win, will be more than they would gain in arbitration. It is done in secret, when their case is arbitrated, so others cannot be warned about a similar harm in a product or a service they are about to purchase and suffer the same harm or wrong.

A vote in favor of this resolution is a vote in favor of predatory lending. It is a vote in favor of wage theft. It is a vote in favor of sexual harassment. It is a vote in favor of medical malpractice. It is a vote in favor of denying millions of Americans a fundamental right to a day in court.

Without the promise of justice from the courts, few consumers can even think about undertaking the cost of an attorney or take on the tremendous effort of bringing those individual actions against service providers.

The harm falls, tragically, particularly on our veterans. I commend and thank Holly Petraeus for her profoundly significant work to alert our veterans and all of us to those harms. These abusive practices harm our veterans more than others because they trust the abusive pitches that come at them as they are about to leave Active Duty or sometimes while they are on Active Duty or shortly after they leave. They have no control over where they are deployed or even where they are based, but the con artists and big corporations can come after them. They know where they are. They are targets of opportunity.

In one stunning example—just to give one—documented by the New York Times not long ago, a sergeant in the Army National Guard who was serving in Iraq said that men came to his house and improperly repossessed his car, threatening his wife with jail time if she didn't give them the keys. Appallingly, this sergeant received no restitution. His case was discarded because his contract with the auto lender included a forced arbitration clause. That is the practical harm resulting from these causes.

Wells Fargo has been mentioned as an example of how contracts, in effect, are forced on people without their knowledge for accounts, contracts for insurance that were put on their loans without their knowledge.

Equifax, in the height of arrogance—the remedy offered to consumers had a forced arbitration clause as part of their acceptance of a remedy for the harm done by Equifax itself. You can't make this stuff up. You cannot create the fiction that matches this reality for abuse and harm to consumers.

Repealing this rule strips consumers of one of their only avenues of relief

from careless negligence or a slow response to harm. In the case of Equifax, unfortunately, it probably will not be the last.

The CFPB rule draws a line in the sand. It puts consumers on a level playing field. It eliminates a provision that in law school was often identified as a contract of adhesion, where one side has such power over the other that they can dictate the terms, inherently unfairly, to the consumer. It demands that those consumers be treated fairly.

Repealing this rule would allow companies like Equifax and Wells Fargo to have their run of the contracts in America, repeat the harms that have caused such widespread consumer harm, and let them off the hook. I urge my colleagues to reject this dangerous rollback of rights. It may be welcomed by some corporations, but in their hearts, as well as their minds, the vast majority of companies want to do the right thing. The outliers are the ones supporting this rule.

It would not eliminate arbitration where both sides feel it is in their mutual interests; it would simply eliminate that fine print that enables those rip-off clauses that harm our veterans—people who fight for our fundamental rights. One of those fundamental rights—access to justice—is barred by this resolution.

I hope my colleagues will reject it, enable consumers to hold financial institutions accountable, and continue the work of the CFPB in making sure that consumers really receive a fair shake when they enter into a contract.

I yield the floor to my colleague from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I was just going to ask whether my colleague would yield for a question.

My distinguished colleague from Connecticut is an extraordinarily experienced and able lawyer. He was U.S. attorney in Connecticut; for a long time, he was his State's attorney general, and I think he has argued more before the U.S. Supreme Court than perhaps anybody in modern history now in the Senate. One of his passions and one of the things he focused on in law enforcement was consumer protection, bringing to justice big entities that had done wrong to consumers.

My question for him, if I may ask one, would be, are there circumstances—do you have experience of circumstances in which very big and powerful entities, corporations, or industries engaged in misconduct, even fraud, in which the individual harm to each of the consumers was not very big—a bogus $30 fee, a bogus $100 surcharge, something like that—but multiplied by thousands or tens of thousands of customers, it became an enormously lucrative fraud for the institution involved? Is that a situation that happens in real life, in your view, I ask my distinguished colleague?

Mr. BLUMENTHAL. I thank my colleague from Rhode Island for that very pertinent question. Before I answer it, I thank him for his service as his State's attorney general and his State's U.S. attorney. He has as much experience as I do, and I know he appreciates that there are countless examples of exactly the kind of predicament he has so well described.

The harm to each individual may be measured in tens of dollars, but the harm nationally to consumers may be measured in millions of dollars. If each of those consumers is forced to arbitrate, the result at best would be a few dollars to each of them, and most of them will abandon the claim because the services of an attorney or even the time they have to take to appear before a panel of arbitrators simply won't be worth it.

The harm is not only to them, as my friend and colleague from Rhode Island has implied so well, it is to the consumers of the future because without public knowledge of the defective product or the predatory lending or the sexual harassment, that same harm will happen again and again.

To take the topic of the day, sexual harassment, many of those employment clauses had the forced arbitration requirement that led to settlements and secrecy. For years and years, that harm was repeated to women who suffered because they were unaware of the harm about to befall them.

It is a human tragedy, not just a financial tragedy, that often befalls consumers because of those fine-print arbitration clauses that consumers very often never even consider because at the time they sign the contract, they are not thinking about what can go wrong; they are buying a car or a product that seems just fine, or they are entering into a new job, or, as in the case of a veteran, they are signing up for a for-profit college, and they scarcely expect they will be, in effect, victims of these forced arbitration clauses.

So the answer to my colleague's question, as he knows because he himself is such an expert in consumer protection, is a resounding yes. This rule is necessary to protect consumers against those kinds of harms, which, when added nationally, can be tremendously costly to our Nation as a whole.

Mr. WHITEHOUSE. If I may ask if the Senator will yield for another question.

Mr. BLUMENTHAL. I would be happy to yield.

Mr. WHITEHOUSE. As I understand from the Senator's response to my last question, if you force the victims of low-dollar but multi-victim fraud to have arbitration as their only remedy, you are way less likely to get consumers asserting their rights, and ultimately you may have low-dollar, multi-consumer frauds that remain very remunerative for the crooked outfit conducting the massive fraud.

I get the Senator's point that the incentives are such that it is very hard for an individual consumer to be willing to pursue that claim. If there is no way to aggregate themselves together into a class action, then there is really no way to pursue that claim.

But my second question goes to a further point, which is that the power of a court in a matter like that includes the power not just to award damages but to provide other relief: to direct the company to quit the fraud, to give orders to people to clean up their act, to promise never to do it again, and so forth. I am not aware of any arbitration panel that has ever been given that authority or has ever used their limited power as arbiters or arbitrators to try to influence the behavior of the corporation.

Is there not also a significant difference between an individual consumer being forced to go to an often stacked arbitration panel to pursue a claim that is so small, it is not worth their money, and the simple power to provide the real remedy the public seeks, as the Senator so wisely said, to protect the next consumer? It is not just about the people who got their pockets picked, who paid their unreasonable fee, who got defrauded; it is about stopping it so the future consumer is protected. I am not familiar with arbitration panels having that power.

Mr. BLUMENTHAL. I appreciate my colleague's question. That is absolutely right. Arbitration panels do not have the power to issue injunctions—it is that simple. They do not have the power to grant injunctive relief even in the worst of circumstances. That is one of the reasons forced arbitration clauses exist: There is no danger of a court ordering increased disclosure or fairer terms going forward or an end to deceptive and misleading practices.

I see we have been joined by another of our colleagues, Senator CORNYN of Texas, who served as attorney general before he began his distinguished career here, and he knows well that, as attorneys general, we often insisted on injunctive relief because we wanted to protect people going forward. That is a remedy that arbitration panels simply cannot award, and it is enormously consequential.

Mr. WHITEHOUSE. And not infrequent in class action cases?

Mr. BLUMENTHAL. That is exactly right. It is not infrequent in class action cases and not infrequent in individual cases where a plaintiff is willing to persist and takes it, as a matter of principle, that he will go to the nth degree legally and spend whatever it takes, if he or she has the resources, and some have done it as a matter of conviction and conscience to vindicate individual consumer rights, even though their ultimate payback in monetary terms may not have actually been worth it. But injunctive relief is often the key to fairness and justice.

Mr. WHITEHOUSE. In conclusion, is it fair to say that the measure we are about to vote on will indisputably have the effect of shifting enormous power

from consumers to corporations that engage in high-volume but low-dollar fraud?

Mr. BLUMENTHAL. Exactly right. I think that is the essence of what the effect will be today of this vote if it is to roll back this rule and, in effect, enhance the overweening power of companies and corporations that force consumers to engage in arbitration that they do not know will be the result and cannot change because it is a fixed term, even though it is in the fine print, and eventually rips them off.

I thank my colleague for those extraordinarily insightful questions.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, I want to first thank my colleagues, particularly SHERROD BROWN, our ranking member of the committee, Senators WHITEHOUSE, BLUMENTHAL, FRANKEN, and so many others who have spoken so eloquently on this issue. I don't think it is a coincidence that many Members on our side have spoken and very few on the other side. Once again, it is one of those instances where the powerful will get more powerful. Everyone knows it, and people are not out there beating their breasts about this if they are trying to support it, and maybe there is a little bit of being ashamed.

This is what has happened here. We finally have an agency to protect the consumers against large institutions, most of which are good institutions, but some of which typically take advantage of the average person. They do it in a whole variety of ways. We saw with Equifax the idea that they didn't have to protect people's information and were almost nonchalant about it. We saw it with Wells Fargo, where people came up with a scheme. We see it all the time. The average consumer doesn't have the lawyers, the time, and the ability to study what is happening. They don't understand the long contracts where they sign away their rights to go to court. They need a bank account. They need a car loan. They need something, and, yes, their only recourse in this case may be a class action suit, particularly if it is $20 or $30. You are not going to go to court individually, but if it is thousands of people, a trial lawyer will make some money, yes, to protect those people. How horrible that people might have the ability to come together and hire a lawyer.

What is happening in the last 9 months is that—we have a lot of people who are disaffected. Many of the campaigns, including President Trump's campaign, understood that. But when President Trump campaigned, he campaigned as a populist against the powerful institutions, against the Washington lobbyists, and said: Let's do something for average people. But once he got into office, he embraced the hard right, whose goal in most cases is to just protect the powerful. They got this sort of drumbeat going on: Poor innocent people have too much power, and big banks and big corporations don't have enough. Let's go after unions, even though incomes are down and only 6 percent of private America is unionized. Let's go after them. They are too powerful. They make these big corporations squirm or pay a little more money to people or pay a benefit or pay some healthcare—how horrible. Let's go after the trial lawyers. I don't always agree with their tactics. I voted against them on occasion. But let's go after them, even though they are one of the few recourses that average people have. That is hardly as reprehensible as an Equifax or a Wells Fargo in doing what they do. But people on the other side somehow have this mythology because of the hard right and its machine and their think tanks and their media messaging—FOX News—that somehow the powerful are getting a bad break in America and the average person has too much power.

What is wrong?

I will say this. It is going to lead to people being even more disillusioned, more angry, more sour, and we will move further away from what the American dream, ideal, and optimism are.

Our colleagues on the other side, my dear friends—I like them, I really do—wittingly or unwittingly are part of this movement, and it is a shame. It is a shame.

Community banks aren't beleaguered by these cases. They don't usually do this stuff. When I talked to community bankers who lobbied me on this, they basically said to me: No, we are with the whole banking association. The big banks want this.

This is not little banks. These are the Wells Fargos and the Equifaxes. We shouldn't do it. We shouldn't do it.

I worry about this country. I love this country. It has been so good to me, my family, and my people. I still believe to this day that it is what the Founding Fathers called it when they left Constitution Hall—God's noble experiment.

We are one nation under God, noble. We are a noble country. No one has had the ideals we have had for hundreds of years. We are an experiment. We keep evolving, changing, and adapting, as we should. But when I see what has gone on in the last 9 months—a combination of the President's appeal to lower instincts of people, to divisive instincts, and the hard right machine, which has too much power on the other side of the aisle—I worry. I worry. I worry about the country. I worry about our standards of decency and honor.

Everyone heard Senator FLAKE speak today. It moved all of us. It is a shame he is leaving this body because he has been a voice and a beacon. I didn't agree with him on most issues, as is pretty obvious by our voting records, but he stood for the right thing. I say to my colleagues, somehow we are doing too many wrong things around here. We are trying to take away people's healthcare. We say we want better healthcare at lower costs. That is what the President says, but we put a bill on the floor that does the opposite. We know it. We are doing it on taxes. We say we want to help the middle class, and the tax bill dominantly helps the wealthy.

Our colleagues on the other side of the aisle are afraid to say they are helping the wealthiest because they think that is the way to create jobs because they know that Americans don't believe it—nor should they.

Most recently, the great Kansas experiment, the Koch brothers' own laboratory, totally flopped.

They say unions have too much power, and yet incomes in the middle class have declined. There are abuses. There are abuses everywhere, but middle-class incomes decline, fewer people have bargaining power, more people are paid lower, and there are 7 million fewer good-paying jobs in America today than 15 years ago. In part, that is because we don't have unions and because the hard right has learned through legal tactics to destroy them, and now with government legal tactics on the absurd argument that the First Amendment says you don't have to join a union or pay dues to a union.

This is just one of many issues where once again we are helping the powerful against the powerless. There is a political benefit, I understand. There is a fear if you go against these hard-right forces. I have heard it from my colleagues, but it is wrong for the country. I wish that maybe a bell would ring. There are lots of issues we don't agree on, but some of these issues don't have a basis in fact. That is why the floor is empty on the other side.

I respect my dear friend. He is a good, good man, in the Flake mold. He has to be here all night and defend it. He doesn't have too many others backing him up, and I think I know why, because deep down they know it is wrong. They can figure out that there is an abuse of trial lawyers, but they still know it is wrong. They still know it is wrong.

To sum it up, a ''yes'' vote is handing a ''get out of jail free'' card or the equivalent to Wells Fargo and Equifax. It is that simple. A ''yes'' vote is saying you believe that Americans who get taken advantage of don't have the right to seek recourse. A ''yes'' vote tells rapacious financial institutions that they can continue to hose consumers without any serious consequences or accountability, because we all know that average folks don't have the ability to go to court on their own to sue. We know that. Everyone knows that.

If there are abuses, let's fix them, but don't totally denude people who don't have much power from the little power they might have through going to court. I hope that maybe there is somebody, because the vote is close. It took a long time to bring this resolution to the floor because there were some people who wanted to stand up, but they

got ground down by this hard right machine that always wants its way.

They are doing great. Corporate America is making more money than ever before. Financial institutions are healthier than ever before, but it is not good enough. More—we want more. The ''more'' is fine if it didn't come at the expense of average folks when somebody is abusive.

The CRA is a meat-cleaver approach. Those who have issues with this should try to address them with a scalpel, not a bludgeon. I urge my colleagues one final time, those on the other side of the aisle, to vote no on this disapproval resolution on behalf of our constituents, who deserve to have more rights when standing up to the powerful when they are right, not less.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. 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, I know, for people watching this debate, it is easy to be confused. You hear the Democratic leader claiming that this is about the people who have no power, fighting against the most powerful institutions this country has to offer in their, somehow, trying to disadvantage them when, in fact, the opposite is true.

In situations like this, it is frequently a good thing to follow the money. The reason the Consumer Financial Protection Bureau wants to ban arbitration as a means of alternative dispute resolution is that the trial lawyers, who benefit from the huge attorneys' fees awards, do not like the idea that they are, basically, being boxed out of that dispute resolution system; whereas, we know from the studies that have been done that consumers actually benefit from a cheaper, more efficient, more timely way of resolving disputes with financial institutions with which they may have disagreements.

Back in the eighties, I still remember when I was a district judge in San Antonio, TX. Warren Burger, the Chief Justice of the U.S. Supreme Court, made the point that it was so expensive and so time-consuming for individual citizens to resolve their disputes in courts of law that we needed what we all called an alternative dispute resolution system that was able to resolve these disputes in a more timely, more cost-effective sort of way, recognizing that very few people could afford to pay a lawyer an hourly fee or even a contingent fee for protracted civil litigation. Basically, ordinary consumers were frozen out of the dispute resolution process and were denied their day in court.

That system actually worked pretty well, including arbitration, which, according to a Federal statute—the Federal Arbitration Act—is an impartial tribunal that, basically, decides these disputes in an efficient, cost-effective sort of way. In fact, we know from the studies that have been done that consumers actually benefit more from arbitration than they do as members of a class in class action lawsuits, where consumers typically get pennies on the dollar and the class counsel, the lawyers involved, are, perhaps, awarded millions of dollars.

You have to ask the question: Whose benefit is that for? Is it really for the consumers or is it for the lawyers? I think the answer is pretty clear. It is not for the consumers. So, when I hear our friend across the aisle, the distinguished Democratic leader, cry crocodile tears for consumers, really, those are for the class action lawyers who are not part of the arbitration process.

I think it is really important to make that point, which is that every single study that has been done shows that consumers actually benefit from arbitration compared to ordinary litigation. Not everybody can afford to be O.J. Simpson and hire the very best lawyers in America and try a case for weeks on end at a cost of millions of dollars. It just, simply, does not work that way for most people. So this is a very efficient, cost-effective, fair way to resolve those disputes in a way that consumers benefit.

I do not understand, honestly, our colleagues across the aisle, except for their desire to demonize banks and large financial institutions, but it is not just large banks and financial institutions; it is community banks. We are talking about contractual arbitration provisions, which allow consumers to benefit from a means to resolve disputes with their local community banks, and they do not often involve huge amounts of money. Typically, lawyers are not going to be interested in a claim that do not involve much money, which is why most often, when one does get litigated, it is in the context of a class action, in which they aggregate all of these claims for thousands of people. Then, as we know, typically, it ends in some sort of settlement from which the consumers get coupons—frequently, no money—and the class lawyers reap millions of dollars.

Our colleagues across the aisle act as if they have the better part of this argument when, actually, they are arguing on behalf of one of the narrowest, wealthiest special interests in America today, and that is the trial lawyers. They act as if they are the friend of the consumer when they are actually arguing to the detriment of the consumer, because the consumer benefits from this less expensive, more efficient, more timely resolution of disputes with financial institutions, which is through contractual arbitration.

There is the fact that the Consumer Financial Protection Bureau, which is sort of an anomaly in our system, is accountable to no one and not susceptible to oversight by Congress because of the way it was created. It is not even funded by appropriations of Congress as other government agencies are. It is really a rogue agency in so many ways—not accountable to the American people, not subject to the oversight of Congress, not dependent upon Congress for the appropriations to, basically, do its work. So, when it overreaches like this and essentially outlaws this efficient, cost-effective, impartial way of resolving civil disputes, this is, perhaps, the greatest demonstration of the abuse that was wrought by the creation of the Consumer Financial Protection Bureau in the first place.

When consumers benefit and trial lawyers do not, I don't know how you can justify the arguments on the other side, except to say that they are the party of the trial bar and that they really don't care about the consumers because they realize that consumers will end up with pennies on the dollar and that they would actually be better off in using the arbitration provisions in these contracts that are subject to the Federal Arbitration Act. Actually, this is a Federal law that mandates the procedures by which these arbitration panels are created. It is not as if the banks get to choose who sits on the arbitration panels. It is not as if they get to pick the judges in the cases. These are nonpartisan arbitrators who will decide the facts in law and let the chips fall where they may.

I, for one, am not buying the crocodile tears of our friends across the aisle. They are not arguing in favor of the consumer; they are arguing on behalf of the trial bar, which gets rich on these cases.

It is not just the fact that this handful of cases from which the lawyers get rich solves the problem, because there are many people who have legitimate disputes that need to be resolved from which the lawyers just simply turn away and say that that case will not get me enough money to justify my involvement. So guess what. You are out of luck. Good luck in finding a lawyer to litigate your case for $100 or $200. You are just not going to get a chance to do that. If a class action lawyer will not take the case, you are out of luck. I guess our friends across the aisle do not care.

As for the fact that consumers could get recourse through arbitration in their using the Federal Arbitration Act—from an impartial panel that will decide what the facts are and grant awards without having to go to the expense and time associated with ordinary litigation—they, simply, do not really care about that.

I would say, notwithstanding the dystopian view of our friends across the aisle that, somehow, this is a great conspiracy against the forgotten man and woman in our country, the opposite is actually true. What they are trying to do is advocate for the rich

and the powerful—the trial lawyers in America—and against the best interests of the consumer, who benefits from this contractual arbitration provision.

I hope that our colleagues will not be persuaded by the arguments on the other side, because there is just, simply, no factual basis for them. I hope that in a little while here, when we vote on this congressional resolution of disapproval, we will have a solid vote in the disapproving of this ban on the use of alternative dispute resolution to resolve disputes, because a ''no'' vote, basically, is a vote on behalf of the rich and the powerful—the trial lawyers in America—who get enriched by the status quo in the absence of an alternative dispute resolution system.

The PRESIDING OFFICER. The Senator from Massachusetts.

Ms. WARREN. Thank you, Mr. President. Tonight we are on the verge of passing a Republican resolution to make it easier for financial institutions to cheat people. Earlier this year, the Consumer Financial Protection Board issued a rule that prohibits financial companies from forcing you to sign an arbitration clause that makes you forfeit your right to take a bank to court. So if this proposal passes, that rule will just disappear.

Now, there are no real human beings who think it should be easier for financial institutions to steal money from you and get away with it. Bank lobbyists are the only people asking Congress to reverse this rule, but let's face it, the Wall Street Journal is pretty powerful around here. The question the American people should be asking right now is, Are they powerful enough to win tonight?

The reason this vote is happening so late at night is because we were right on the verge of blocking it. The American people have watched as Wells Fargo cheated its customers and then used arbitration clauses to try to escape liability. They watched as Equifax negligently allowed hackers to steal personal financial information of more than half of all American adults and then used arbitration clauses to try to escape accountability. Politicians have been watching it too. While many of their eyes might be blinded by dollar signs, it may not be enough.

There is bipartisan opposition in the Senate to turning financial institutions loose to swindle their own customers. Right now our best guess is that it is 50 to 50. That means that Vice President MIKE PENCE is on his way to the Senate to cast a tie-breaking vote. If we can't peel off one more Republican, MIKE PENCE will decide whether consumers can hold banks like Wells Fargo accountable when they cheat their customers.

Now, everyone assumes MIKE PENCE will side with the big banks, and I have just one simple question: Why?

President Trump, MIKE PENCE works for you. His job is to cast his vote the way you tell him to cast it. We spent more than a year listening to you, first as a candidate and then as a President, and you have gone on and on and on about how strong you are, how tough you are, and about how you are going to stand up to Wall Street.

Well, this bill is a giant, wet kiss to Wall Street. Bank lobbyists are crawling all over this place begging Congress to vote and make it easier for them to cheat their customers. President Trump, are you really going to let MIKE PENCE cast a tie-breaking vote to hand big banks their biggest win in Congress since they crashed the economy 9 years ago?

You know, I followed a news story about how tough you are, Mr. President—standing up to MITCH MCCONNELL, PAUL RYAN, and the Republican Party. Well, this is a top priority for them, Mr. President. So do you work for MITCH MCCONNELL now? Is that the deal? Are you going to roll over and hurt millions of people in this country because MITCH MCCONNELL tells you to?

I keep hearing that you and Steve Bannon are going to remake the Republican Party into a party that stands up to Wall Street. Steve Bannon works with the White supremacists, but, hey, he says he is going to help you drain the swamp, right?

Well, where is the all-powerful Steve Bannon now? Where is he to tell MIKE PENCE and Donald Trump that they don't work for MITCH MCCONNELL?

Every organization—all the ones that represent actual human beings, not banks—want this rule to be saved, none more than the organizations that represent our veterans and our servicemembers. Do you know why that is, Mr. President? It is because they are sick and tired of being cheated by banks. They are sick and tired of politicians who say ''thank you for your service'' and then turn around and vote to make it harder for them to build a future for themselves and their families.

The Military Coalition, which represents more than 5.5 million veterans and servicemembers, supports the CFPB rule because ''our Nation's veterans should not be deprived of the constitutional rights and freedoms that they put their lives on the line to protect, including the right to have their claims heard in a trial.'' The Coalition says that ''[f]orced arbitration is an un-American system wherein servicemembers' claims against a corporation are funneled into a rigged, secretive system in which all the rules, including the choice of arbitrator, are picked by the corporation.'' They go on to warn that ''the catastrophic consequences these [forced arbitration] clauses pose for our all-voluntary military fighting force's morale and our national security are vital reasons'' to preserve this rule.

We have seen all the tweets, Mr. President. We have seen you go on and on about how disrespectful it is of our veterans and their families that some football players don't want to stand for the national anthem. Well, all three of my brothers served in the military, Mr. President. Do you know what is disrespectful of our veterans and their families? Passing laws that hurt our veterans and their families. Casting tie-breaking votes for laws that are opposed by the American Legion, by the Military Coalition, by the Vietnam Veterans of America, by AMVETS, by the Association of the United States Navy, by the Military Order of the Purple Heart, by the Iraq and Afghanistan Veterans of America, by the Military Child Education Coalition, by the Military Veterans Coalition of Indiana, by the National Association of Black Veterans, by the National Guard Association of the United States, by the National Military Family Association, by the Noncommissioned Officers Association, by the Reserve Officers Association, by the Retired Enlisted Association, by the Veterans for Common Sense, by the Veterans Education Success, by Veterans Legal Institute, by VETJOBS and by Vets First.

President Trump, this is up to you. Don't do this. Don't let MIKE PENCE cast the deciding vote to hand a huge victory to Wall Street. If you do, you should be prepared for the consequences. Veterans know when a politician is all talk. They know the difference between a cheap pat on the back and a real punch to the gut. They will not forget what happens here today.

And for Steve Bannon—if this really happens today and MIKE PENCE casts the deciding vote to make it easier for financial institutions to cheat people, do you want to remake the Republican Party in your image? Do you want to watch primary challenges against Republicans who roll over to Wall Street? Do you want to go after the weak and spineless, the DC-Wall Street swamp, the politicians who will not stand up to MITCH MCCONNELL, and all the globalists who think cash matters more than people? If MIKE PENCE votes for this monstrosity, why don't you primary Donald Trump, and when you are finished with him, why don't you go after MIKE PENCE?

Steve Bannon, put your fat wad of billionaire Mercer money where your mouth is or stop pretending that you are anything other than what you are.

With the remainder of my time, I would like to read letters and op-eds from veterans begging Congress not to repeal this rule.

The first is from Col. Lee F. Lange, U.S. Marine, Retired, with 30 years of service, now serving as Arizona chapter president of the Military Officers Association of America. He titles his letter, ''I Served to Protect Our Rights; Don't Let Equifax Take Them Away.''

As a career Marine, I served to protect the rights of Americans as guaranteed by the Constitution and its amendments. Among them is the 7th Amendment right to trial by jury in civil cases, a right dismissed by companies like Equifax and now under siege in Congress.

Forced arbitration ''ripoff clauses'' buried in the fine-print of bank accounts, auto loans and other contracts strip servicemembers and veterans of their day in court when big banks and other financial institutions violate the law. Instead, people must face companies alone and cannot join together in a rigged, secretive process where the banks and lenders often choose the arbitrator.

Men and women in uniform are surely among the 145.5 million people impacted by the massive data breach of sensitive personal information held by the credit reporting agency Equifax—and among those whose access to the courts was stripped in Equifax's fine print until the company had to relent. Servicemembers from Sergeant Charles Beard to Army soldier Prentice Martin-Bowen have also had their rights limited by forced arbitration.

Wells Fargo continues to use forced arbitration to deny victims of the fake account scandal access to the justice system. Arizona and Southern California were the epicenter of the Wells Fargo scandal and Wells Fargo is Arizona's largest bank. Some of the state's more than 500,000 veterans were certainly caught up in its effects. Wells Fargo has been caught but it is likely not the only financial institution guilty of illegal practices.

The Department of Defense has long pushed for servicemembers full legal recourse against unscrupulous lenders, and members now have some protection against forced arbitration clauses through the Military Lending Act. But the MLA protections don't apply to auto loans, to rights under the Servicemembers Civil Relief Act, to bank account fraud like the Wells Fargo scandal, or to veterans.

The Consumer Financial Protection Bureau (CFPB) and its Office of Servicemember Affairs have worked to protect those who serve by issuing a rule restoring our 7th Amendment rights and limiting the use of forced arbitration. The CFPB rule enhances military consumer protections in the MLA, restoring the right of servicemembers and veterans to seek civil justice, including class action suits, for illegal acts.

For that reason, The Military Coalition, a national consortium of uniformed services and veterans organizations representing 5.5 million current and former servicemembers and their families and survivors, urged Congress to let the CFPB rule go into effect. The American Legion has done the same. The general public—including 64 percent of Republicans and 74 percent of Democrats—also supports the rule to restore our day in court.

But, despite this outpouring of support, the U.S. House of Representatives has voted to block the rule from going into effect. Wall Street lobbyists are pushing Congress to leave forced arbitration as the only solution, severely limiting the recourse of servicemembers and all Americans. For example, only four arbitrations have been filed against Wells Fargo in Arizona despite up to 178,972 or more fake accounts in the state.

That is 4 arbitrations against 178,972 or more fake accounts in the State.

We can't allow forced arbitration to be used as a tool to block accountability.

The Senate, armed with lessons learned from the Equifax and Wells Fargo scandals, can still reverse course. Our Senators must put the interests of active-duty servicemembers, veterans, and American consumers ahead of Wall Street lobbyists and reject efforts to take away our day in court.

That was from Col. Lee Lange, U.S. Marine Corps, Retired, chapter president of the Arizona Chapter of the Military Officers Association of America and president of the Southwest Veterans Chamber of Commerce.

There is another one that I would like to read, and this is from the chairman of the Alaska Veterans Foundation. It is titled ''Forced arbitration and a right worth fighting for,'' by Ric Davidge.

As a veteran, I am proud to have helped protect the freedoms so zealously guarded for us by our Founders. Another guarantor of those liberties is the right to our day in court—one especially vital to today's servicemembers who are so often taken advantage of by financial institutions.

Today, the right to our day in court is endangered because of actions under consideration by the United States Senate on the issue of powerful banks and forced arbitration.

James Madison, one of the principal drafters of the Bill of Rights, wrote that ''trial by jury in civil cases is as essential to secure the liberty of the people as any one of the pre-existent rights of nature.'' The Founders saw this right to be heard before a jury of our peers as so vital that they enshrined it in the Seventh Amendment.

This right is not only, in Winston Churchill's words, ''a safeguard from arbitrary perversion of the law,'' but also a means to ensure equal access to justice for the powerful and the powerless alike, and for citizens to signal and set acceptable standards of conduct in our society.

Why bring this all up now? Because the U.S. Senate is considering legislation to roll back a rule recently finalized by the Consumer Financial Protection Bureau (CFPB) to limit forced arbitration clauses buried deep in consumer financial agreements. These forced arbitration agreements are found in the fine print of financial agreements signed by tens of millions of everyday Americans with the Wall Street banks, covering everything from credit cards and checking accounts to prepaid cards and payday loans. And they require consumers to take disputes over bank wrongdoing not to courts overseen by judges, but to arbitrators chosen by the financial institutions—under their own rules.

Arbitration hearings are held in private with no public record, no meaningful rules, not even a requirement that arbitrators enforce state and federal laws. And of course, no jury.

Perhaps most significant of all, Big Banks have leveraged arbitration to block class action suits, where the ability of consumers to band together helps balance the extraordinary legal and financial resources at banks' disposal.

The Wells Fargo scandals—yes, there's more than one—offer a prime example of how financial institutions use forced arbitration to rip off consumers.

The bank, with 48 branches in Alaska, opened nearly 6,000 of its infamous fake accounts here on the Last Frontier.

A California judge ordered the financial giant to repay customers more than $200 million for manipulating accounts to generate overdraft fees—another activity repeated here.

Recently, nearly a quarter million Wells Fargo car loan customers were dinged for nonpayment of insurance policies illegally taken out for them—and almost 25,000 had vehicles repossessed.

Most infuriating, Wells Fargo has been fined millions for foreclosing on servicemembers or repossessing their cars in violation of the Servicemembers Civil Relief Act.

In every case, Wells has used arbitration to shield itself from accountability. Since 2009, only 215 consumers nationwide have filed arbitrations against Wells Fargo—but not one in Alaska. The reason: arbitration is often too expensive for a single consumer with a small claim.

That's why the CFPB rule is so important—and why the Big Banks' Washington lobbyists are working overtime to have it overturned. The regulation will ensure all Alaskans retain the right to their day in court as part of class actions—and uphold the Servicemembers Civil Relief Act to protect the legal rights of the men and women fighting for this country.

As Congress considers whether to preserve this critical protection for everyday consumers, and especially for our servicemembers, our Alaska Republican Senators, Lisa Murkowski and Dan Sullivan, need to remember that equal access to justice is not a Republican or a Democratic idea. It is an American right, as old as our Republic itself, and it's worth fighting for.

Ric Davidge serves as chairman of the Alaska Veterans Foundation.

From Robert Mitchell, a Marine Corps veteran: ''Forced arbitration is un-American.'' This is from the Arkansas Democrat-Gazette.

I am a proud Marine Corps veteran. Abroad, I joined with my fellow Marines in united pursuit of justice and rights. At home, I fight for them and other U.S. military members to be treated fairly and with dignity in their financial affairs. I'm disappointed by the actions of my U.S. Sen. Tom Cotton, who is seeking to roll back a recent rule that restores servicemembers' and other Americans' legal rights in the financial marketplace.

So often, military members are unfairly targeted by aggressive lenders, abusive debt collectors, reckless credit-reporting bureaus, and discriminating employers. So I devote my time to help them enforce their rights under federal and state laws that grant them remedies and other ways to hold bad actors accountable when they flout these laws.

He goes on to talk about what happens in the fine print in these contracts and how it is that veterans and Active-Duty servicemembers are repeatedly cheated.

His closing remarks are as follows:

Unfortunately, although the rule restores the rights of active-duty servicemembers and American civilians, it has become controversial in Washington because the financial-services industry opposes it. For several years now, financial institutions have been able to use their strict terms to wipe away individuals' rights and essentially ignore legal complaints.

But Senator Cotton and our representatives in Congress must take the opportunity to look beyond the lobbyists and toward the experiences of our military members and the U.S. Constitution. They should support, not abandon, a rule that simply restores our traditions.

I will just reference a letter from The Military Coalition, a consortium of uniform services and veterans organizations representing more than 5½ million current and former servicemembers and their families and survivors who also wrote in strong support of protecting the Consumer Financial Protection Bureau arbitration rule. They conclude:

Our nation's veterans should not be deprived of the Constitutional rights and freedoms that they put their lives on the line to protect, including the right to have their claims heard in a trial by a jury when their rights are violated. The catastrophic consequences these clauses pose for our all-voluntary military fighting force's morale and

our national security are vital reasons for this rule to take effect immediately.

We also have a resolution passed by the Ninety-Ninth National Convention of the American Legion asking Congress not to roll back the arbitration rule put forward by the CFPB, and we have a letter from more than 30 veterans associations begging this Congress to please not get rid of the forced arbitration clause that has been put forward by the Consumer Financial Protection Bureau.

Mr. President, I ask unanimous consent to have these letters and resolution printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE MILITARY COALITION,
Alexandria, VA, July 25, 2017.

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

DEAR REP. RYAN, REP. PELOSI, SEN. MCCONNELL, AND SEN. SCHUMER: The Military Coalition (TMC), a consortium of uniformed services and veterans organizations representing more than 5.5 million current and former servicemembers and their families and survivors writes today in strong support of the Consumer Financial Protection Bureau's (CFPB) final rule on Arbitration Agreements (Docket No. CFPB–2016–0020; RIN 3170–AA51). The final rule addresses the widespread harm of forced arbitration by preserving the ability of service members and other consumers to band together to seek relief through the civil justice system when financial institutions have broken the law. We applaud the CFPB for moving forward on this rule that recognizes the detrimental effects of forced arbitration and class action waivers on our brave men and women in uniform.

Forced arbitration is an un-American system wherein service members' claims against a corporation are funneled into a rigged, secretive system in which all the rules, including the choice of the arbitrator, are picked by the corporation. Found in almost every financial services contract, forced arbitration clauses systematically include a provision banning the rights of consumers to ban together to hold a corporation accountable. Given the exponential and expansive use of these clauses by financial institutions in contracts with service members, prohibiting the practice of forcing service members to surrender fundamental Constitutional and statutory rights through the use of pre-dispute forced arbitration clauses is now more critical than ever.

Our service members protect our nation against both foreign and domestic threats. The sacrifices and logistical undertakings they and their families make in order to serve are compelling reasons alone to ensure they are not only shielded from predatory financial practices and unscrupulous lenders, but are also able to enforce their congressionally mandated rights through our civil justice system if and when violations arise.

However, class action waivers work against these rights. They are particularly abusive when enforced against service members, who may not be in a position to individually challenge a financial institution's illegal or unfair practices because of limited resources or frequent relocations or deployment. Furthermore, for those service members on active duty and serving overseas, it is critical to retain the ability to get justice without having to interrupt their service and distract their attention from the mission at hand. Since these types of service members cannot participate full time in pursuing an individual claim, being able to enforce their rights through the class action mechanism is essential. Thus service members should receive the benefits of participating in a class action despite their inability to shoulder the burden of bringing a claim alone.

Our nation's veterans should not be deprived of the Constitutional rights and freedoms that they put their lives on the line to protect, including the right to have their claims heard in a trial by a jury when their rights are violated. The catastrophic consequences these clauses pose for our all-voluntary military fighting force's morale and our national security are vital reasons for this rule to take effect immediately.

Sincerely,

THE MILITARY COALITION.

NINETY-NINTH NATIONAL CONVENTION OF THE AMERICAN LEGION—RENO, NEVADA, AUGUST 22, 23, 24, 2017

Resolution No. 83: Protect Veteran and Servicemember Rights to Fair Consumer Arbitration

Origin: Convention Committee on Veterans Employment & Education

Submitted by: Convention Committee on Veterans Employment & Education

Whereas, The American Legion is a national organization of veterans who have dedicated themselves to the service of the community, state and nation; and

Whereas, The U.S. Consumer Financial Protection Bureau's (CFPB) rule on Arbitration Agreements (Docket No. CFPB–2016–0020; RIN 3170–AA51) addresses the widespread harm of forced arbitration by restoring the ability of servicemembers, veterans and other consumers to join together and seek relief in class action lawsuits when financial institutions break the law; and

Whereas, Congress enacted the Servicemembers Civil Relief Act (SCRA), 50 U.S.C. app. 501 et seq., to strengthen and expedite national defense by granting servicemembers certain protections in civil actions against default judgments, foreclosures and repossessions, enforceable in a court of law; and

Whereas, In some cases, financial institutions violate SCRA or other statutory or constitutional protections in their interactions with servicemembers; and

Whereas, Many financial institutions include pre-dispute mandatory arbitration clauses in contracts of adhesion that bar servicemembers and others from bringing a legal action in court or banding together in a class action lawsuit to seek relief under federal or state law; and

Whereas, Class action waivers are particularly burdensome to servicemembers, who may not be able to challenge a financial institution's illegal or unfair practices individually due to limited resources, deployment or frequent relocations; and

Whereas, The Department of Defense concluded in 2006 that ''Servicemembers should maintain full legal recourse against unscrupulous lenders. Loan contracts to servicemembers should not include mandatory arbitration clauses or onerous notice provisions, and should not require the servicemember to waive his or her right of recourse, such as the right to participate in a plaintiff class''; and

Whereas, This is extremely unfair to bar servicemembers, veterans and other consumers from joining together to enforce statutory and constitutional protections in court, placing an extreme hardship on the individual: Now, therefore, be it

Resolved, By The American Legion in National Convention assembled in Reno, Nevada, August 22, 23, 24, 2017, That The American Legion oppose legislation to repeal the Consumer Financial Protection Bureau's rule on arbitration agreements and bar servicemembers, veterans and other consumers from joining together in court against unscrupulous financial institutions.

MAY 3, 2017.

Sen. MIKE CRAPO,
Chair, Committee on Banking, Housing, and Urban Affairs, U.S. Senate.

Rep. JEB HENSARLING,
Chair, Committee on Financial Services,
House of Representatives.

Sen. SHERROD BROWN,
Ranking Member, Committee on Banking, Housing, and Urban Affairs, U.S. Senate.

Rep. MAXINE WATERS,
Ranking Member, Committee on Financial Services, House of Representatives.

DEAR CHAIRMEN CRAPO AND HENSARLING & RANKING MEMBERS BROWN AND WATERS: We, the undersigned representatives of organizations who advocate for our nation's military servicemembers, veterans, survivors, and military families, write to urge you respectfully to ensure that important laws and regulations that protect against financial deception and abuse are not watered down or eliminated. We hope that bipartisan agreement is possible in order to protect America's military heroes and their families by resisting proposals that would curtail the effectiveness of the Consumer Financial Protection Bureau (CFPB).

CFPB's Office of Servicemember Affairs—launched by Mrs. Holly Petraeus—has produced tangible results for military families across the country. Military leaders nationwide have lauded the work of the consumer agency and its dedicated military unit. For these reasons, we urge you to resist any proposals that would limit the CFPB's ability to work on behalf of servicemembers through changes to its authorities, structure, or independent funding.

The CFPB's work to protect, assist, and educate military families in the financial sphere is paying dividends for our nation's military personnel readiness. We urge you to continue to support the work of the Consumer Financial Protection Bureau and its dedicated military office.

The enclosure to this letter summarizes the many ways that the CFPB supports the Defense Department's key asset, its men and women in uniform and their families.

Sincerely,

AMVETS, American Legion Post 122, Association of the United States Navy, Blue Star Families, Coast Guard Chief Petty Officers Association, Code of Support Foundation, Fleet Reserve Association, Iraq and Afghanistan Veterans of America, Ivy League Veterans Council, Military Child Education Coalition, Military Order of the Purple Heart, The Military / Veterans Coalition of Indiana, National Association of Black Veterans, National Guard Association of the United States.

National Military Family Association, Non-Commissioned Officers Association, Public Law Center, Operation Veterans Re-Entry, Reserve Officers Association, Swords to Plowshares, The Retired Enlisted Association, Tragedy Assistance Program for Survivors, Veterans for Common Sense, Veterans Education Success, Veterans Legal

Clinic of the University of San Diego, Veterans Legal Institute, Veterans Student Loan Relief Fund, VetJobs, VetsFirst, a program of United Spinal Association, Vietnam Veterans of America.

THE VALUE OF THE CFPB TO NATIONAL SECURITY

MILITARY FAMILY FINANCIAL READINESS

At the direction of Congress, the Department of Defense (DOD) produced a report outlining its concerns with harmful financial practices. The report noted that ''predatory lending undermines military readiness, harms the morale of troops and their families, and adds to the cost of fielding an all volunteer fighting force.''

According to Department of Defense analysis of involuntary separations that were due to legal or standard-of-conduct issues—an average of 19,893 per year—the Department estimates that approximately half are attributable to a loss of security clearance, and, of these, 80 percent are due to financial distress. The Department estimates that each of these separations costs taxpayers over $57,000. Addressing financial misconduct by bad actors that target military families can both contribute to overall military readiness and reduce the costs to taxpayers of involuntary separations.

Senior enlisted leadership vigorously praised the work of the Consumer Financial Protection Bureau and its Office of Servicemember Affairs in a February 14, 2017, hearing by the Senate Armed Services Committee, Military Personnel Subcommittee. For example, Sergeant Major of the Army Daniel A. Dailey stated, ''I see value in that organization and I know they have done great things for our servicemembers.''

'DOLLAR SIGNS IN UNIFORM'

In an op-ed in the The New York Times, Mrs. Petraeus describes how certain industry actors build their business models on revenue from servicemembers, veterans, and their families. While we welcome and celebrate businesses that serve our community in an honorable, trustworthy manner, some bad actors see us as nothing more than ''dollar signs in uniform.''

In the last decade, we have seen financial companies engage in foreclosure activity, auto lending, and payday lending that violated laws and regulations protecting consumers and servicemembers. There is a clear need for the CFPB to provide both prevention and protection against harmful financial practices.

THE CFPB'S STRONG RECORD

The CFPB engages in a number of activities that benefit military families including monitoring of complaints, enforcement, outreach and education, and consumer protection initiatives.

Consumer Complaints. Military families have submitted 70,000 complaints; the agency's military unit closely analyzes these complaints to better understand the challenges that servicemembers face and how to address them. These complaints often lead to significant monetary relief for families who have been harmed by wrongful practices.

Education and Outreach. The CFPB has brought new leadership and emphasis on service member issues by actively reaching out to listen to and engage with servicemembers and has developed a variety of resources.

Military installation visits: Nineteen visits in 2015 where the OSA held Town halls and listened to servicemembers directly.

Briefings, Outreach, and Community Collaborations: Over 60 events in 2015 delivered consumer resources directly to servicemembers.

Veterans Outreach: Sixteen events were held in 2015 with the aim of collaborating with other veteran support organizations promoting consumer protection.

Digital Engagement: Financial resources delivered through social media, and social media town halls with federal and non-profit partners, as well as offering online training for military financial educators.

On-Demand Virtual Forums: The forums provide servicemembers and military financial educators with virtual training on topics ranging from debt collection to the CFPB's complaint process.

Direct-to-Consumer Education Materials: The materials provide information on common issues facing the clients of the military legal assistance community, including protecting your credit while you are away from home, knowing your rights when a debt collector calls, and minimizing student loan payments.

Between October 1, 2011 and December 31, 2016, OSA delivered consumer financial educational information and materials to more than 26,000 servicemembers through live events. This included interacting with active-duty servicemembers and National Guard personnel through leadership roundtables and town-hall-style listening sessions at 145 military installations/units.

Supervision and Enforcement. The CFPB has placed a high priority on holding financial companies that may be harming military families accountable.

Before the CFPB was created, no federal agency routinely examined or supervised non-bank businesses offering consumer financial products. The Federal Trade Commission had enforcement authority under the Federal Trade Commission Act against unfair and deceptive practices and to enforce federal credit laws with non-bank financial services companies, but did not have supervision authority. The CFPB's new supervision authority coupled with its authority to enforce the Military Lending Act and its focus on listening to servicemembers has allowed for enforcement actions that would not have happened without the CFPB.

For example, the CFPB cited Cash America for violating the Military Lending Act after routine examination exposed compliance problems. The agency took action against USA Discounters and other retail creditors abusing military allotment systems. Other enforcement actions that also impacted servicemembers include:

Rome Finance where, in conjunction with 13 state attorneys general, CFPB provided $92 million in debt relief for 17,000 U.S. servicemembers and other consumers;

Suits against closed proprietary colleges ITT and Corinthian Colleges, Inc. for predatory lending with debt relief for Corinthian students of $480 million ultimately secured.

Common-Sense Rules of the Road. The consumer agency has also pursued consumer protection initiatives that will strongly benefit military families.

Debt Collection: Over 46% of complaints received from servicemembers in 2015 concerned debt collection. And according to a 2015 report, servicemembers were nearly twice as likely to submit debt collection complaints as the general population who also submitted complaints. The CFPB has outlined proposals to increase consumer protections from debt collectors to address the industry's most abusive practices.

Forced Arbitration: The CFPB's proposed rule to rein in the widespread harm of forced arbitration by preserving the ability of servicemembers and other consumers to join together in court when financial institutions break the law. Compliance with the Servicemembers Civil Relief Act has been a particular problem. Class action bans, which take away the right to collective action, are particularly abusive, as they prevent courts from ordering widespread relief when thousands or millions of servicemembers are harmed. Class action bans also prevent servicemembers from banding together when they are not in a position to individually challenge a financial institution's illegal or unfair practices due to limited resources or frequent relocations or deployment. The Military Coalition, representing 5.5 million servicemembers and their families, recently sent a letter to the CFPB in support of this proposal.

CONCLUSION

As noted by the Military Officers Association of America, in a recent letter to the U.S. Senate Committee on Banking, Housing, and Urban Affairs, it is ''vitally important to the military community and readiness that the work of the Office of Servicemember Affairs continues.''

Ms. WARREN. It really comes down to this: We have heard from veterans groups, from individual veterans, Active-Duty military, and from banks, and the banks are the ones saying: Roll back this rule, and the veterans and Active-Duty military are asking us not to.

The decision hangs in the balance tonight, and I urge my colleagues: Just once, don't stand up with the big banks; stand up with the veterans.

I urge the President of the United States: Show us what you are made of. Stand up with America's veterans. Stand up to Wall Street; don't just roll over for Wall Street. Be there for the people who count on you. Be there for our veterans and Active-Duty military.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, just for everybody's information, I am going to speak for just 2 or 3 minutes and then yield back our time, and then Senator BROWN will do the same, and then we will proceed to a vote.

I just want to make clear what we are talking about here. You have heard a lot of talk tonight about how this is trying to stop the forced arbitration. You have heard that word a lot. Let's make it really clear what the debate is about.

Using the CFPB's own study—I am quoting the CFPB now—''the clear majority of the arbitration clauses within our review specifically recognize—and allow—access to small claims courts as an alternative to arbitration.'' So this notion that we are here fighting tonight about whether people who have small claims don't have any outlet except arbitration is simply false. That is a false orchestration of what the argument is.

What is the argument? Well, why don't we look at the rule and see what the rule says again? And now I am quoting specifically from the CFPB rule. It prohibits a company from relying ''in any way''—it doesn't say forced arbitration—from relying ''in any way on a pre-dispute arbitration agreement . . . with respect to any aspect of a class action.''

It goes on, and the rule actually states specific language that people

have to put in their contracts. What is that language? This rule requires people to ''agree that neither we nor anyone else will rely on this agreement to stop you from being part of a class action case in court.''

So the issue here, Mr. President, is not forced arbitration. Even existing arbitration clauses allow alternatives. The issue here is the CFPB's effort to force dispute resolution into class action litigation.

Some have talked here tonight about how we are trying to stop access to the courtroom. Well, first of all, I think that argument is belied again by the CFPB's own study that explicitly states that no class actions filed during the time period that the CFPB studied even went to trial. So this argument falls on its own face.

Meanwhile, let's look again at what the difference between arbitration and forced class actions does. In arbitration, a decision on the merits was reached in 32 percent of the disputes filed, where, as I indicated, zero of the class action cases even went to trial. In addition, according to the CFPB's own study, most arbitration agreements and consumer financial contracts contain a small claims court carve-out.

Given the methodological flaws in the CFPB's study, it is difficult to make apples-to-apples comparisons about class action versus arbitration, but the Wall Street Journal's editorial board made this observation:

> Of the 562 class actions the CFPB studied, none went to trial. Most were dismissed by a judge, withdrawn by the plaintiffs or settled out of class.

I will conclude with just the numbers that we have already talked about many times tonight.

What is the comparison between arbitration and class action litigation? That is the issue tonight. What is the comparison? The average recovery for the consumer in a class action case is $32. The average recovery in an arbitration is $5,389. It takes 2 years for the class action to take place; 5 months for the arbitration. In 12 percent of the class action matters did they even reach settlements. In 60 percent, they reached them in arbitration. Attorneys' fees: $424 million in class action cases; virtually no attorneys' fees in arbitration cases.

The point here is exactly this: The debate tonight is not, as many would have you believe, over whether we are forcing arbitration. Even the arbitration clause in the current system creates options for consumers to go into small claims courts. The vote here tonight is whether to force dispute resolution into class action litigation, and that is what we need to decide with tonight's vote.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, the Vice President of the United States is here. Looks like Equifax and Wall Street and Wells Fargo will win again. The Vice President only shows up in this body when the rich and the powerful need him. It is pretty clear tonight that Wall Street needs him. This vote will make the rich richer. It will make the powerful more powerful.

Forced arbitration hurts the 3.5 million people who were defrauded by Wells Fargo. Forced arbitration hurts the 145 million Americans who were wronged by Equifax, 5 million in Ohio alone. It hurts employees who have been hurt by their employers. It hurts students who have been cheated by for-profit colleges. It hurts family members in nursing homes. It hurts the millions of Americans with student loan debt and credit cards.

I will close with this. I want every voting Member of the Senate to look into the eyes of the American Legion veterans who say a vote to overturn the CFPB arbitration rule is a vote against our military and against our veterans. Vote no.

I yield back the time on our side.

Mr. CRAPO. Mr. President, I also yield back our time.

The PRESIDING OFFICER. All time is yielded back.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Mr. BURR. I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. BOOZMAN). Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 50, nays 50, as follows:

[Rollcall Vote No. 249 Leg.]

YEAS—50

Alexander	Fischer	Perdue
Barrasso	Flake	Portman
Blunt	Gardner	Risch
Boozman	Grassley	Roberts
Burr	Hatch	Rounds
Capito	Heller	Rubio
Cassidy	Hoeven	Sasse
Cochran	Inhofe	Scott
Collins	Isakson	Shelby
Corker	Johnson	Strange
Cornyn	Lankford	Sullivan
Cotton	Lee	Thune
Crapo	McCain	Tillis
Cruz	McConnell	Toomey
Daines	Moran	Wicker
Enzi	Murkowski	Young
Ernst	Paul	

NAYS—50

Baldwin	Graham	Murray
Bennet	Harris	Nelson
Blumenthal	Hassan	Peters
Booker	Heinrich	Reed
Brown	Heitkamp	Sanders
Cantwell	Hirono	Schatz
Cardin	Kaine	Schumer
Carper	Kennedy	Shaheen
Casey	King	Stabenow
Coons	Klobuchar	Tester
Cortez Masto	Leahy	Udall
Donnelly	Manchin	Van Hollen
Duckworth	Markey	Warner
Durbin	McCaskill	Warren
Feinstein	Menendez	Whitehouse
Franken	Merkley	Wyden
Gillibrand	Murphy	

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50. The Senate being equally divided, the Vice President votes in the affirmative, and the joint resolution, H.J. Res. 111, is passed.

The PRESIDING OFFICER (Mr. BOOZMAN). The majority leader.

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.

VOTE EXPLANATION

Mr. MENENDEZ. Mr. President, I was unavailable for rollcall vote No. 247, on the motion to waive the budget point of order with respect to the House message to accompany H.R. 2266, Emergency Supplemental Appropriations. Had I been present, I would have voted yea.

Mr. President, I was unavailable for rollcall No. 248, on the motion to concur in the House amendment to the Senate amendment to H.R. 2266, Emergency Supplemental Appropriations. Had I been present, I would have voted yea.

GAO OPINION LETTER ON 2016 TONGASS PLAN AMENDMENT

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that a letter from the U.S. Government Accountability Office, GAO, dated October 23, 2017, be printed in the RECORD.

The letter provides notification that the 2016 Amendment to the Tongass Land and Resource Management Plan, USDA, Forest Service, Tongass Land and Resource Management Plan, Record of Decision, R10–MB–769I, Washington, D.C.: December 9, 2016, is a rule subject to the Congressional Review Act, 5 U.S.C. §801 et seq.

I wrote to GAO on February 13, 2017, asking it to determine whether the 2016 Tongass plan amendment constitutes a rule subject to the CRA. In response, as communicated in its letter of October 23, GAO determined that the plan amendment is a rule and does not fall within any of the exceptions provided in the CRA. Accordingly, with this GAO opinion and its publication in the CONGRESSIONAL RECORD, the rule will be subject to a congressional joint resolution of disapproval.

The letter I am now submitting to be printed in the CONGRESSIONAL RECORD is the original document provided by GAO to my office. I will also provide a copy of the GAO letter to the Parliamentarian's office.

For those who may be interested, the 2016 Tongass Plan Amendment can be found online at https://www.fs.usda.gov/detail/tongass/landmanagement/?cid=stelprd3801708. GAO's determination can be accessed at http://www.gao.gov/products/B-238859.

I look forward to debating the future of this rule in the weeks and months to come.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. GOVERNMENT
ACCOUNTABILITY OFFICE,
Washington, DC, October 23, 2017.

Subject: Tongass National Forest Land and Resource Management Plan Amendment.

Hon. LISA MURKOWSKI,
U.S. Senate.

This is in response to your letter requesting our opinion on whether the 2016 Amendment to the Tongass Land and Resource Management Plan (2016 Tongass Amendment or Amendment), approved by the Tongass Forest Supervisor on December 9, 2016, is a rule under the Congressional Review Act (CRA). For the reasons discussed in more detail below, we conclude that the 2016 Tongass Amendment is a rule under CRA.

BACKGROUND

Tongass National Forest

The Tongass National Forest is the largest of the 154 national forests It comprises 78 percent of the land base in southeast Alaska. Of its approximate 16.7 million acres, about 10 million acres are forested Of the forested acres, the Forest Service classifies approximately 5.5 million acres as being ''productive forest.'' As a national forest, the Tongass is managed by the Forest Service within the Department of Agriculture (USDA).

Since inception, the Tongass timber program has been based on harvesting old-growth trees—in the context of the Tongass, generally meaning trees more than 150 years old—that can be a source of high-quality lumber. The Forest Service began offering timber sales on the Tongass in the early 1900s. Although timber harvest increased substantially in the 1950s through 1970s, harvest has since declined significantly.

A number of laws and regulations have reduced the number of acres where timber harvest is allowed on national forests, both nationwide and on the Tongass. Specifically, according to statistics provided by Forest Service officials, of the approximately 5.5 million acres of productive forest in the Tongass, approximately 2 4 million acres are not available for harvest because of statutory provisions, such as wilderness designations, and another 1.8 million acres are not available for harvest because of other factors, such as USDA adopting the roadless rule.

National Forest Planning Process

The National Forest Management Act of 1976 (NFMA), as amended, requires the Forest Service to ''develop, maintain, and, as appropriate, revise land and resource management plans for units of the National Forest systems.'' Plans are to provide for ''the multiple use and sustained yield of the products and services obtained from [the national forests] . . . and, in particular, include coordination of outdoor recreation, range, timber, watershed, wildlife and fish, and wilderness.'' Thus, the Forest Service must ''balance competing demands on national forests, including timber harvesting, recreational use, and environmental preservation.''

Forest plans identify the uses that may occur in each area of the forest. The Forest Service is required to update forest plans at least every 15 years and may amend a plan more frequently to adapt to new information or changing conditions. Resource plans and permits, contracts, and other instruments for the use of national forests must be consistent with the applicable plans. When a plan is revised, these instruments are to be revised as soon as practicable to be made consistent with the revised plan, but only subject to valid existing legal rights. The Forest Service is required to promulgate and follow certain procedures set forth in regulation for the development, amendment, and revision of forest plans. The decision to adopt a forest plan and the rationale for making that decision are made public in a Record of Decision (ROD) issued pursuant to the National Environmental Policy Act (NEPA). For timber harvest activities, forest plans typically identify areas where timber harvest is permitted to occur and set a limit on the amount of timber that may be harvested from the forest.

The Tongass forest plan allocates defined areas of the forest to various Land Use Designations (LUDs). In general, the plan allocates all areas of the forest to LUDs as part of the forest planning process. Some LUDs implement statutory land designations, such as wilderness, and areas allocated to those LUDs must be managed in accordance with the statutory requirements applicable to those land designations. Other LUD allocations are for development of resources, such as timber production, and the Forest Service manages these areas in accordance with LUD direction, such as by allowing roads to be built and commercial timber to be harvested.

The descriptions of the uses allowed by the plan within a LUD and the corresponding permissible activities are management prescriptions. Each management prescription gives general direction on what may occur within areas allocated to the corresponding LUD, the standards for accomplishing each activity, and the guidelines on how to go about accomplishing the standards. While a forest plan may allocate certain areas to a timber LUD, that allocation does not itself authorize third parties to harvest timber. If the applicable management prescription allows timber harvesting within a given LUD, additional steps are required before the contractual right to harvest timber is created. The Forest Service will identify a sale area, conduct the required environmental analyses, appraise the timber, and solicit bids from buyers interested in purchasing the timber. The Forest Service then prepares the timber sale contract and marks the sale boundary and the trees to be cut or left. The purchaser is responsible for cutting and removing the timber, with the Forest Service monitoring the harvest operations. These sales or projects are to be conducted consistent with the applicable forest plan, but plans generally do not require any specific sale or project to be undertaken.

Tongass National Forest Planning

In 1979, the Tongass National Forest was the first to complete a forest plan under NFMA. The plan was amended in 1986 and 1991. In 1997 USDA approved a Revised Forest Plan, which was then amended in 2008.

In 2010, USDA announced its intent to transition the Tongass timber program to one based predominantly on the harvest of young growth—generally consisting of trees that have regrown after the harvest of old growth—in part to help conserve the remaining old-growth forest. A 2013 memorandum from the Secretary of Agriculture stated that within 10 to 15 years, the ''vast majority'' of timber harvested in the Tongass would be young growth. The memorandum also stated that the transition must be done in a manner that ''preserves a viable timber industry'' in southeast Alaska. The Forest Service announced in May 2014 that it would amend the forest plan for the Tongass to accomplish the transition. As part of the decision-making process for the amendment, in November 2015 the Forest Service released for public comment its proposed forest plan amendment and accompanying environmental analyses.

The substantive changes in the 2016 Tongass Amendment are set out in Chapter 5 of the Amendment. As compared to the 2008 plan, the 2016 Tongass Amendment generally reduced the areas potentially open to old-growth harvest while allowing young growth harvest in some areas previously unavailable for any type of harvest. Specifically, the 2016 Tongass Amendment makes the following changes to the 2008 Tongass Land Resource Management Plan (LRMP):

Allows old-growth harvest only within the portion of the Tongass National Forest included in the first phase of a timber sale program adaptive management strategy set forth in a 2008 Tongass LRMP Amendment Record of Decision;

Allows young-growth harvest in all phases of the 2008 timber sale program adaptive management strategy, but only outside of roadless areas identified in the 2001 Roadless Rule;

Allows young-growth management in development LUDs and in the Old-Growth Habitat LUD, beach and estuary fringe, and riparian management areas outside of stream buffers, subject to certain conditions and for a specified period of time;

Establishes direction to protect priority watersheds;

Modifies the network of old-growth reserves to maintain their effectiveness; and

Includes new management direction to facilitate renewable energy production.

USDA describes the other changes resulting from the 2016 Tongass Amendment as simply clarifications, corrections of typographical errors, and updates of references to law, regulation, and other mandatory policy direction to reflect the current version of the provisions that have changed since 2008.

Congressional Review Act

CRA, enacted in 1996 to strengthen congressional oversight of agency rulemaking, requires all federal agencies, including independent regulatory agencies, to submit a report on each new rule to both Houses of Congress and to the Comptroller General before it can take effect. The report must contain a copy of the rule, ''a concise general statement relating to the rule,'' and the rule's proposed effective date. In addition, the agency must submit to the Comptroller General a complete copy of the cost-benefit analysis of the rule, if any, and information concerning the agency's actions relevant to specific procedural rulemaking requirements set forth in various statutes and executive orders governing the regulatory process. CRA also established special expedited procedures under which Congress may pass a joint resolution of disapproval that, if enacted into law, overturns the rule.

USDA has not sent a report on the 2016 Tongass Amendment. In its response to us, USDA stated that ''it is the position of the Department of Agriculture that the 2016 Tongass Amendment is not subject to CRA. Accordingly, the amendment will not be submitted pursuant to CRA.''

ANALYSIS

In 1997, we decided whether the Tongass National Forest Land and Resource Management Plan issued May 23, 1997, was a rule under CRA. In that decision, we reviewed CRA's definition of a rule, found that the Plan fit within that definition, and concluded that it was a rule for CRA purposes. As explained below, we reach the same conclusion with regard to the 2016 Tongass Amendment.

CRA incorporates by reference the definition of ''rule'' found in section 551 of the Administrative Procedure Act (APA) which provides, in relevant part:

'''rule' means the whole or a part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the organization, procedure, or practice requirements of an agency''

However, under CRA, the term ''rule'' does not include:

''(A) any rule of particular applicability, including a rule that approves or prescribes for the future rates, wages, prices, services, or allowances therefor, corporate or financial structures, reorganizations, mergers, or acquisitions thereof, or accounting practices or disclosures bearing on any of the foregoing;

''(B) any rule relating to agency management or personnel; or

''(C) any rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties.''

Consequently, the first step in analyzing whether the 2016 Tongass Amendment is a rule under CRA is to determine whether it meets the definition in section 551 of APA.

The definition has three key components. A rule must (1) be an agency statement, (2) have future effect, and (3) be designed to either implement, interpret, or prescribe law or policy or describe the agency's organization, procedure, or practice requirements. First, in order to be a rule, the statement must be made by an agency. USDA, the issuer of the 2016 Tongass Amendment, is an agency. The 2016 Tongass Amendment therefore meets the first component of the definition.

Second, the agency statement must have future effect. The 2016 Tongass Amendment is a guide for future forest management activities and establishes a prospective management direction The text of the Amendment specifically notes that all future plans and activities will be based on this Forest Plan. We therefore conclude that the 2016 Tongass Amendment also meets the second component of the definition.

Third, the statement must be designed to implement, interpret, or prescribe law or policy or describe the agency's organization, procedure, or practice requirements. The purpose of the 2016 Tongass Amendment, like all forest plans, is to implement the provisions of NFMA and other applicable statutory and regulatory provisions. The Amendment also implements USDA's policy to transition the Tongass timber program to one based predominantly on the harvest of young growth. It thus meets the third component of the definition and falls within the definition of the term ''rule'' in section 551 of APA.

USDA argues that the Amendment is not a rule because it does not provide final authorization for any activity and does not substantially affect the rights or obligations of non-agency parties. It points out that implementing the Amendment necessarily requires additional actions by the Forest Service, and that the Amendment itself neither creates nor takes away any party's rights or obligations. However, APA does not require that an agency statement provide final authorization for any activity, or that it substantially affect the rights or obligations of non-agency parties, to qualify as a rule. Indeed, ''the impact of an agency statement upon private parties is relevant only to whether it is the sort of rule that is a rule of procedure . . . not to whether it is a rule at all.'' The APA sets forth only the three requirements described above, each of which is met in this instance.

Our analysis now turns to whether the Amendment falls under any of the CRA exceptions. In its response to us, USDA presents alternative arguments that the 2016 Tongass Amendment is a rule of particular applicability or, alternatively, a rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties.

Rules of Particular Applicability

USDA argues that the 2016 Tongass Amendment is a rule of particular applicability because it applies to a single national forest and, thus, is not a rule for purposes of CRA pursuant to the exception in section 804(3)(a). According to the legislative history of CRA:

''Most rules or other agency actions that grant an approval, license, registration, or similar authority to a particular person or particular entities, or grant or recognize an exemption or relieve a restriction for a particular person or particular entities, or permit new or improved applications of technology for a particular person or particular entities, or allow the manufacture, distribution, sale, or use of a substance or product are exempted under subsection 804(3)(A) from the definition of a rule.''

The legislative history also provides examples of rules of particular applicability such as import and export licenses, individual rate and tariff approvals, wetlands permits, grazing permits, plant licenses or permits, drug and medical device approvals, new source review permits, hunting and fishing take limits, incidental take permits, broadcast licenses, and product approvals. The legislative history of CRA also offers IRS private letter rulings as an example of a rule of particular applicability. In addition to being addressed to a specific person or entity, private letter rulings differ from other IRS guidance and Treasury rules in that the agency is not bound to follow them in its dealings with others even on facts that are analogous. Other IRS guidance and Treasury regulations have legal force in all instances and are binding on the agency in all cases; private letter rules have legal force only with regard to a particular person or entity.

The 2016 Tongass Amendment is not an approval, license, or registration to a particular person or entity. Nor does it grant or recognize an exemption or relieve a restriction for a particular person or entity. While the plan does only apply to the Tongass National Forest and not to other national forests, it applies to ''all natural resource management activities;'' to all projects approved to take place in the forest; and to all persons or entities that engage in uses permitted by those projects. For instance, every person or entity bidding on or engaged in permitted timber harvesting will be doing so in accordance with the plan. The Amendment applies to all persons or entities using the forest—not just a particular person or entity. It is binding on agency action in all cases, not with respect to one person or entity.

While there is no case law on the question of general versus particular applicability for purposes of CRA, there is analogous case law interpreting these terms under APA in which courts have held rate setting ''addressed to and served upon named persons in accordance with law'' to be a type of rule of particular applicability. However, the 2016 Tongass Amendment does not solely set rates and it does not apply to a single entity. It states: ''All future plans and activities will be based on this Forest Plan.'' Additionally, in our prior decision on the Tongass National Forest Land and Resource Management Plan issued in 1997, we concluded that the Plan was of general applicability since it affected many parties. We therefore conclude that this rule does not fall within the exception for rules of particular applicability.

Rules of Organization, Practice, or Procedure That Do Not Substantially Affect the Rights or Obligations of Non-Agency Parties

USDA maintains that the 2016 Tongass Amendment is exempt from the requirements of CRA as a rule of agency organization, procedure, or practice that does not substantially affect the rights or obligations of non-agency parties. The Amendment governs where old-growth and young-growth timber harvests are allowed in Tongass. USDA states that the Amendment is narrowly focused on accelerating the transition from a primarily old-growth timber program to a primarily young-growth program and, in doing so, ''provides limited modifications to the Tongass LRMP to guide the Tongass National Forest's procedures and practices going forward.'' These changes, it asserts, involve agency procedure and practice relating to the Forest Service's management of the Tongass National Forest.

The CRA legislative history discussion of this exception is limited, but states that it was modeled on APA, which excludes ''rules of agency organization, procedure, or practice'' from the requirement that a notice of proposed rulemaking be published in the Federal Register. Courts have applied the APA exception by distinguishing between procedural and substantive rules. A rule is substantive when it ''encodes a substantive value judgment or puts a stamp of approval or disapproval on a given type of behavior.'' In these cases, courts have focused on whether the agency action has substantive impacts on the regulated community.

For example, the Fifth Circuit in *Phillips Petroleum Co. v. Johnson,* held that the proper test of whether a rule is procedural or substantive is whether a ''regulation of general applicability has a substantial impact on the regulated industry, or an important class of the members or the products of that industry.'' *Phillips Petroleum* concerned oil and gas royalties owed under leases for federal lands administered by the Minerals Management Service (MMS). The court held that an agency Procedure Paper changing the criteria for valuing natural gas liquid products, used to calculate royalties, was a substantive rule subject to APA notice-and-comment rulemaking requirements. The agency argued that the Procedure Paper was a rule of agency organization, procedure, or practice. However, the court rejected this argument, stating: ''Although the Procedure Paper would appear to fall squarely within this exemption, for the change effected by the Procedure Paper plainly relates to the internal practices of MMA procedure, the mere fact that it may guide MMS procedures does not mean that the Procedure Paper is a 'procedural' rule for purpose of APA.''

The 2016 Tongass Amendment implements an agency policy to transition from old-growth to new-growth timber harvesting. In doing so, it encodes the agency's substantive value judgement in favor of this transition and has a substantial impact on the local timber industry. Even accepting USDA's characterization of the Amendment as involving agency procedure and practice relating to the Forest Service, under the reasoning of *Phillips Petroleum,* the Amendment is not a procedural rule since it has a substantial effect on the regulated industry. Therefore, we conclude that it is not a rule of agency procedure. This is consistent with our prior decision on the Tongass National Forest Land and Resource Management Plan issued in 1997, in which we concluded that the Plan was not a rule of agency procedure due to its substantial effects on non-agency parties.

Relying primarily on the Supreme Court's decision in *Ohio Forestry Ass'n v. Sierra Club,*

USDA specifically argues that the procedural rule exception applies because the 2016 Tongass Amendment does not substantially affect the rights or obligations of non-agency parties. At issue in *Ohio Forestry Ass'n* was a Sierra Club challenge to a Land Resource Management Plan for Ohio's Wayne National Forest on the ground that the plan permitted too much logging and clearcutting. The question decided was whether the rights asserted by the Sierra Club in challenging the plan were ripe for judicial review. The Court explained that the purpose of the ripeness doctrine is:

''to prevent the courts, through avoidance of premature adjudication, from entangling themselves in abstract disagreements over administrative policies, and also to protect the agencies from judicial interference until an administrative decision has been formalized and its effects felt in a concrete way by the challenging parties.''

The court held that the rights asserted by the Sierra Club were not yet ripe for review, and that there would be later stages in the forest management process when plaintiffs could assert those rights to challenge the Forest Service's decisions.

The issue we decide here, however, is not whether rights asserted by a party to challenge the Amendment are ripe for judicial review. The question here is whether the 2016 Tongass Amendment has a substantial impact on the regulated community such that it is a substantive rather than a procedural rule for purposes of CRA. We have concluded that it has such an impact and thus is a substantive rule. The Supreme Court's decision is inapposite for CRA purposes, since it is Congress' exercise of the review procedures in CRA that is in issue, not the ripeness of a party's right to bring suit challenging administrative action.

CONCLUSION

The 2016 Tongass Amendment is a rule for CRA purposes as it meets the definition of the term ''rule'' under APA, and none of the CRA exceptions apply.

If you have any questions about this opinion, please contact Robert Cramer, Associate General Counsel, at (202) 512–7227.

Sincerely yours,

SUSAN A. POLING,
General Counsel.

HONORING OUR ARMED FORCES

GUNNERS MATE THIRD CLASS JOSEPH GUIO, JR.

Mr. MANCHIN. Mr. President, today I wish to honor Joseph Guio, Jr., a hero who made the ultimate sacrifice saving the lives of his fellow crewmembers aboard the USS *Monaghan* during World War II.

Gunners Mate Third Class Guio was one of the hundreds of men who were lost at sea during Typhoon Cobra, which struck Task Force-38 in December of 1944. Task Force-38 consisted of 7 fleet carriers, 6 escort carriers, 8 battleships, 15 cruisers, and 50 destroyers that had been operating in the Philippine Sea conducting air raids against Japanese airfields.

Survivors of the event reported that Joe freed a raft from the sinking ship and was injured in the process. Regardless, he continued to pull his fellow men to the safety of the raft and saved many lives. Aboard the raft, his grateful comrades tried to comfort Joe in his last moments, and he thanked them for doing so before he passed on.

When the *Monaghan* sank, 256 crewmembers were lost. Twenty held on to the raft for some time, but after days at sea, exhausted, injured, and struggling against 50-foot waves, that number dwindled to six. The USS *Brown* rescued the six survivors 3 days later.

Joe's body was never recovered, but his name is inscribed on the Tablets of the Missing at the American Cemetery and Memorial in Manila, Philippines. He was 25 years old.

Born in Hollidays Cove in beautiful Hancock County, WV, no one would have expected less from Joe. He died as he lived, helping others with the utmost respect for our home State and our Nation.

West Virginia is great because our people are great—Mountaineers who will always be free. In fact, when visitors come to West Virginia, I jump at the chance to tell them about our wonderful State. We have more veterans per capita than most any State in the Nation. We have fought in more wars, shed more blood, and lost more lives for the cause of freedom than most any State. We have always done the heavy lifting and never complained. We have mined the coal and forged the steel that built the guns, ships, and factories that have protected and continue to protect our country. I am so deeply proud of what our citizens have accomplished and what they will continue to accomplish in the days and years ahead. It is with utmost gratitude that I recognize Joseph Guio, Jr., and all the servicemembers of today and yesterday.

Additionally, I am honored to recognize Joe's family who have kept his legacy alive—his nephew, Gary Guio, his great-nephews, Mark and David, and the entire family, the Northern Panhandle community, and the surviving crewmembers who have never forgotten Joe's legacy of service and heroism.

NATIONAL FOREST PRODUCTS WEEK

Ms. STABENOW. Mr. President, in recognition of National Forest Products Week, I would like to commend the more than 27,000 men and women who work in the forest products sector in my home State of Michigan.

Taken together, Michigan is home to nearly 200 forest products facilities that run the gamut, from furniture manufacturing to paper mills. With yearly salaries of over $1.4 billion, these facilities represent one of our State's most significant manufacturing sectors.

Paper and forest products play a vital role in our domestic economy and benefit every American as they go about their daily lives. Additionally, wood construction is an innovative form of climate protection because wood oftentimes replaces competing building materials that require sizeable amounts of fossil fuels to produce. Moreover, wood lowers a building's carbon footprint because it continues to hold carbon absorbed during the growth of the tree, keeping that pollution out of the atmosphere for the life expectancy of the building. As we look to reduce carbon emissions and green our building stock, we ought to look at greater use of innovative wood products in commercial structures.

Similarly, paper and packaging products help all Americans to communicate with each other, teach our kids, and learn new things ourselves. These products preserve and deliver our food, medicine, and other manufactured goods. Whether it is a marriage certificate or a young child's finger painting, these paper products capture some of the most important moments in a person's life. For these reasons and others, I am proud to be a cochair of the Senate's Paper and Packaging Caucus.

I urge all of my Senate colleagues to join me in celebrating National Forest Products Week and to consider the variety of ways this sustainable resource benefits us in our lives. Thank you for the opportunity to recognize the forest products industry's dedicated professionals who work and reside in the great State of Michigan.

REMEMBERING FLOYD McKINLEY SAYRE, JR.

Mrs. CAPITO. Mr. President, I wish to recognize a friend and colleague, Floyd McKinley Sayre, Jr., who recently departed this life. I came to know Floyd many years ago and interacted with him while serving in the West Virginia House of Delegates, U.S. House of Representatives, and the U.S. Senate. Recent testimonies to his life state that he was ''a good man by all accounts and lived his life in a pursuit of endeavors he felt were right, good and virtuous.'' Throughout my friendship with Floyd, I found this to be true.

Floyd was born in Beckley, WV, on July 17, 1930. He graduated from Woodrow Wilson High School before going on to West Virginia University, where he was an active member in the Sigma Nu fraternity. After college, he had a successful military career where he served in the Berlin Brigade in Germany, guarding West Berlin during the Cold War. Upon his return, Floyd started a professional career with the U.S. Chamber of Commerce that eventually brought him home to West Virginia.

Floyd owned and managed Floyd Sayre's Management Consultants and was the first certified professional executive in West Virginia. He worked hard to bring a certification program to the State and mentored many future executives. As a student of West Virginia politics, he understood how to navigate the halls of the State legislature, where he is remembered as a gentleman and forceful advocate for a better West Virginia.

In 1960, Floyd married his wife, Ruth Ellen Thomas, who was his staunch supporter and companion for his entire

career, and together they had three sons, Floyd, Richard, and David. Floyd loved spending time with his family and friends, gardening, bird watching, and rooting for his beloved West Virginia Mountaineers. Floyd was a Rotarian, as well as a Paul Harris Fellow and past president of the Southern Pines, NC, Rotary Club. Floyd was also a member of the church I attend, another community in which he will be sorely missed.

I am honored to have known Floyd and his wife, Ruth, and my thoughts and prayers are with his family. West Virginia owes him a debt of gratitude for his service to the State. I am proud to have called him a friend and fellow Mountaineer.

REMEMBERING JEREMY SHULL

Mr. INHOFE. Mr. President, today I would like to honor and pay tribute to my former staffer Jeremy Shull. Jeremy came to my office in 2004 as a fellow. He quickly advanced and became the deputy military legislative assistant in a short period of time. Jeremy was full of life, always had a big smile on his face, and brought a lot of joy into my office. I would like to share a bit about Jeremy's life and family and then about his time in my office.

At the age of only 35, Jeremy fell into the arms of Jesus, doing what he loved: climbing Capitol Peak in Aspen, CO, on August 6. He was the loving husband of 7 years to Jamie and the proud father of 2-month-old, Jack. Jeremy was born in Cincinnati, OH, on March 9, 1982, to his parents, Bob and Linda Shull, and was raised alongside his two brothers, Ben and Josh. From an early age, Jeremy's love of the outdoors and his leadership skills were apparent to all. He went on to graduate from Perrysburg High School, in Ohio, and Grove City College, in Pennsylvania, where he discovered his love of rugby and international travel.

After college, he made his way to Washington, DC, where he was involved in the Falls Church Fellows Program and worked on Capitol Hill in my office. During this time he met the love of his life, Jamie, at Summer's Best Two Weeks, a Christian sports camp in Boswell, PA, and the two were married in 2010. As a couple, Jeremy and Jamie lived and worked in Washington, DC, Uganda, and went to graduate school at Geneva College in Pennsylvania. In 2014, Jeremy earned his master's degree in counseling and eventually went on to earn his LAC and LPC licenses with concentrations in trauma and addictions.

Shortly after earning their degrees, Jeremy and Jamie moved out west to Parker, CO, to pursue their adventurous dreams. Jeremy worked at a crisis stabilization unit and in other settings where he counseled clients in their worst moments, helping them to create vision and hope for their futures. To quote Jeremy, he served others, ''to sustain the weary and help clients overcome internal walls between them and a thriving life.'' This past May, they welcomed their beautiful son, Jack Ellis, into their family.

Jeremy is remembered by his wife, Jamie, and their 2-month-old son, Jack. He is survived by Bob and Linda Shull of Fairlawn, OH, brother Ben and his wife Emily Shull, and nieces Piper and Scout Shull of Cincinnati, OH, brother Josh Shull of Washington, DC, grandparents Norma Hissong of Bath, OH, Ken and Meg Shull of Seneca, South Carolina, numerous aunts, uncles, and cousins in Ohio and South Carolina, mother and father-in-law Mike and Teri Maurer and brother-in-law Justin Maurer of Washington, DC.

In 2007, Jeremy traveled with me on a CODEL to Ireland, Ethiopia, Djibouti, Kenya, Tanzania, Uganda, France, and Italy. The CODEL was en route to Africa when we had a required crew stop. The stop happened to be only about 45 miles away from where my daughter Molly was teaching and staying with her family. We only had about 24 hours on the ground, and it was meant for a time for us to adjust from jet lag, but Jeremy and I, along with my son-in-law and grandson, drove to the base of Mt. Grappa, which is close to sea level. Four hours later, we reached the top, which was 5,800 feet in elevation. We walked to the World War I monuments at the top of Mt. Grappa and hiked back down.

Later in the trip, when we had a break from our meetings, the delegation divided up and some of my staff decided to do a little sightseeing in Venice but Jeremy chose to stay back and play soccer with my daughter's kids. In doing so, he gave the rest of the delegation a real gift. Jeremy had been to Venice a few years before and had hidden a €100 note behind a brick in a wall hanging over one of the many canals. He gave us a list of clues as we went to Venice. Instead of sightseeing, we spent the time following the clues Jeremy gave to us and finally discovered the location. When our military escort pulled the brick out of the canal wall, he found the €100 note laying behind it. We took a photo of the note and then placed it back in the wall. We were careful to make sure that nobody saw us replace it. It was a very clever set of clues, and it became the most memorable times to visit Venice. Afterwards, we asked Jeremy why he hid this money in Venice and also in a couple other European cities. He said that one day he wanted to bring his future wife to Europe and take her on a treasure hunt. That was Jeremy. He was overflowing with adventure and very intentional in how he lived out his life of adventure.

Jeremy had a strong faith in Jesus Christ and lived his life to the full. Jeremy was best known for his adventurous spirit, curious nature, intentional relationships, and servant-heart. He was a volunteer firefighter and was devoted to his growing family. He put others first, and in a culture and generation that is more me focused, Jeremy was the opposite, always putting others before himself. I loved Jeremy—his steadfastness, his love for Jesus, and his desire to enjoy the outdoors that God created. He will be missed by everyone who was close to him and who he touched. He will also be missed by me and my office.

ADDITIONAL STATEMENTS

TRIBUTE TO GLORIA TANNER

• Mr. BENNET. Mr. President, I wish to honor the remarkable life of Senator Gloria Tanner.

Throughout her career, Senator Tanner has excelled in the face of adversity and carried out her work with integrity, strength, grace, and humility. All of these qualities are rooted in a unique authenticity that she possesses, something that is seemingly lacking in today's politics.

Born in Atlanta, GA, in 1934, Senator Tanner witnessed the growth of the civil rights movement firsthand. She rose to become the first African-American woman to serve as a Colorado State senator and the second African American to be elected to a leadership position in the Colorado House of Representatives, where she served for five terms and as the chair of the minority caucus.

In 1974, Senator Tanner received a B.A. in political science and graduated magna cum laude from Metro State University of Denver. She subsequently received a master of arts in urban affairs at the University of Colorado in 1976 and graduated from the American Management Association Program for Women in Top Managerial Positions. She also graduated from the Women in Leadership Program at the John F. Kennedy School of Government at Harvard University and the Leadership College, Executive Education, Keenan-Flagler Business School at University of North Carolina, Chapel Hill.

Senator Tanner became active in politics when she moved to Colorado in 1960 in unison with John F. Kennedy's election. She has served many roles in government, ranging from an administrative assistant to the Office of Hearings and Appeals at the U.S. Department of Interior, the executive assistant to Colorado Lieutenant Governor George L. Brown, to an elected member of the Colorado House of Representatives. In the Colorado House, she has served as chair of the minority caucus. She was also elected president of the National Organization of Black Elected Legislative-Women and served as an executive board member and chairperson of the finance committee of the National Black Caucus of State Legislators. She has also served on the Colorado Black Round Table, as a member of the Women's Forum of Colorado, and finally, as a Colorado State senator.

Senator Tanner succeeded Regis Groff in 1994 and held a seat until 2000.

Within her 6 years of service as a Colorado State senator, Senator Tanner sponsored legislation on key issues such as marital discrimination in the workplace and worked tirelessly for civil rights for women and minorities and parental rights for adoptive parents. She was one of six legislators selected to serve on the powerful joint budget committee. In serving on the JBC, Senator Tanner secured a quarter of a million dollars to help restore the town of Dearfield, CO, which was originally created to assist former slaves and their families. She was a strong legislative advocate for women and children throughout her service as a senator.

In retirement, Senator Tanner continues to serve the public. In 2001, she established the Senator Gloria Tanner Leadership and Training Institute for Future Black Women Leaders of Colorado, FBWLOC. Senator Tanner believes the institute is ''essential to the well-being and growth of our community'' to identify, prepare, educate, and encourage Black women to take on leadership roles in the public and private sectors.

Senator Tanner's contributions to our community and State are abundant and unprecedented. Through all of her life experiences, she has continued to serve the American people with unwavering integrity and grace. A recipient of the Martin Luther King Humanitarian Award, her success is immeasurable.

We all owe a debt of gratitude and deep respect to Senator Gloria Travis Tanner for her life achievements and service to the people of Colorado. I thank her for her service to Colorado, our Nation, and I wish her the best in her future endeavors.●

2017 IDAHO HOMETOWN HERO MEDALISTS

● Mr. CRAPO. Mr. President, today I wish to honor the 2017 Idaho Hometown Hero Medalists.

Members of Idaho communities nominate their fellow community members for the Idaho Hometown Hero Medal. The medal honors individuals who are extraordinarily dedicated to hard work, self-improvement, and community service. Drs. Fahim and Naeem Rahim established the Idaho Hometown Hero Medal in 2011 to recognize outstanding Idahoans working for the betterment of our communities.

Ten Idahoans working in various fields are 2017 Hometown Hero Medal recipients, and I understand that this year special emphasis is being placed on those who ''Overcome Adversity'' as the 2017 theme of the awards. Century High School principal Sheryl Brockett, of Pocatello, is being honored for her two decades of dedicated service to educating youth in which she also led her school to excel in providing educational opportunities. Dr. Jacob DeLaRosa, a cardiothoracic surgeon from Pocatello, overcame significant injuries from a car accident to walk again, continue providing surgical care, and significantly contribute to the community by expanding area surgical operations. Lee Hammett, president of the board of directors for the Community Dinner Table, is being recognized for his extensive work to reduce hunger and loneliness and helping to bridge cultural and religious differences in Bingham County. Owner of Barrie's Ski and Sports Store Barrie Bennett Hunt, of Pocatello, received the medal for helping to provide others with quality access to the outdoors, inspiring active lifestyles, and giving considerably to his community, while also overcoming serious health challenges.

Executive director of the Idaho Coalition Against Sexual and Domestic Violence Kelly Miller, of Boise, is a statewide leader in ending violence and has made a considerable difference in assisting Idaho families. Manager of Morgan Construction Matt Morgan, of Idaho Falls, is honored for his courageous voice in helping advance awareness of the sexual abuse of children and his support of others who have faced child abuse, such as he did. His efforts include founding ''Building Hope Today.'' World War II veteran Anton Newman served in the U.S. Army, assisting with recovery after the Hiroshima bombing, has farmed in Cambridge, and continues to be actively involved in the community encouraging and inspiring others while overcoming considerable health challenges. Retired U.S. Army COL Craig W. Nickisch, of Chubbuck, served our Nation with distinction in Central America, Europe, and Southeast Asia and continues to serve others in various roles locally and internationally. Shoshone-Bannock Tribe member and the Tribe's public affairs manager Randy'L Teton overcame adversity to reach educational goals and has encouraged Native American education, helping educate others about the Shoshone-Bannock Tribe's history, culture, government, and economic projects. Eric Thomas, of Fremont County, has not let his disability and multiple health concerns stand in the way of him assisting others as an active member of Fremont County Search and Rescue for the past nearly 30 years.

These 10 remarkable Idahoans are now counted among the 66 Idahoans recognized through the Hometown Hero Award since its inception and the countless service-focused Idahoans who have not yet been honored but give immeasurably every day. I thank the Rahims, the award's committee members, the cosponsors, volunteers, and other organizations supporting this honor for their work to shine a spotlight on exceptionalism in our communities.

Joining in recognizing the good works of Idaho's Hometown Heroes is an honor. I also thank the award recipients for leading by example in our communities. You may never know how many others you inspire to go above and beyond in assisting others and improving our communities, but there is no doubt you are leaving a lasting, positive mark in many lives. Congratulations to the 2017 Hometown Hero Award recipients on your achievements, and thank you for your efforts to better our communities.●

TRIBUTE TO RUSTY TALBOT

● Ms. HASSAN. Mr. President, this month, I am proud to recognize Rusty Talbot, of Sugar Hill, NH, as our Granite Stater of the Month for his dedication to supporting our vibrant North Country communities.

As the founder and owner of the North Country Climbing Center, Rusty and his wife have built a small business that has been described as an ''inclusive community,'' where he strives to create a welcoming environment for both experienced climbers and beginners. He has worked diligently to engage with various organizations throughout the community, like the Adaptive Sports Partners of the North Country, which empowers individuals who experience disabilities to experience rock climbing.

Rusty is also involved with local business and entrepreneurship groups, including the Franconia Notch Regional Chamber of Commerce, the North of the Notch Young Professionals Network, the Littleton Rotary Club, and the Bethlehem Colonial Theatre. His commitment to supporting the local economy and other small businesses, in addition to his own successful climbing center, earned him Stay Work Play's Young Professional of the Year award. As New Hampshire continues to work to attract young people, his nominator noted that Rusty has ''reminded us why we chose to live and play in northern New Hampshire.''

In addition to running his business, Rusty also dedicates his time to the Sugar Hill Fire Department, where he is a volunteer firefighter, and the Pemigewasset Valley Search and Rescue Team, for which he is a lieutenant. Earlier this year, Rusty participated in the successful search and rescue effort for a hiker who had been missing in the White Mountain National Forest for days before he was found. In describing his motivation for volunteering for these critical public safety entities, Rusty says, ''In this community, people help each other. Not because it's required or because it's our job to do so, but because we are all in this together.'' That pervasive sense of selflessness and community solidarity is what makes the Granite State unique.

Throughout New Hampshire, citizens just like Rusty give back to their community, look out for their neighbors, and do what they can to help make our beautiful State a stronger place so we can all grow and thrive together. Rusty embodies the all-hands-on-deck spirit that we all strive to fulfill, and I am honored to recognize him as our Granite Stater of the Month for October.●

REMEMBERING FREDERICK AND AMY CAMPBELL

● Mr. TESTER. Mr. President, I rise today to honor two titans of military and community service, who will be laid to rest forever in Arlington National Cemetery.

Frederick Hollister Campbell and Amy Strohm Campbell were, together, a force to be reckoned with.

Fred served the United States in the Marine Corps during World War II, the Korean war and the Vietnam war—one of only 46,000 Americans to fight in three wars. Fred was a member of the American Legion Post 27 in Missoula, MT.

Amy earned a master's degree and began a teaching career during a time when few women did either. She became active in the Navy-Marine Corps Wives, Daughters of the American Revolution, and the Philanthropic Educational Organization and was a life member of both the Veterans of Foreign Wars and American Legion Auxiliaries.

At the Battle of Iwo Jima, Fred dug trenches while taking heavy Japanese fire from the mountains above. His bravery saved the lives of 250 of his fellow marines and earned him the Navy Commendation Medal. He fought in the Battle of Okinawa and was a part of the reconstruction effort in Japan after the war ended. Fred picked up the language and enjoyed friendships with the locals, spurred on by a shared love of stamp collecting.

During law school, Fred was selected for officer's candidate school. His transition from private to officer earned him the informal title of a mustang in military circles. Fred reenlisted for Active Duty to serve in the Korean war.

It was during this period of service that he met Amy on a blind date at a square dance.

They danced through life together for 61 years. The life they built brought them a treasured daughter, Susan, and many trips to Europe and one voyage through the Panama Canal.

Fred continued his career as an attorney for the Marine Corps, and his service culminated with a third enlistment during which he served in Vietnam. He retired from the U.S. Marines as a lieutenant colonel after 25 years, 2 months, and 17 days. Amy and Susan were able to fill a large shadowbox of Fred's medals as a gift for his 85th birthday.

Fred and Amy didn't slow down once they hit retirement. Fred earned a Ph.D. in American history at the age of 73. He taught at Colorado College and the University of Colorado for 13 years. Amy continued her involvement in service and military organizations in Colorado, Montana, and California.

Fred and Amy enriched the lives of friends, family, and strangers alike. Now, they will rest forever in Arlington near the statue commemorating the battle of Iwo Jima, where Fred proved his mettle by saving 250 fellow marines' lives 72 years ago.

It is my honor to present their story today.

On behalf of a grateful nation, I commend Lt. Col. Frederick Hollister Campbell and Amy Strohm Campbell for their lives of service to our Nation.●

TRIBUTE TO REVEREND DR. JONATHAN L. WEAVER

● Mr. VAN HOLLEN. Mr. President, today I wish to recognize and congratulate Rev. Dr. Jonathan L. Weaver, pastor of the Greater Mt. Nebo African Methodist Episcopal Church, on his 30th pastoral anniversary. Since 1988, Reverend Weaver has served with vision and distinction and has dedicated himself to empowering his parishioners and people throughout our community.

Reverend Weaver is an outstanding example of what it means to be engaged in a community. Under his leadership, the Greater Mt. Nebo African Methodist Episcopal Church has initiated numerous innovative programs on critical issues, including domestic violence prevention, economic empowerment, and anti-hunger. In addition, Reverend Weaver's sense of community transcends the borders of the United States. He has led mission trips to Africa, engaging in medical mission projects in Rwanda and the Democratic Republic of the Congo.

Reverend Weaver currently serves as national president of the Collective Empowerment Group, Inc., CEG, an ecumenical association comprised of nearly 500 churches across the country. CEG engages in economic empowerment initiatives focused on financial literacy, education, healthcare, homeownership preservation, and public safety through partnerships with banks and other businesses in their communities.

In 2015, Reverend Weaver became board chairman of Industrial Bank, an organization that has been recognized for its contributions to the growth and development of the greater Washington, DC, metropolitan area since 1934. He holds a bachelor's degree in business administration from Washington University in St. Louis, MO, and an MBA from Harvard University. Reverend Weaver has been married to Pamela Weaver for 30 years and has two children, Jamie Davis and Megan Holland, and four grandchildren.

Over the last 30 years, Reverend Weaver has personified the Greater Mt. Nebo African Methodist Episcopal Church's traditions of service and leadership. I ask my colleagues to join me in expressing our deepest gratitude and appreciation to Reverend Weaver for his 30 years of service to the Greater Mt. Nebo African Methodist Episcopal Church and to our community.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Cuccia, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:54 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 504. An act to permanently authorize the Asia-Pacific Economic Cooperation Business Travel Card Program.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3328. An act to require a study regarding security measures and equipment at Cuba's airports, require the standardization of Federal Air Marshal Service agreements, require efforts to raise international aviation security standards, and for other purposes.

H.R. 3551. An act to amend the Security and Accountability for Every Port Act of 2006 to reauthorize the Customs-Trade Partnership Against Terrorism Program, and for other purposes.

H.R. 4010. An act to amend the Revised Statutes of the United States and title 28, United States Code, to enhance compliance with requests for information pursuant to legislative power under Article I of the Constitution, and for other purposes.

H.R. 4038. An act to amend the Homeland Security Act of 2002 to reassert article I authorities over the Department of Homeland Security, and for other purposes.

ENROLLED BILLS SIGNED

At 12:13 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 190. An act to provide for consideration of the extension under the Energy Policy and Conservation Act of nonapplication of No-Load Mode energy efficiency standards to certain security or life safety alarms or surveillance systems, and for other purposes.

S. 585. An act to provide greater whistleblower protections for Federal employees, increased awareness of Federal whistleblower protections, and increased accountability and required discipline for Federal supervisors who retaliate against whistleblowers, and for other purposes.

S. 920. An act to establish a National Clinical Care Commission.

S. 1617. An act to designate the checkpoint of the United States Border Patrol located on United States Highway 77 North in Sarita, Texas, as the ''Javier Vega, Jr. Border Patrol Checkpoint''.

H.R. 1616. An act to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes.

H.R. 2989. An act to establish the Frederick Douglass Bicentennial Commission.

The enrolled bills were subsequently signed by the President pro tempore (Mr. HATCH).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 3328. An act to require a study regarding security measures and equipment at Cuba's airports, require the standardization of Federal Air Marshal Service agreements, require efforts to raise international aviation security standards, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 3551. An act to amend the Security and Accountability for Every Port Act of 2006 to reauthorize the Customs-Trade Partnership Against Terrorism Program, and for other purposes; to the Committee on Finance.

H.R. 4010. An act to amend the Revised Statutes of the United States and title 28, United States Code, to enhance compliance with requests for information pursuant to legislative power under Article I of the Constitution, and for other purposes; to the Committee on the Judiciary.

H.R. 4038. An act to amend the Homeland Security Act of 2002 to reassert article I authorities over the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, October 24, 2017, she had presented to the President of the United States the following enrolled bills:

S. 190. An act to provide for consideration of the extension under the Energy Policy and Conservation Act of nonapplication of No-Load Mode energy efficiency standards to certain security or life safety alarms or surveillance systems, and for other purposes.

S. 585. An act to provide greater whistleblower protections for Federal employees, increased awareness of Federal whistleblower protections, and increased accountability and required discipline for Federal supervisors who retaliate against whistleblowers, and for other purposes.

S. 920. An act to establish a National Clinical Care Commission.

S. 1617. An act to designate the checkpoint of the United States Border Patrol located on United States Highway 77 North in Sarita, Texas, as the ''Javier Vega, Jr. Border Patrol Checkpoint''.

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–3233. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace; Cheyenne, WY'' ((RIN2120–AA66) (Docket No. FAA–2016–9473)) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3234. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace, Soldotna, AK'' ((RIN2120–AA66) (Docket No. FAA–2016–9588)) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3235. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Mineral Point, WI'' ((RIN2120–AA66) (Docket No. FAA–2017–0181)) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3236. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace; New Bern, NC'' ((RIN2120–AA66) (Docket No. FAA–2017–0230)) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3237. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Hot Springs, VA'' ((RIN2120–AA66) (Docket No. FAA–2016–9453)) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3238. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Wellsboro, PA'' ((RIN2120–AA66) (Docket No. FAA–2017–0289)) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3239. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Windsor Locks, CT'' ((RIN2120–AA66) (Docket No. FAA–2016–0398)) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3240. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Ellendale, ND'' ((RIN2120–AA66) (Docket No. FAA–2017–0646)) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3241. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Wellington, KS'' ((RIN2120–AA66) (Docket No. FAA–2017–0177)) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3242. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Lemoore NAS, CA'' ((RIN2120–AA66) (Docket No. FAA–2017–0219)) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3243. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Columbia, MS'' ((RIN2120–AA66) (Docket No. FAA–2017–0277)) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3244. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Brainerd, MN'' ((RIN2120–AA66) (Docket No. FAA–2017–0188)) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3245. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Wayne, NE'' ((RIN2120–AA66) (Docket No. FAA–2017–0287)) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3246. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Midland, TX and Establishment of Class E Airspace, Odessa, TX and Midland, TX'' ((RIN2120–AA66) (Docket No. FAA–2016–9481)) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3247. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace for the following Louisiana Towns; Leesville, LA; and Patterson, LA'' ((RIN2120–AA66) (Docket No. FAA–2017–0183)) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3248. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Temporary Restricted Area R–5602; Fort Sill, OK'' ((RIN2120–AA66) (Docket No. FAA–2016–9591)) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3249. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Restricted Area R–2306F; Yuma Proving Ground, AZ'' ((RIN2120–AA66) (Docket No. FAA–2016–7055)) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3250. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Restricted Areas R–3004A and R–3004B and Establishment of R–3004C; Fort Gordon, GA'' ((RIN2120–AA66) (Docket No. FAA–2017–0886)) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3251. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''IFR Altitudes; Miscellaneous Amendments'' ((RIN2120–AA63) (Docket No. 31156)) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3252. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Safety Standards; Minimum Sound Requirements for Hybrid and Electric Vehicles'' (RIN2127–AK93) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3253. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Subsistence Taking of Northern Fur Seals on the Pribilof Islands; Final Annual Subsistence Harvest Levels for 2017–2019'' (RIN0648–BG71) received in the Office of the President of the Senate on October 18, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3254. A communication from the Assistant Director for Legislative Affairs, Consumer Financial Protection Bureau, transmitting, pursuant to law, the Annual Report of the Consumer Financial Protection Bureau Student Loan Ombudsman; to the Committees on Banking, Housing, and Urban Affairs; and Health, Education, Labor, and Pensions.

EC–3255. A communication from the Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled ''Wool Products Labeling; Fur Products Labeling; Textile Fiber Products Identification'' ((RIN3084–AB29) (RIN3084–AB27)) received during adjournment of the Senate in the Office of the President of the Senate on October 20, 2017; to the Committee on Commerce, Science, and Transportation.

EC–3256. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Treatment of Transactions in which Federal Financial Assistance is Provided'' (RIN1545–BJ08) received in the Office of the President of the Senate on October 19, 2017; to the Committee on Finance.

EC–3257. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''2017 National Pool'' (Rev. Proc. 2017–54) received in the Office of the President of the Senate on October 19, 2017; to the Committee on Finance.

EC–3258. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled ''Student Assistance General Provisions, Federal Perkins Loan Program, Federal Family Education Loan Program, William D. Ford Federal Direct Loan Program, and Teacher Education Assistance for College And Higher Education Grant Program'' (RIN1840–AD19) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC–3259. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled ''Regulation Crowdfunding and Regulation A Relief and Assistance for Victims of Hurricane Harvey, Hurricane Irma, and Hurricane Maria'' ((17 CFR Part 227) (17 CFR Part 230)) received in the Office of the President of the Senate on October 19, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC–3260. A communication from the Executive Director of the National Advisory Committee on Institutional Quality and Integrity, Office of Postsecondary Education, Department of Education, transmitting, pursuant to law, the National Advisory Committee's Annual Report on Institutional Quality and Integrity for Fiscal Year 2017; to the Committee on Health, Education, Labor, and Pensions.

EC–3261. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary, Office of Career, Technical, and Adult Education, Department of Education, received in the Office of the President of the Senate on October 19, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC–3262. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary, Office of Career, Technical, and Adult Education, Department of Education, received in the Office of the President of the Senate on October 19, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC–3263. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Deputy Secretary, Department of Education, received in the Office of the President of the Senate on October 19, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC–3264. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary, Office of Planning, Evaluation, and Policy Development, Department of Education, received in the Office of the President of the Senate on October 19, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC–3265. A communication from the Deputy Assistant Administrator of the Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Schedules of Controlled Substances: Placement of AB–CHMINACA, AB–PINACA and THJ–221 Into Schedule I'' (Docket No. DEA–402) received during adjournment of the Senate in the Office of the President of the Senate on October 20, 2017; to the Committee on the Judiciary.

EC–3266. A communication from the Deputy Assistant Administrator of the Office of Diversion Control, Drug Enforcement Agency, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Schedules of Controlled Substances: Removal of Naldemedine From Control'' (Docket No. DEA–402) received during adjournment of the Senate in the Office of the President of the Senate on October 20, 2017; to the Committee on the Judiciary.

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–122. A resolution adopted by the Board of Commissioners of Marquette County, Michigan opposing slashing federal funding for the Great Lakes Restoration Initiative; to the Committee on Environment and Public Works.

POM–123. A petition from a citizen of the State of Texas relative to a federal holiday; to the Committee on the Judiciary.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. HATCH for the Committee on Finance.

*Jeffrey Gerrish, of Maryland, to be a Deputy United States Trade Representative (Asia, Europe, the Middle East, and Industrial Competitiveness), with the rank of Ambassador.

*Gregory Doud, of Kansas, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador.

*Jason Kearns, of Colorado, to be a Member of the United States International Trade Commission for the term expiring December 16, 2024.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. RUBIO:

S. 1995. A bill to amend the Small Business Investment Act of 1958 to improve the number of small business investment companies in underlicensed States, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. BOOKER (for himself, Mr. DURBIN, Mr. CARPER, Mr. SCHATZ, Mr. UDALL, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. MARKEY, Mr. MERKLEY, Ms. WARREN, Ms. HARRIS, and Mr. SANDERS):

S. 1996. A bill to require Federal agencies to address environmental justice, to require consideration of cumulative impacts in certain permitting decisions, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WYDEN (for himself, Mr. PAUL, Mr. UDALL, Ms. BALDWIN, Mr. HEINRICH, Ms. HIRONO, Mr. MERKLEY, Mr. MARKEY, Mr. SANDERS, Ms. WARREN, Mr. TESTER, Mr. HELLER, Mr. LEE, and Mr. DAINES):

S. 1997. A bill to amend the Foreign Intelligence Surveillance Act of 1978 to protect privacy rights, and for other purposes; to the Committee on the Judiciary.

By Ms. HEITKAMP (for herself and Mrs. ERNST):

S. 1998. A bill to amend the Agricultural Act of 2014 to reduce county yield disparities for agriculture risk coverage; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BLUMENTHAL:

S. 1999. A bill to provide for further comprehensive research at the National Institute of Neurological Disorders and Stroke on unruptured intracranial aneurysms; to the Committee on Health, Education, Labor, and Pensions.

By Ms. DUCKWORTH:

S. 2000. A bill to amend the Safe Drinking Water Act to improve transparency under the national primary drinking water regulations for lead and copper, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SCHATZ (for himself, Mr. BOOKER, Ms. HARRIS, Mr. HEINRICH, Mr. SANDERS, Ms. CORTEZ MASTO, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. MARKEY, Ms. WARREN, Mr. LEAHY, Mr. MERKLEY, Mr. REED, Ms. BALDWIN, Ms. HIRONO, Mr. MURPHY, and Mr. UDALL):

S. 2001. A bill to establish a State public option through Medicaid to provide Americans with the choice of a high-quality, low-cost health insurance plan; to the Committee on Finance.

By Mrs. MCCASKILL:

S. 2002. A bill to amend the National Security Act of 1947 to provide whistleblower protections for employees of contractors of elements of the intelligence community, and for other purposes; to the Select Committee on Intelligence.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. COONS (for himself and Mr. TOOMEY):

S. Res. 301. A resolution designating the week beginning on October 22, 2017, as ''National Chemistry Week''; considered and agreed to.

By Mr. MCCONNELL (for himself, Mr. SCHUMER, Mr. SHELBY, and Ms. KLOBUCHAR):

S. Res. 302. A resolution authorizing limited still photography of the Senate Wing of the United States Capitol and authorizing the release of preexisting photographs of the Senate Chamber and Senate Wing of the United States Capitol for a book on the history of the Senate; considered and agreed to.

ADDITIONAL COSPONSORS

S. 221

At the request of Mr. DAINES, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 221, a bill to allow a State to submit a declaration of intent to the Secretary of Education to combine certain funds to improve the academic achievement of students.

S. 298

At the request of Mr. COCHRAN, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 298, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 322

At the request of Mr. PETERS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 322, a bill to protect victims of domestic violence, sexual assault, stalking, and dating violence from emotional and psychological trauma caused by acts of violence or threats of violence against their pets.

S. 424

At the request of Mr. BOOKER, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 424, a bill to amend title 5, United States Code, to include certain Federal positions within the definition of law enforcement officer for retirement purposes, and for other purposes.

S. 479

At the request of Mr. BROWN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 479, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 591

At the request of Mrs. MURRAY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 591, a bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

S. 654

At the request of Mr. TOOMEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 654, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 928

At the request of Mrs. MURRAY, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 928, a bill to prohibit, as an unfair or deceptive act or practice, commercial sexual orientation conversion therapy, and for other purposes.

S. 998

At the request of Mr. DAINES, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 998, a bill to amend the Tariff Act of 1930 to protect personally identifiable information, and for other purposes.

S. 1042

At the request of Mr. BENNET, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1042, a bill to amend the Internal Revenue Code to exclude Segal Americorps Education Awards and related awards from income.

S. 1110

At the request of Ms. DUCKWORTH, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1110, a bill to amend title 49, United States Code, to provide for private lactation areas in the terminals of large and medium hub airports, and for other purposes.

S. 1113

At the request of Mrs. FEINSTEIN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1113, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure the safety of cosmetics.

S. 1152

At the request of Mr. MERKLEY, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1152, a bill to create protections for depository institutions that provide financial services to cannabis-related businesses, and for other purposes.

S. 1361

At the request of Mr. CRAPO, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1361, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 1400

At the request of Mr. HEINRICH, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1400, a bill to amend title 18, United States Code, to enhance protections of Native American tangible cultural heritage, and for other purposes.

S. 1558

At the request of Mr. RISCH, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 1558, a bill to amend section 203 of Public Law 94–305 to ensure proper authority for the Office of Advocacy of the Small Business Administration, and for other purposes.

S. 1559

At the request of Mr. RISCH, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 1559, a bill to ensure a complete analysis of the potential impacts of rules on small entities.

S. 1706

At the request of Mr. WYDEN, his name was added as a cosponsor of S. 1706, a bill to prevent human health threats posed by the consumption of equines raised in the United States.

S. 1718

At the request of Mr. KENNEDY, the names of the Senator from Georgia (Mr. ISAKSON) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1718, a bill to authorize the minting of a coin in honor of the 75th anniversary of the end of World War II, and for other purposes.

S. 1756

At the request of Mr. SULLIVAN, the name of the Senator from Alabama (Mr. STRANGE) was added as a cosponsor of S. 1756, a bill to improve the processes by which environmental documents are prepared and permits and applications are processed and regulated by Federal departments and agencies, and for other purposes.

S. 1764

At the request of Mr. BOOKER, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1764, a bill to extend the principle of federalism to State drug policy, provide access to medical marijuana, and

enable research into the medicinal properties of marijuana.

S. 1808

At the request of Ms. BALDWIN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1808, a bill to extend temporarily the Federal Perkins Loan program, and for other purposes.

S. 1850

At the request of Mr. MANCHIN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1850, a bill to amend the Public Health Service Act to protect the confidentiality of substance use disorder patient records.

S. 1893

At the request of Mr. PERDUE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1893, a bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to specify when bank holding companies may be subject to certain enhanced supervision, and for other purposes.

S. 1927

At the request of Mr. DURBIN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1927, a bill to amend section 455(m) of the Higher Education Act of 1965 in order to allow adjunct faculty members to qualify for public service loan forgiveness.

S. 1960

At the request of Mrs. MCCASKILL, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1960, a bill to repeal the amendments made to the Controlled Substances Act by the Ensuring Patient Access and Effective Drug Enforcement Act of 2016.

S. 1979

At the request of Mr. MURPHY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1979, a bill to block the implementation of certain presidential actions that restrict individuals from certain countries from entering the United States.

S. RES. 136

At the request of Ms. DUCKWORTH, her name was added as a cosponsor of S. Res. 136, a resolution expressing the sense of the Senate regarding the 102nd anniversary of the Armenian Genocide.

S. RES. 211

At the request of Mr. TOOMEY, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. Res. 211, a resolution condemning the violence and persecution in Chechnya.

S. RES. 245

At the request of Mr. CRUZ, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Florida (Mr. NELSON) were added as cosponsors of S. Res. 245, a resolution calling on the Government of Iran to release unjustly detained United States citizens and legal permanent resident aliens, and for other purposes.

S. RES. 291

At the request of Mr. CRUZ, the names of the Senator from Oklahoma (Mr. INHOFE) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. Res. 291, a resolution affirming the historical connection of the Jewish people to the ancient and sacred city of Jerusalem and condemning efforts at the United Nations Educational, Scientific, and Cultural Organization (UNESCO) to deny Judaism's millennia-old historical, religious, and cultural ties to Jerusalem.

AMENDMENT NO. 1576

At the request of Mr. SHELBY, the names of the Senator from Arkansas (Mr. COTTON) and the Senator from Alabama (Mr. STRANGE) were added as cosponsors of amendment No. 1576 intended to be proposed to H.R. 2266, a bill to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges; and for other purposes.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 301—DESIGNATING THE WEEK BEGINNING ON OCTOBER 22, 2017, AS ''NATIONAL CHEMISTRY WEEK''

Mr. COONS (for himself and Mr. TOOMEY) submitted the following resolution; which was considered and agreed to:

S. RES. 301

Whereas chemistry is the science of basic units of matter and, consequently, plays a role in every aspect of human life;

Whereas chemistry has broad applications, including food science, soil science, water quality, energy, sustainability, medicine, and electronics;

Whereas the science of chemistry is vital to improving the quality of human life and plays an important role in addressing critical global challenges;

Whereas innovations in chemistry continue to spur economic growth and job creation and have applications for a wide range of industries;

Whereas National Chemistry Week is part of a broader vision to improve human life through chemistry and to advance the chemistry enterprise and the practitioners of that enterprise for the benefit of communities and the environment;

Whereas the purpose of National Chemistry Week is to reach the public with educational messages about chemistry in order to foster greater understanding of and appreciation for the applications and benefits of chemistry;

Whereas National Chemistry Week strives to stimulate the interest of young people, including women and underrepresented groups, in enthusiastically studying science, technology, engineering, and mathematics and in pursuing science-related careers that lead to innovations and major scientific breakthroughs;

Whereas National Chemistry Week highlights many of the everyday uses of chemistry, including in food, dyes and pigments, plastics, soaps and detergents, health products, and energy technologies;

Whereas the theme of the 30th annual National Chemistry Week is ''Chemistry Rocks!''; and

Whereas students who participate in National Chemistry Week deserve recognition and support for their efforts: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week beginning on October 22, 2017, as ''National Chemistry Week'';

(2) supports the goals of and welcomes the participants in the 30th annual National Chemistry Week;

(3) recognizes the need to promote the fields of science, including chemistry, technology, engineering, and mathematics and to encourage youth to pursue careers in these fields; and

(4) commends the American Chemical Society and the partners of that society for organizing and convening events and activities surrounding National Chemistry Week each year.

SENATE RESOLUTION 302—AUTHORIZING LIMITED STILL PHOTOGRAPHY OF THE SENATE WING OF THE UNITED STATES CAPITOL AND AUTHORIZING THE RELEASE OF PREEXISTING PHOTOGRAPHS OF THE SENATE CHAMBER AND SENATE WING OF THE UNITED STATES CAPITOL FOR A BOOK ON THE HISTORY OF THE SENATE

Mr. MCCONNELL (for himself, Mr. SCHUMER, Mr. SHELBY, and Ms. KLOBUCHAR) submitted the following resolution; which was considered and agreed to:

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the resolution be printed in the RECORD.

There being no objection, the text of the resolution was ordered to be printed in the RECORD, as follows:

S. RES. 302

SECTION 1. AUTHORIZATION OF TAKING OF STILL PHOTOGRAPHY OF THE SENATE WING AND AUTHORIZING THE RELEASE OF PREEXISTING PHOTOGRAPHS.

(a) AUTHORIZATION.—During the period beginning on the date of adoption of this resolution and ending on January 31, 2018, with respect to an individual or entity entering into a memorandum of understanding described in subsection (d), and subject to such memorandum—

(1) paragraph 1 of rule IV of the Rules for the Regulation of the Senate Wing of the United States Capitol and Senate Office Buildings (prohibiting the taking of pictures in the Senate Chamber) is temporarily suspended for the release of a limited number of preexisting photographs of the Senate Chamber; and

(2) taking a limited number of pictures shall be permitted in the Senate Wing of the United States Capitol and in Senate Office Buildings.

(b) LIMITATION ON USE OF IMAGES.—The pictures taken under subsection (a) may only be used for production of a book on the history of the Senate.

(c) ARRANGEMENTS.—The Sergeant at Arms and Doorkeeper of the Senate, the Secretary of the Senate, and the Architect of the Capitol shall, as appropriate, make the necessary arrangements to carry out this resolution, including such arrangements as are necessary to ensure that the taking of pictures under this resolution does not disrupt any proceeding of the Senate.

(d) PRODUCTION AGREEMENT.—The Majority Leader of the Senate, the Minority Leader of

the Senate, and the Chairman and Ranking Member of the Committee on Rules and Administration of the Senate may jointly enter into a memorandum of understanding with an individual or entity seeking to take photographs and make use of preexisting photographs for a book on the history of the Senate to formalize an agreement on conditions, locations, and times for taking such photographs and the use of the photographs taken under this resolution.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1577. Mr. MCCONNELL (for Mr. CASSIDY (for himself, Mr. BENNET, Mr. BLUNT, and Mr. FRANKEN)) proposed an amendment to the bill H.R. 304, to amend the Controlled Substances Act with regard to the provision of emergency medical services.

SA 1578. Mr. MCCONNELL (for Mrs. ERNST) proposed an amendment to the resolution S. Res. 234, recognizing the Sailors and Marines who sacrificed their lives for ship and shipmates while fighting the devastating 1967 fire onboard USS Forrestal and, during the week of the 50th anniversary of the tragic event, commemorating the efforts of those who survived.

TEXT OF AMENDMENTS

SA 1577. Mr. MCCONNELL (for Mr. CASSIDY (for himself, Mr. BENNET, Mr. BLUNT, and Mr. FRANKEN)) proposed an amendment to the bill H.R. 304, to amend the Controlled Substances Act with regard to the provision of emergency medical services; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Protecting Patient Access to Emergency Medications Act of 2017''.

SEC. 2. EMERGENCY MEDICAL SERVICES.

Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended—

(1) by redesignating subsection (j) as subsection (k); and

(2) by inserting after subsection (i) the following:

''(j) EMERGENCY MEDICAL SERVICES THAT ADMINISTER CONTROLLED SUBSTANCES.—

''(1) REGISTRATION.—For the purpose of enabling emergency medical services professionals to administer controlled substances in schedule II, III, IV, or V to ultimate users receiving emergency medical services in accordance with the requirements of this subsection, the Attorney General—

''(A) shall register an emergency medical services agency if the agency submits an application demonstrating it is authorized to conduct such activity under the laws of each State in which the agency practices; and

''(B) may deny an application for such registration if the Attorney General determines that the issuance of such registration would be inconsistent with the requirements of this subsection or the public interest based on the factors listed in subsection (f).

''(2) OPTION FOR SINGLE REGISTRATION.—In registering an emergency medical services agency pursuant to paragraph (1), the Attorney General shall allow such agency the option of a single registration in each State where the agency administers controlled substances in lieu of requiring a separate registration for each location of the emergency medical services agency.

''(3) HOSPITAL-BASED AGENCY.—If a hospital-based emergency medical services agency is registered under subsection (f), the agency may use the registration of the hospital to administer controlled substances in accordance with this subsection without being registered under this subsection.

''(4) ADMINISTRATION OUTSIDE PHYSICAL PRESENCE OF MEDICAL DIRECTOR OR AUTHORIZING MEDICAL PROFESSIONAL.—Emergency medical services professionals of a registered emergency medical services agency may administer controlled substances in schedule II, III, IV, or V outside the physical presence of a medical director or authorizing medical professional in the course of providing emergency medical services if the administration is—

''(A) authorized by the law of the State in which it occurs; and

''(B) pursuant to—

''(i) a standing order that is issued and adopted by one or more medical directors of the agency, including any such order that may be developed by a specific State authority; or

''(ii) a verbal order that is—

''(I) issued in accordance with a policy of the agency; and

''(II) provided by a medical director or authorizing medical professional in response to a request by the emergency medical services professional with respect to a specific patient—

''(aa) in the case of a mass casualty incident; or

''(bb) to ensure the proper care and treatment of a specific patient.

''(5) DELIVERY.—A registered emergency medical services agency may deliver controlled substances from a registered location of the agency to an unregistered location of the agency only if the agency—

''(A) designates the unregistered location for such delivery; and

''(B) notifies the Attorney General at least 30 days prior to first delivering controlled substances to the unregistered location.

''(6) STORAGE.—A registered emergency medical services agency may store controlled substances—

''(A) at a registered location of the agency;

''(B) at any designated location of the agency or in an emergency services vehicle situated at a registered or designated location of the agency; or

''(C) in an emergency medical services vehicle used by the agency that is—

''(i) traveling from, or returning to, a registered or designated location of the agency in the course of responding to an emergency; or

''(ii) otherwise actively in use by the agency under circumstances that provide for security of the controlled substances consistent with the requirements established by regulations of the Attorney General.

''(7) NO TREATMENT AS DISTRIBUTION.—The delivery of controlled substances by a registered emergency medical services agency pursuant to this subsection shall not be treated as distribution for purposes of section 308.

''(8) RESTOCKING OF EMERGENCY MEDICAL SERVICES VEHICLES AT A HOSPITAL.—Notwithstanding paragraph (13)(J), a registered emergency medical services agency may receive controlled substances from a hospital for purposes of restocking an emergency medical services vehicle following an emergency response, and without being subject to the requirements of section 308, provided all of the following conditions are satisfied:

''(A) The registered or designated location of the agency where the vehicle is primarily situated maintains a record of such receipt in accordance with paragraph (9).

''(B) The hospital maintains a record of such delivery to the agency in accordance with section 307.

''(C) If the vehicle is primarily situated at a designated location, such location notifies the registered location of the agency within 72 hours of the vehicle receiving the controlled substances.

''(9) MAINTENANCE OF RECORDS.—

''(A) IN GENERAL.—A registered emergency medical services agency shall maintain records in accordance with subsections (a) and (b) of section 307 of all controlled substances that are received, administered, or otherwise disposed of pursuant to the agency's registration, without regard to subsection 307(c)(1)(B).

''(B) REQUIREMENTS.—Such records—

''(i) shall include records of deliveries of controlled substances between all locations of the agency; and

''(ii) shall be maintained, whether electronically or otherwise, at each registered and designated location of the agency where the controlled substances involved are received, administered, or otherwise disposed of.

''(10) OTHER REQUIREMENTS.—A registered emergency medical services agency, under the supervision of a medical director, shall be responsible for ensuring that—

''(A) all emergency medical services professionals who administer controlled substances using the agency's registration act in accordance with the requirements of this subsection;

''(B) the recordkeeping requirements of paragraph (9) are met with respect to a registered location and each designated location of the agency;

''(C) the applicable physical security requirements established by regulation of the Attorney General are complied with wherever controlled substances are stored by the agency in accordance with paragraph (6); and

''(D) the agency maintains, at a registered location of the agency, a record of the standing orders issued or adopted in accordance with paragraph (9).

''(11) REGULATIONS.—The Attorney General may issue regulations—

''(A) specifying, with regard to delivery of controlled substances under paragraph (5)—

''(i) the types of locations that may be designated under such paragraph; and

''(ii) the manner in which a notification under paragraph (5)(B) must be made;

''(B) specifying, with regard to the storage of controlled substances under paragraph (6), the manner in which such substances must be stored at registered and designated locations, including in emergency medical service vehicles; and

''(C) addressing the ability of hospitals, emergency medical services agencies, registered locations, and designated locations to deliver controlled substances to each other in the event of—

''(i) shortages of such substances;

''(ii) a public health emergency; or

''(iii) a mass casualty event.

''(12) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed—

''(A) to limit the authority vested in the Attorney General by other provisions of this title to take measures to prevent diversion of controlled substances; or

''(B) to override the authority of any State to regulate the provision of emergency medical services consistent with this subsection.

''(13) DEFINITIONS.—In this section:

''(A) The term 'authorizing medical professional' means an emergency or other physician, or another medical professional (including an advanced practice registered nurse or physician assistant)—

''(i) who is registered under this Act;

''(ii) who is acting within the scope of the registration; and

''(iii) whose scope of practice under a State license or certification includes the ability to provide verbal orders.

''(B) The term 'designated location' means a location designated by an emergency medical services agency under paragraph (5).

''(C) The term 'emergency medical services' means emergency medical response and emergency mobile medical services provided outside of a fixed medical facility.

''(D) The term 'emergency medical services agency' means an organization providing emergency medical services, including such an organization that—

''(i) is governmental (including fire-based and hospital-based agencies), nongovernmental (including hospital-based agencies), private, or volunteer-based;

''(ii) provides emergency medical services by ground, air, or otherwise; and

''(iii) is authorized by the State in which the organization is providing such services to provide emergency medical care, including the administering of controlled substances, to members of the general public on an emergency basis.

''(E) The term 'emergency medical services professional' means a health care professional (including a nurse, paramedic, or emergency medical technician) licensed or certified by the State in which the professional practices and credentialed by a medical director of the respective emergency medical services agency to provide emergency medical services within the scope of the professional's State license or certification.

''(F) The term 'emergency medical services vehicle' means an ambulance, fire apparatus, supervisor truck, or other vehicle used by an emergency medical services agency for the purpose of providing or facilitating emergency medical care and transport or transporting controlled substances to and from the registered and designated locations.

''(G) The term 'hospital-based' means, with respect to an agency, owned or operated by a hospital.

''(H) The term 'medical director' means a physician who is registered under subsection (f) and provides medical oversight for an emergency medical services agency.

''(I) The term 'medical oversight' means supervision of the provision of medical care by an emergency medical services agency.

''(J) The term 'registered emergency medical services agency' means—

''(i) an emergency medical services agency that is registered pursuant to this subsection; or

''(ii) a hospital-based emergency medical services agency that is covered by the registration of the hospital under subsection (f).

''(K) The term 'registered location' means a location that appears on the certificate of registration issued to an emergency medical services agency under this subsection or subsection (f), which shall be where the agency receives controlled substances from distributors.

''(L) The term 'specific State authority' means a governmental agency or other such authority, including a regional oversight and coordinating body, that, pursuant to State law or regulation, develops clinical protocols regarding the delivery of emergency medical services in the geographic jurisdiction of such agency or authority within the State that may be adopted by medical directors.

''(M) The term 'standing order' means a written medical protocol in which a medical director determines in advance the medical criteria that must be met before administering controlled substances to individuals in need of emergency medical services.

''(N) The term 'verbal order' means an oral directive that is given through any method of communication including by radio or telephone, directly to an emergency medical services professional, to contemporaneously administer a controlled substance to individuals in need of emergency medical services outside the physical presence of the medical director or authorizing medical professional.''.

SA 1578. Mr. MCCONNELL (for Mrs. ERNST) proposed an amendment to the resolution S. Res. 234, recognizing the Sailors and Marines who sacrificed their lives for ship and shipmates while fighting the devastating 1967 fire onboard USS *Forrestal* and, during the week of the 50th anniversary of the tragic event, commemorating the efforts of those who survived; as follows:

In paragraph (2) of the seventh whereas clause, strike ''more than''.

Strike the third whereas clause and insert the following:

Whereas, on July 28, 1967, during an underway replenishment, the crew of *USS Forrestal* onloaded deteriorated bombs, which were more vulnerable to explosion at high temperatures;

Whereas, on July 29, 1967, the ordnance load for the strike was changed at the request of the crew of *USS Forrestal* to expend the inventory of the newly onloaded older bombs as soon as possible;

AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 6 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 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, October 24, 2017, at 10 a.m., to conduct a hearing on the following nominations: David J. Ryder, of New Jersey, to be Director of the United States Mint, Department of the Treasury, and Hester Maria Peirce, of Ohio, and Robert J. Jackson, Jr., of New York, both to be a Member of the Securities and Exchange Commission.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, October 24, 2017, at 10 a.m., in room SD–215 to consider nominations.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, October 24, 2017, at 10 a.m., in room SD–215 to consider nominations of: Kevin K. McAleenan, of Hawaii, to be Commissioner of U.S. Customs and Border Protection, Department of Homeland Security.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, October 24, 2017, at 10 a.m., to hold a hearing entitled ''Assessing U.S. Policy towards Burma: Geopolitical, Economic, and Humanitarian Considerations.''

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, October 24, 2017, at 2:30 p.m., in room SH–219 to conduct a closed hearing.

SUBCOMMITTEE ON OCEANS, ATMOSPHERE, FISHERIES, AND COAST GUARD

The Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, October 24, 2017, at 2:30 p.m., in room SR–253 to conduct a hearing entitled ''Reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act: Fisheries Science''.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Democratic leader, pursuant to the provisions of Public Law 114–323, appoints the following individuals to serve as members of the Western Hemisphere Drug Policy Commission: Juan S. Gonzalez of the District of Columbia and Douglas M. Fraser of Florida.

EXCLUDING POWER SUPPLY CIRCUITS, DRIVERS, AND DEVICES FROM ENERGY CONSERVATION STANDARDS FOR EXTERNAL POWER SUPPLIES

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 97, S. 226.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 226) to exclude power supply circuits, drivers, and devices designed to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination or ceiling fans using direct current motors from energy conservation standards for external power supplies.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be considered read a third time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. MCCONNELL. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 226) was passed, as follows:

S. 226

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

SECTION 1. APPLICATION OF ENERGY CONSERVATION STANDARDS TO CERTAIN EXTERNAL POWER SUPPLIES.

(a) DEFINITION OF EXTERNAL POWER SUPPLY.—Section 321(36)(A) of the Energy Policy and Conservation Act (42 U.S.C. 6291(36)(A)) is amended—

(1) by striking the subparagraph designation and all that follows through ''The term'' and inserting the following:

''(A) EXTERNAL POWER SUPPLY.—

''(i) IN GENERAL.—The term''; and

(2) by adding at the end the following:

''(ii) EXCLUSION.—The term 'external power supply' does not include a power supply circuit, driver, or device that is designed exclusively to be connected to, and power—

''(I) light-emitting diodes providing illumination;

''(II) organic light-emitting diodes providing illumination; or

''(III) ceiling fans using direct current motors.''.

(b) STANDARDS FOR LIGHTING POWER SUPPLY CIRCUITS.—

(1) DEFINITION.—Section 340(2)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6311(2)(B)) is amended by striking clause (v) and inserting the following:

''(v) electric lights and lighting power supply circuits;''.

(2) ENERGY CONSERVATION STANDARD FOR CERTAIN EQUIPMENT.—Section 342 of the Energy Policy and Conservation Act (42 U.S.C. 6313) is amended by adding at the end the following:

''(g) LIGHTING POWER SUPPLY CIRCUITS.—If the Secretary, acting pursuant to section 341(b), includes as a covered equipment solid state lighting power supply circuits, drivers, or devices described in section 321(36)(A)(ii), the Secretary may prescribe under this part, not earlier than 1 year after the date on which a test procedure has been prescribed, an energy conservation standard for such equipment.''.

(c) TECHNICAL CORRECTIONS.—

(1) Section 321(6)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6291(6)(B)) is amended by striking ''(19)'' and inserting ''(20)''.

(2) Section 324 of the Energy Policy and Conservation Act (42 U.S.C. 6294) is amended by striking ''(19)'' each place it appears in each of subsections (a)(3), (b)(1)(B), (b)(3), and (b)(5) and inserting ''(20)''.

(3) Section 325(l) of the Energy Policy and Conservation Act (42 U.S.C. 6295(l)) is amended by striking ''paragraph (19)'' each place it appears and inserting ''paragraph (20)''.

Mr. MCCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROTECTING PATIENT ACCESS TO EMERGENCY MEDICATIONS ACT OF 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be discharged from further consideration of H.R. 304 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 304) to amend the Controlled Substances Act with regard to the provision of emergency medical services.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the Cassidy substitute amendment which is at the desk be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1577) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 304), as amended, was passed.

RECOGNIZING THE SAILORS AND MARINES WHO SACRIFICED THEIR LIVES WHILE FIGHTING THE DEVASTATING 1967 FIRE ONBOARD USS FORRESTAL

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Armed Services Committee be discharged from further consideration of and the Senate now proceed to the consideration of S. Res. 234.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 234) recognizing the Sailors and Marines who sacrificed their lives for ship and shipmates while fighting the devastating 1967 fire onboard USS Forrestal and, during the week of the 50th anniversary of the tragic event, commemorating the efforts of those who survived.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the Ernst amendment to the preamble be considered and agreed to, the preamble, as amended, be agreed to, and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 234) was agreed to.

The amendment (No. 1578) was agreed to, as follows:

(Purpose: To amend the preamble)

In paragraph (2) of the seventh whereas clause, strike ''more than''.

Strike the third whereas clause and insert the following:

Whereas, on July 28, 1967, during an underway replenishment, the crew of *USS Forrestal* onloaded deteriorated bombs, which were more vulnerable to explosion at high temperatures;

Whereas, on July 29, 1967, the ordnance load for the strike was changed at the request of the crew of *USS Forrestal* to expend the inventory of the newly onloaded older bombs as soon as possible;

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, reads as follows:

S. RES. 234

Whereas in 1967, the ongoing naval bombing campaign against North Vietnam from Yankee Station in the Gulf of Tonkin was the most intense and sustained air attack operation in the history of the United States Navy;

Whereas in June 1967, USS Forrestal and Carrier Air Wing Seventeen departed Norfolk, Virginia, for duty in the Gulf of Tonkin;

Whereas, on July 28, 1967, during an underway replenishment, the crew of USS Forrestal onloaded deteriorated bombs, which were more vulnerable to explosion at high temperatures;

Whereas, on July 29, 1967, the ordnance load for the strike was changed at the request of the crew of USS Forrestal to expend the inventory of the newly onloaded older bombs as soon as possible;

Whereas despite safety precautions taken by the crew, a devastating fire erupted on USS Forrestal after—

(1) an electrical surge in a parked aircraft caused the aircraft to fire a Zuni rocket that ruptured a fuel tank on another aircraft; and

(2) the burning fuel ignited a chain reaction of 9 bomb explosions on the flight deck;

Whereas the explosions destroyed multiple aircraft and tore massive holes in the armored flight deck of USS Forrestal, and burning fuel dripped into the living quarters of the crew and the below-decks aircraft hangar;

Whereas for 18 hours, Sailors and Marines on USS Forrestal, assisted by others from accompanying destroyers, fought to bring the fire under control while hospital corpsmen navigated the mangled flight deck and tended to the wounded; and

Whereas the fire onboard USS Forrestal ultimately—

(1) left 134 men dead and 161 men severely injured;

(2) destroyed 21 aircraft; and

(3) caused USS Forrestal to terminate its support to the fight in Vietnam and return to Norfolk, Virginia, for repairs: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that—

(A) if not for the heroic actions of the crew of USS Forrestal, the consequences of the fire would have been far more devastating to the Sailors and Marines onboard and the aircraft carrier itself; and

(B) the selfless sacrifices of those who came to the rescue of fellow shipmates and USS Forrestal represent, and are consistent with, the highest traditions of the United States Navy;

(2) commemorates the 50th anniversary of the USS Forrestal fire; and

(3) expresses gratitude to the Sailors and Marines who served aboard USS Forrestal for their faithful service.

NATIONAL CHEMISTRY WEEK

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 301, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 301) designating the week beginning October 22, 2017, as ''National Chemistry Week.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 301) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

AUTHORIZING LIMITED STILL PHOTOGRAPHY OF THE SENATE WING OF THE UNITED STATES CAPITOL

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 302, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 302) authorizing limited still photography of the Senate Wing of the United States Capitol and authorizing the release of preexisting photographs of the Senate Chamber and Senate wing of the United States Capitol for a book on the history of the Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 302) was agreed to.

(The resolution is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR WEDNESDAY, OCTOBER 25, 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, October 25; 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 Palk nomination, with the time until the cloture vote equally divided between the two leaders or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator FRANKEN.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Minnesota.

REMEMBERING PAUL WELLSTONE

Mr. FRANKEN. Mr. President, I rise today to remember and celebrate the life of my friend, Senator Paul Wellstone.

Paul led a lot of fights in the Senate on behalf of working families and those without a voice. He didn't back down even when a fight seemed unwinnable. He told voters exactly what he believed even when it wasn't popular. It was by taking such positions that Minnesotans, whether they agreed with him or not, always knew where he stood.

In the final days of the 2002 campaign, he told Minnesotans:

I don't represent the big oil companies, I don't represent the big pharmaceutical companies . . . they already have great representation in Washington. It's the rest of the people that need it. I represent the people of Minnesota.

But Paul also knew full well that standing up to powerful interests could have steep political costs. His career in the Senate was bookended by votes on going to war in Iraq. Both of his votes were unpopular, but Paul stood on principle, not on politics. His maiden speech, the first speech he gave as a Senator, was in opposition to the first Gulf war, and one of the last Senate votes he cast was against the second war in Iraq.

He was facing a tough reelection challenge at the time of his vote, and he knew it might cost him his seat, and he told friends so. But to have voted otherwise, he said, would have violated the principles that guided his career. So he voted his conscience and put political considerations aside, just as he did throughout his time in public office.

Then, just 11 days before election day, his plane went down, taking not only Paul and Sheila, his wife, but their daughter Marcia, campaign staffers Tom Lapic, Mary McEvoy, and Will McLaughlin, as well as pilots Richard Conry and Michael Guess.

Since coming to the Senate, I have learned how well regarded Paul was around the Capitol, not only by Senators from both sides of the aisle but also by Capitol police officers, whom he knew by name, and the elevator operators, for whom he always made time.

Paul's legislative work continues to make a profound difference in the lives of millions of Americans. Among his accomplishments are his pioneering efforts, along with Republican Senator Pete Domenici of New Mexico, on mental health parity, which ensures that copays and deductibles for addiction and mental health services are on par with payments for other medical services. The law was jointly named for Paul and Senator Domenici, and it passed in late 2008, 6 years after Paul's death.

After I was seated in 2009, one of the first things I did was to work with Paul's son David on getting the final rules written to implement Wellstone-Domenici. That work inspired me to later push for investments in school mental health services, to help students and their families who need those services.

Paul also led the David-and-Goliath effort to stop bankruptcy legislation that favored big banks and credit card companies over working families. Despite going up against a wide range of special interests with huge lobbying power and lots of money, he successfully held off passage of the bill during his lifetime.

He also took on special interests when he stood against oil drilling in the Arctic National Wildlife Refuge. He believed, like I do, that the long-term consequences of endangering the home of indigenous people and a pristine habitat for wildlife far outweighed ''a short-term speculative supply of oil that will not . . . help consumers.'' Because of Paul and others in the Senate, the Wildlife Refuge, at least for now, remains pristine.

Paul also had an amazing and special relationship with Sheila, who became an important partner in his Senate work. She became a leading advocate for survivors of domestic violence, spending years raising awareness about the issue and the need to address its causes. Former Senator and Vice President Joe Biden said Sheila deserves as much credit as any lawmaker for passage of the landmark Violence Against Women Act. Since the law's enactment, incidents of domestic violence have been reduced significantly. It was a landmark achievement.

My constituents remember Paul fondly. They leave notes and mementos for him at the quiet memorial site honoring him just off of Highway 53, near Eveleth, MN. They leave them for his wife Sheila, too, and for the others who died with them exactly 15 years ago tomorrow, when their plane tragically crashed just miles from the Eveleth-Virginia Municipal Airport.

I have been to the memorial site, and I have seen how deeply and personally Paul touched people in Minnesota and across the country. He inspired them not only as a U.S. Senator for 12 years but also as a Carleton College professor who encouraged a generation of students to take action in their communities. He did so as a fiery organizer who stood up for Minnesota farmers and for working families and insisted on giving them a voice and a seat at the table. He never lost the tenacious spirit that led him to be a collegiate wrestling champion—he is in the college wrestling hall of fame—and he brought that same approach to standing up for Minnesotans. He stood strong against injustice, even when it

twice meant being arrested. It wasn't because he wanted to break the law, but because he thought it was necessary to bring about change for the better.

He also had a special way of connecting with people. Former Senator Tom Harkin said at a memorial service for Paul that he ''made a miner up in the Iron Range know he was as important . . . as the president of the United States.'' That is how Paul voted in the Senate, too, putting ordinary Minnesotans ahead of politics, money, and influence.

The last time I saw Paul was at a 2002 campaign event in St. Paul, just weeks before he died. He was locked in a bitter struggle for reelection. Despite being in a grueling fight for his political life, the first thing he said to me was, ''How's your mom?'' That was Paul.

I had just come from my mom's nursing home in Minneapolis, where she had a picture of Paul on her wall that said: ''Phoebe, keep fighting.'' She wasn't doing very well. I told Paul that she had dementia—some sporadic dementia—and that day I couldn't have a conversation with her. He put his hand on my shoulder and said: ''Touch means so much. Touch means so much.''

The next day, I went to the nursing home, and I took my mom out into the garden, in a wheelchair. She was having a bad day again, but I put my arm around her as we sat. It was a beautiful day. I don't know if it meant anything to her, but it sure meant everything to me.

Paul's life and his work meant a lot to me too. His examples as a tireless, passionate champion for working families, for veterans, for farmers, and for those who simply needed a voice have inspired my own time in the Senate. I keep Paul's picture and his Senate name plate in my office behind me as a reminder at my desk every day. Every day I serve, I think back to Paul's words. This is what Paul said:

Politics is not about power. Politics is not about money. Politics is not about winning for the sake of winning. Politics is about the improvement of people's lives.

While Paul isn't here with us today, his legacy lives on in so many ways. It lives on in the generations of students and activists he trained and inspired in Minnesota. It lives on in the policies he fought for here in the Senate, for access to mental health care, for a clean environment, and for making sure that working families get a fair shot. It lives on in the countless lives that he touched, like mine and my mom's.

Paul made us all better, and I hope his legacy will continue to inspire us well into the future.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 10:28 p.m., adjourned until Wednesday, October 25, 2017, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

LEONARD WOLFSON, OF CONNECTICUT, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT, VICE ERIKA LIZABETH MORITSUGU.

DEPARTMENT OF LABOR

WILLIAM BEACH, OF KANSAS, TO BE COMMISSIONER OF LABOR STATISTICS, DEPARTMENT OF LABOR, FOR A TERM OF FOUR YEARS, VICE ERICA LYNN GROSHEN, TERM EXPIRED.

DEPARTMENT OF THE INTERIOR

TARA SWEENEY, OF ALASKA, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR, VICE KEVIN K. WASHBURN, RESIGNED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ROBERT M. WEAVER, OF OKLAHOMA, TO BE DIRECTOR OF THE INDIAN HEALTH SERVICE, DEPARTMENT OF HEALTH AND HUMAN SERVICES, FOR THE TERM OF FOUR YEARS, VICE YVETTE ROUBIDEAUX, TERM EXPIRED.

EXTENSIONS OF REMARKS

HONORING A.T. STILL UNIVERSITY—KIRKSVILLE COLLEGE OF MEDICINE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize A.T. Still University—Kirksville College of Medicine on their 125th Anniversary. Since 1892, this fine institution of higher learning has been producing quality graduates who greatly enrich our society with the knowledge and values that have been instilled in them.

Founded in 1892 in Kirksville, Missouri by Andrew Taylor Still, ATSU–KCOM is the birthplace of osteopathic medicine. Originally known as the American School of Osteopathic Medicine, ATSU was the first school of osteopathy in the world. The first Doctors of Osteopathic Medicine, or DO's, graduated from ATSU–KCOM in 1894 and over 18,000 graduates later, they have practiced in every state and around the world in a variety of medical specialties. While staying true to their osteopathic principles, students at ATSU receive the most comprehensive medical education while training on state of the art equipment. With a focus on rural healthcare, ATSU is a vitally important medical training institution, now more than ever.

Mr. Speaker, I proudly ask you to join me in recognizing the rich 125 year history of A.T. Still University—Kirksville College of Osteopathic Medicine. This elite school has impacted the world with the osteopathic physicians and health professionals it has produced. I commend ATSU President Craig M. Phelps, DO, ATSU–KCOM Dean Margaret Wilson, DO, and the faculty, staff, students and alumni as the school continues to train and produce highly qualified professionals to serve in the medical field for generations to come. I am extremely honored to represent this fine institution in the United States Congress.

IN HONOR OF LIEUTENANT COLONEL (RET) SAMUEL MILTON SELBY ROLLINSON

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to pay tribute to a respected public servant, outstanding citizen, and hero to his community, Lieutenant Colonel (Ret) Samuel Milton Selby Rollinson. Sadly, Lt. Col. Rollinson passed away on Friday, September 22, 2017. A memorial service will be held on Saturday, October 28, 2017 at the Fort Benning Infantry Chapel at 2:00 p.m.

A native of Jacksonville, Florida, Samuel was born to Sam and Ruth Rollinson, as the fourth of five sons. After graduating from the U.S. Military Academy at West Point, in 1982, he was commissioned as a ranger and later promoted to an infantry lieutenant, where he received his Airborne badge.

Following his retirement from the Army as a Lieutenant Colonel, Samuel served as a government civilian by becoming Fort Benning's first Protocol Officer. He then served as the Civilian Deputy Chief of Staff, and ultimately, the Deputy TRADOC Capability Manager for the Stryker Brigade Combat Team. His coworkers and fellow servicemen cherished his seasoned wisdom and passion for reveling in the beauties of life.

George Washington Carver once said, "No individual has any right to come into the world and go out of it without leaving behind him distinct and legitimate reasons for having passed through it." Although his passing was tragic and before his time, Lt. Col. Rollinson proved to us all what it truly meant to be a hero. He left this world doing what he loved most—serving the people of Fort Benning and Columbus, Georgia. His impression on this earth extends beyond himself to the very wellbeing of his community, and for that he will be remembered for time to come.

For his outstanding selflessness to the Columbus community, he was awarded the Rotary Club Mary Reed Award. Beyond this achievement and the respect held for him by servicemen and civilians, he was an honorable human being who loved deeply and, in return, was deeply loved.

Lt. Col. Rollinson is survived by his mother, Ruth; wife of 32 years, Sarah; children, Sam, Michelle, and Zack; daughter-in-law, Katherine; brothers, Jon Martin, Matt and Jim; and a host of friends and those whose lives he has impacted.

Mr. Speaker, today I ask my colleagues to join me, my wife, Vivian, the nearly 730,000 people in Georgia's 2nd Congressional District, and all Americans, in extending our sincerest appreciation to Lieutenant Colonel Samuel Milton Selby Rollinson, for his dedicated service to our nation and to his community. I ask my colleagues in the House of Representatives to join us in extending our deepest sympathies to Lieutenant Colonel Rollinson's family, friends and loved ones during this difficult time. We pray that they will be consoled and comforted by an abiding faith and the Holy Spirit in the days, weeks and months ahead.

PERSONAL EXPLANATION

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. THOMPSON of California. Mr. Speaker, October 10th through October 12th, I was absent due to activities in my District related to wildfires and was unable to cast my vote for Roll Calls 558 through 568. Had I been present, I would have voted:

Roll Call No. 558 YES—To designate the facility of the United States Postal Service located at 4514 Williamson Trail in Liberty, Pennsylvania, as the Staff Sergeant Ryan Scott Ostrom Post Office;

Roll Call No. 559 YES—To designate the facility of the United States Postal Service located at 25 New Chardon Street Lobby in Boston, Massachusetts, as the John Fitzgerald Kennedy Post Office;

Roll Call No. 560 NAY—On Ordering the Previous Question;

Roll Call No. 561 NAY—Providing for consideration of S. 585, the Dr. Chris Kirkpatrick Whistleblower Protection Act of 2017; providing for proceedings during the period from October 16, 2017, through October 20, 2017; and providing for consideration of motions to suspend the rules;

Roll Call No. 562 YES—To designate the facility of the United States Postal Service located at 324 West Saint Louis Street in Pacific, Missouri, as the Specialist Jeffrey L. White, Jr. Post Office;

Roll Call No. 563 YES—FITARA Enhancement Act of 2017;

Roll Call No. 564 YES—On Motion to Instruct Conferees;

Roll Call No. 565 YES—On Closing Portions of the Conference;

Roll Call No. 566 YES—Providing for the concurrence by the House in the Senate amendment to H.R. 2266, with an amendment;

Roll Call No. 567 YES—On Motion to Recommit with Instructions; and

Roll Call No. 568 YES—Dr. Chris Kirkpatrick Whistleblower Protection Act of 2017.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for Roll Call votes 569, 570, and 571 on Monday, October 23, 2017. Had I been present, I would have voted Yea on Roll Call votes 569 and 570, and Nay on Roll Call vote 571.

HONORING CAMERON GARRETT BRIZENDINE

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Cameron Garrett Brizendine. Cameron is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 214, and earning the most prestigious award of Eagle Scout.

Cameron has been very active with his troop, participating in many scout activities. Over the many years Cameron has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Cameron has contributed to his community through his Eagle Scout project. Cameron refurbished signs at the entrance and in the parking lot of Our Lady of Mercy in Liberty, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Cameron Garrett Brizendine for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING THE 2017 FAIRFAX COUNTY VOLUNTEER SERVICE AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. CONNOLLY. Mr. Speaker, it is my honor to recognize Volunteer Fairfax and express my sincere appreciation to recipients of the 25th Annual Fairfax County Volunteer Service Awards.

Established more than 40 years ago, Volunteer Fairfax matches the skills and interests of thousands of volunteers with the needs of local non-profit organizations. The success of this model and its impact on delivery of needed services is beyond question; Volunteer Fairfax has been rated as one of the most effective community service organizations in the nation.

Last year alone, over 15,000 individuals volunteered directly through Volunteer Fairfax; an additional 1,700 employees volunteered through their employer's BusinessLink program and the value of volunteer services provided exceeded $4.5 million.

Each year, Volunteer Fairfax selects a few exceptional individuals, groups, or organizations to receive special recognition. It is my great pleasure to include in the RECORD the following names of the 2017 Fairfax County Volunteer Service Awards honorees:

Community Champions:

Braddock District: David Curtis

Dranesville District: Penny Halpern

Hunter Mill District: Raul and Maria Garza-Chapa

Lee District: Michel Margosis

Mason District: Gail Coleman

Mount Vernon District: Whitney Minnich

Providence District: Friends of Oakton Library

Springfield District: John Pellegrin

Sully District: Karrie Delaney

At-Large: John K. Wood

Adult Volunteer 250 Hours & Over: Gary Pan

Adult Volunteer 250 Hours & Under: Kate Walter

Adult Volunteer Group: Friends of Huntley Meadows

Corporate Volunteer Program: Deloitte LLP

Fairfax County Volunteer: Karla Jamir

Fairfax County Volunteer Program: CERT

Family Volunteer: Young Family

Intégrate Individual: Carolina Calderon

Lifetime Achievement: Marie Monsen

Rising Star: Shannon Dart

RSVP Northern Virginia: Denise Mackey-Smith

Senior Volunteer: Bard Jackson

Volunteer Program: Wolf Trap First Time Campers Program

Youth Volunteer: Emma Houston

Youth Volunteer Group: Stony Brook Jr. Volunteers

In addition, Benchmark Honors will be awarded in four different categories to commend those who have contributed 100, 250, 500, or 1,000 hours of volunteer time to our community.

Mr. Speaker, I ask that my colleagues join me in commending Volunteer Fairfax for its decades of outstanding community service. I congratulate the recipients of the 2017 Fairfax County Volunteer Service Awards and thank them and the thousands of other local volunteers for their incredible contributions to our community. Their selfless dedication is worthy of our highest praise and is one of the main reasons that our community is often ranked as one of the best places in the country to work, and raise a family.

PERSONAL EXPLANATION

HON. JOHN ABNEY CULBERSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. CULBERSON. Mr. Speaker, due to extraneous circumstances, my flight did not arrive on time and I was unable to make votes on October 23, 2017.

Had I been present, I would have voted YEA on Roll Call No. 569, YEA on Roll Call No. 570, and YEA on Roll Call No. 571.

HONORING ISAAC DAVID CONNER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Isaac David Conner. Isaac is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 495, and earning the most prestigious award of Eagle Scout.

Isaac has been very active with his troop, participating in many scout activities. Over the many years Isaac has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Isaac has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Isaac David Conner for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. RENACCI. Mr. Speaker, had I been present, I would have voted YEA on Roll Call No. 569, YEA on Roll Call No. 570, and NAY on Roll Call No. 571.

RECOGNIZING THE 2017 LORDS AND LADIES FAIRFAX

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. CONNOLLY. Mr. Speaker, I rise to recognize a truly exceptional group of men and women who are being recognized as the 2017 Lords and Ladies Fairfax. Every year, each member of the Fairfax County Board of Supervisors selects two people from his or her district who have demonstrated outstanding volunteer service, heroism, or other exceptional contributions to our community. Since the program's inception in 1984, approximately 600 individuals have earned the honor of being named a Lord or Lady Fairfax by his or her representative on the Board of Supervisors.

This year, the recipients of the Lord and Lady Fairfax awards will be recognized at the celebration of the 275th anniversary of Fairfax County. We are especially honored to welcome Lord Nicholas Fairfax, 14th Lord Fairfax of Cameron and his wife Lady Annabel Fairfax who have traveled from the United Kingdom to join in this celebration. Lord Nicholas shares a common lineage with Lord Thomas Fairfax, 6th Lord Fairfax of Cameron after whom Fairfax County and the City of Fairfax are named and who lived much of his life in Virginia.

The Lord and Lady Fairfax awards recognize those individuals who have made tremendous impacts through their support of our public schools, parks, youth sports leagues, arts community, public safety, and human service programs. It is nearly impossible to fully describe the diversity of accomplishments of the honorees. Their efforts contribute greatly to the quality of life for the residents of Fairfax County and are worthy of our praise and sincere appreciation.

It is my honor to include in the RECORD the names of the 2017 Lords and Ladies Fairfax:

At-Large: Lady Jane Miscavage and Lord John J. ''Jeff' Lisanick

Braddock District: Lady Mary Drake Cortina and Lord Kevin Morse

Dranesville District: Lady Sally Horn and Lord Gary George Pan

Hunter Mill District: Lady Therese Martin and Lord Jerry Poje

Lee District: Lady Michelle Duell and Lord Richard J. Knapp

Mason District: Lady Rose Chu and Lord Daniel H. Aminoff

Mount Vernon District: Lady Mattie Lewis Palmore and Lord Dale S. Rumberger

Providence District: Lady Sue Kovach Shuman and Lord Phillip A. Niedzielski-Eichner

Springfield District: Lady Nancy-jo Manney and Lord Michael W. Thompson, Jr.

Sully District: Lady Trudy Harsh and Lord Michael R. Frey

Mr. Speaker, I ask my colleagues to join me in commending the 2017 Lords and Ladies Fairfax and in expressing our gratitude to these men and women who have dedicated themselves to the betterment of our community. Their efforts provide immeasurable benefits to Fairfax County and its residents, and are truly worthy of our highest praise.

HONORING MASON THOMAS LEWIS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Mason Thomas Lewis. Mason is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 214, and earning the most prestigious award of Eagle Scout.

Mason has been very active with his troop, participating in many scout activities. Over the many years Mason has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Mason has contributed to his community through his Eagle Scout project. Mason rebuilt and stained a bridge at Immacolata Manor in Liberty, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Mason Thomas Lewis for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. BLUMENAUER. Mr. Speaker, had I been present for the vote yesterday on the passage of H.R. 3551, the C–TPAT Reauthorization Act of 2017 (Roll Call No. 569), I would have voted ''aye.'' This legislation would reauthorize a program at U.S. Customs and Border Protection (CBP) that encourages cargo importers, carriers, and other entities involved in international trade to cooperate with CBP to strengthen global supply chain security.

Had I been present for the vote on the passage of S. 504, the Asia-Pacific Economic Cooperation (APEC) Business Travel Cards Act of 2017 (Roll Call No. 570), I would have voted ''aye.'' This bill would permanently authorize CBP's ability to issue travel cards that provide U.S. business leaders and government officials with short-term entry to APEC countries.

Had I been present for the vote on approving the Journal (Roll Call No. 571), I also would have voted ''aye.''

CELEBRATING THE THIRTIETH ANNIVERSARY OF REV. JONATHAN L. WEAVER AS PASTOR OF THE GREATER MT. NEBO AFRICAN METHODIST EPISCOPAL CHURCH

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. HOYER. Mr. Speaker, I rise to congratulate Rev. Jonathan Leslie Weaver on his thirtieth pastoral anniversary with the Greater Mt. Nebo African Methodist Episcopal Church in Bowie, Maryland. Throughout the past three decades, Rev. Weaver has been ministering to a growing community of worshippers in Bowie and the greater Washington metro area. I've been honored to know him, to call him a friend, and to work closely with him to strengthen our communities in Maryland's Fifth District.

Since 1988, Rev. Weaver has overseen both the expansion of his church and a plethora of charitable endeavors through more than fifty ministries serving its members and the wider community. These have included programs to prevent domestic violence, to empower families through economic literacy, and to combat hunger. Under his guidance, Greater Mt. Nebo A.M.E. Church members have participated in Christmas in April, Tools for School, and other social service projects. Rev. Weaver has also carried his ministry across the ocean, visiting Rwanda, the Democratic Republic of the Congo, and Benin to engage in mission projects there for more than a quarter century.

As National President of the Collective Empowerment Group, Rev. Weaver has helped build a network of churches across seven states and the District of Columbia that host financial literacy seminars, educational programs, health care screenings, and homeownership clinics. The Collective Empowerment Group also partners with banks and local businesses to facilitate wider access to economic opportunities for those living in their communities. I have participated in a number of Collective Empowerment Group programs, and I can attest to the wonderful work the organization performs to help families reach for the American Dream.

Rev. Weaver holds degrees from Washington University in St. Louis, Missouri; St. Mary's Seminary in Baltimore, Maryland; and Harvard Business School in Cambridge, Massachusetts. When he arrived at Greater Mt. Nebo A.M.E., the church had 100 members; today, he has overseen its growth to more than 1,600 members. It is a testament to his vision, his inspiration, and his faith. Rev. Weaver also has overseen the construction of the community's present church building as well as its Christian Academy school and Family Life and Wellness Intergenerational Center assisted-living facility.

I hope all my colleagues will join me in congratulating Rev. Weaver and his wife, Pamela Lynn Weaver—who have two daughters and four grandchildren—on reaching this milestone. I thank them both for their work and spiritual guidance to so many in Maryland's Fifth District and for their friendship over the years.

HONORING LUCIANO VARELA

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor the life of Luciano ''Lucky'' Varela, a hard-working New Mexican who fought for New Mexico families in the state Legislature. Luciano represented Santa Fe in the New Mexico House of Representatives from 1987 to 2016.

Rep. Varela was known for his expertise in government finance and his unwavering support for the employees who deliver services to New Mexicans. He always treated constituents with the utmost dignity and worked for New Mexico families.

Prior to serving in the New Mexico House of Representatives, he was the Director of the State Personnel Office, Chairman of the Board of the Public Employee's Retirement Association, and served on the House Appropriations Committee, in addition to the Legislative Finance Committee.

Rep. Varela was an advocate for fair wages and policies to support low-income families in New Mexico. In 1998, he sponsored legislation to expand the low-income comprehensive tax rebate.

Years later, in 2007, he sponsored a bill for public employee salary increases, which would increase the salaries of public employees including police officers, teachers, and higher education employees.

I will always remember Lucky as someone who was tough and transparent, but always fair. New Mexicans know that he worked hard to provide support for working families. He devoted his career to public service, for which, we are all grateful.

HONORING ZACHARY SCOTT LINARD

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Zachary Scott Linard. Zachary is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 495, and earning the most prestigious award of Eagle Scout.

Zachary has been very active with his troop, participating in many scout activities. Over the many years Zachary has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Zachary has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Zachary Scott Linard for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING ROBERT Q. KREIDER

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. MEEHAN. Mr. Speaker, today I recognize President Robert Kreider and his over 20 years of dedication to Devereux Advanced Behavioral Health. President Kreider has been a successful and honorable servant for Devereux in a variety of capacities since joining the company in the mid 90's; first as a consultant and eventually rising to become its President and Chief Executive Officer in 2004. Over this time, Mr. Kreider has worked selflessly to expand the business in a manner consistent with its mission—changing lives by unlocking and nurturing human potential for people living with emotional, behavioral or cognitive differences.

Under his leadership, Devereux survived the most serious economic recession since the Great Depression, experienced $310 million growth in annual revenue, and has increasingly become a nationally influential company. The work its employees do impact the lives of countless individuals across the United States and I commend President Kreider for positioning the company in a place where they can do the most good.

Mr. Kreider has always been dedicated to both the field and to the employees who advance it. He even facilitates the learning of others through lectures he presents at health care institutes like the National Health Lawyers Association and the Leonard Davis Institute of the University of Pennsylvania.

The United States remains a hot bed for innovation and progress through the hard work and dedication of individuals like Robert Kreider. I thank him for his years of service and wish him well in his next endeavor.

RECOGNIZING THE AWARD RECIPIENTS OF THE 2017 CENTREVILLE IMMIGRATION FORUM ANNUAL DINNER

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the Centreville Immigration Forum on the occasion of its 3rd Annual Dinner. The theme of this year's gala is ''Celebrating Our Global Community'' and will recognize the rich diversity of cultures in Northern Virginia.

Northern Virginia is blessed by its diversity. In Fairfax County, nearly I in 4 residents is foreign born. More than 100 languages are spoken in our schools, and we are home to more minority-owned technology firms than anywhere else in the nation. Our variety of cultures and heritages do not divide us; they make us stronger.

Three exceptional individuals will be honored during this gala who have gone above and beyond in ensuring that everyone, regardless of their country of origin, has full access to the benefits and opportunities this community and our nation provide. I am pleased to include in the RECORD the names of the following 2017 Annual Dinner honorees:

Ms. Diana Katz—Ms. Katz is a co-founder of the Giving Circle of Hope which provides grants to area non-profits with budgets below $2 million. She also co-founded NoVIE, a member driven, CEO-level forum that brings together ideas, knowledge and support to benefit the health and viability of social good organizations. She was the driving force behind the NV Rides program that provides transportation for the elderly, and has recently co-founded the Latino Engagement and Achievement Fund under the umbrella of the Community Foundation of Northern Virginia. The Latino Engagement and Achievement Fund will be awarding its first grant this year.

Mr. Mukit Hossain (posthumously)—Mr. Hossain was a telecommunications executive in northern Virginia who became a grass-roots activist following the September 11 terrorist attacks. He was instrumental in encouraging fellow Muslims to become more politically engaged through his role as president of the Virginia Muslim Political Action Committee. In 2006, he joined with Jewish leaders to push successfully for a Virginia state law that made it illegal to falsely label kosher and halal foods. He started Food Source, an organization to feed the homeless in Fairfax, and used his organizing skills on behalf of undocumented workers—particularly as immigration became a defining political issue in Prince William and Loudoun counties. Prior to his sudden death in 2010 he was named Herndon Citizen of the Year and recognized for his community efforts in a joint resolution from the Virginia General Assembly.

Mr. Kofi Dennis—A Master Teaching Artist with Wolf Trap Institute for Early Learning through Arts since 1998, Mr. Dennis has shared his skills in drumming and story-telling with children and adults of all ages. He provides Arts integrated classroom residencies and professional development workshops in music and creative drama for early childhood educators locally, nationally and internationally. He has also brought drumming and storytelling to juveniles and prisoners in area jails. This past summer, he was part of a team of Wolf Trap master teaching artists and administrators who spent three weeks in Singapore. In collaboration with the National Arts Council and Early Childhood Development Agency (ECDA), this team led programs to train, facilitate workshops, and conduct STEM residencies in arts integration for teachers, administrators and artists.

Mr. Speaker, the efforts of these individuals are noteworthy not only because they are rooted in an appreciation for our region's cultural and ethnic diversity, but also because they help to strengthen the bonds of friendship and cooperation in our community. I congratulate them on their awards and ask my colleagues to join me in commending them for their service to the Northern Virginia region.

HONORING JEREMIAH JOSEPH MORGAN, JR.

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Jeremiah Joseph Morgan, Jr. Jeremiah is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 1417, and earning the most prestigious award of Eagle Scout.

Jeremiah has been very active with his troop, participating in many scout activities. Over the many years Jeremiah has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Jeremiah has contributed to his community through his Eagle Scout project. Jeremiah built a maintenance shed that houses lawncare and other equipment that will be used to help maintain the grounds of the Eight Witnesses Monument in Liberty, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Jeremiah Joseph Morgan, Jr. for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

REMEMBERING THE LIFE OF RONALD A. RUSSO

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. RYAN of Ohio. Mr. Speaker, today I rise to honor the life of Ronald A. Russo, a dedicated father, husband, brother, and grandpa who passed away on Friday, October 20, 2017.

Ron was born on June 16, 1953, in Youngstown, Ohio to Rucco and Anna (Sikusha) Russo. He graduated from Chaney High School in 1971 and worked for the Youngstown Fire Department for the past 37 years. He was currently serving as Battalion Chief. Prior to becoming a chief, he spent the majority of his career on Squad 33. Ron earned several lifesaving valor and crew awards during his career, and he was always willing to help anyone in need. He was a member of I.A.F.F., O.A.P.F.F., and Y.P.F.F. Local No. 312. He especially enjoyed working with his father and former Youngstown Fire Chief Rocco Russo, and his twin brother, retired Youngstown Fire Department Battalion Chief Rich Russo.

Outside of work, Ron spent a great deal of time watching his son coach hockey. As soon as Ron found out he was going to be a grandfather, he put a swimming pool in his backyard. He had devoted the last eight years of his life to his grandchildren. Everything from family vacations, crabbing on the beach, teaching them to cook, and that every animal says ''moo.'' He also enjoyed cooking and hosting family gatherings with his loving wife Joann. Their home was always open to everyone. The family motto was ''La Familiga E'Tutto,'' family is everything.

He will always be remembered lovingly by his wife, the former Joann Booher, whom he married Dec. 31, 2004; four children, Rocco Russo (Melissa Singleton), Margaret (Michael) DeNiro, Marie (Jared) Rupert, and Melissa Russo; two stepchildren, Tristan (Kolt) Codner, and Justine (Corey) Keller; twin brother, Richard (Janet) Russo; brother Robert (Debbie) Russo; seven grandchildren, Gavin and Logan Rupert, Dominic, Carmen, Julianna DeNiro, Gianna Russo, and Andrew Codner; and numerous nieces, nephews, and cousins.

Ron's life will be celebrated on Thursday, October 26, 2017 at the Rossi Brothers and Lellio Funeral Home in Boardman, Ohio, followed by a funeral service at the Poland United Methodist Church, where he was a member. Ron will be greatly missed both by the community and his family. I extend my deepest condolences to his family and friends.

RECOGNIZING ROBERT T. SCOTT OF ST. JOSEPH'S COLLEGIATE INSTITUTE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. HIGGINS of New York. Mr. Speaker, I rise in recognition of Mr. Robert T. Scott of St. Joseph's Collegiate Institute. Throughout his 47 year career at St. Joseph's Collegiate Institute, Mr. Scott has served in numerous roles. He joined the faculty as a Religion and History Teacher in 1971, served as Vice Principal for Student Affairs for twenty years before becoming Principal, and—since 2004—has been the school's first lay President.

In each role, Mr. Scott's countless contributions and genuine care for the St. Joe's community impacted thousands of young men and their families. He is present every day, all day, and is simply an institution who has personally guided our school's mission for decades. His tireless fundraising efforts remain focused on student financial aid to ensure that a St. Joe's education is affordable and accessible.

Since the beginning of his tenure, Mr. Scott has lived the Lasallian Mission in the footsteps of the Founder of the Brothers of the Christian Schools, St. John Baptist de La Salle. He has completed the Buttimer Institute of Lasallian Studies, the Lasallian Leadership Institute, and held numerous leadership positions throughout the Christian Brothers network in the United States. As a testament to his life of service, he became an Affiliated Member of the Brothers in June 2001—the order's high honor.

In 2009, his leadership ofthe school's capital campaign, entitled Pride in our Past . . . Faith in our Future, generated more than $13 million to construct a state-of-the-art Science Facility, a modern Athletic Complex, and a new residence for the Christian Brothers. After an overwhelming response to the campaign, the Board of Trustees unanimously voted to name the athletic complex in Mr. Scott's honor.

With his constant support and encouragement, notable innovations in both curriculum and physical space have taken place. Recently, the library was converted into a digital learning space and course offerings in the STEM fields continue to increase. Currently, an acquired building adjacent to campus is being converted into an Innovation Center.

His greatest influence, however, has been on the young men who passed through the halls. During the last four decades, St. Joe's students' lives have been deeply influenced, shaped, and cared for by Mr. Scott.

After attending Catholic grammar and high school in Western New York, Mr. Scott received a Bachelor of Arts in History from Marist College in Poughkeepsie, NY. He began graduate studies in Hebrew and the Old Testament at the University of Dayton before serving for two years in United States Army. He finished his Master's Degree in Religious Studies at Canisius College in 1975.

Today, Mr. Scott serves as a member of the Board of Trustees for Christian Brothers Academy in Syracuse and the Elmwood Franklin School in Buffalo. He is a past member of the Board of Trustees of Mt. St. Mary Academy, Holy Angels Academy, and the Nativity Miguel School.

Mr. Scott has been married to his wife, Michelle, for 49 years. He is the proud parent of Jason and Tracy, and grandparent of Tracy's children, Noah and Sarah.

Mr. Speaker, I honor and recognize Mr. Scott for his selfless service to the young men of St. Joe's and the community of Western New York.

RECOGNIZING THE 2017 LITERACY VOLUNTEERS OF AMERICA—PRINCE WILLIAM AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. CONNOLLY. Mr. Speaker, I rise in recognition of Literacy Volunteers of America-Prince William, Incorporated, and their 26 years of service to the adult learners residing in the Greater Prince William Area.

Founded in June 1991, by beloved librarian, Dana M. Swanson, Literacy Volunteers of America-Prince William, Inc. is one of 1200 501(c)(3) non-profit organizations affiliated with ProLiteracy America, a nationwide organization dedicated to empowering, educating, and connecting adults through the establishment of a safer, stronger, and sustainable society.

Since its inception, Literacy Volunteers of America-Prince William, Inc. has served over 8500 adults and positively impacted the social and economic wellbeing of 35,000 family members. Last year, the organization served over 700 adult learners with the assistance of more than 220 trained volunteer tutors. Community volunteers are trained to become tutors and are matched based on the needs of adults seeking to improve their literacy or English language skills. Provided services include small and large classroom tutoring, one-on-one tutoring, pre-GED and GED classes, basic literacy for English speakers and English as a second language learners, conversation classes, Naturalization test preparation, and job readiness training.

Each year, the dedicated staff reviews the progress of each student and asks tutors and students to provide feedback. This year, 93 percent of students have met a personal development goal. Feedback generally aligns with the organization's mission statement to teach adults the life-changing skills of reading, writing and speaking English that will enable them to confidently participate and prosper in society. I have the distinct pleasure of including in the RECORD the 2017 Literacy Volunteers of America—Prince William, Inc.

STUDENT OF THE YEAR: NORIS QUINTANILLA

Born and raised in El Salvador, Noris has lived in the United States of America for the past 17 years and is a U.S. citizen. In 2012, Noris obtained her GED certificate and sought the assistance of Literacy Volunteers of America—Prince William to further her education and transition into a career in office administration. Today, Noris volunteers at Literacy Volunteers of America—Prince William, Inc. where she never misses the opportunity to learn something new. Her commitment to instruction and volunteerism has helped Noris hone her language skills, build her confidence, and inspire her peers.

TUTOR OF THE YEAR: AMY FEINBERG

Amy has volunteered with Literacy Volunteers of America—Prince William, Inc. for the past six years where she has tutored in both classroom and individual settings. Over the past year, Amy has taught more than 100 students and provided more than 250 volunteer hours to the program. Amy inspires students with her kindness, patience, and compassion. As an active community volunteer, Amy takes great pride in helping others to succeed and in her role in building a stronger, more vibrant community.

TUTOR OF THE YEAR: ALISON PREVOST

Alison has served as a volunteer with Literacy Volunteers of America—Prince William, Inc. for the past 4 years. She has provided classroom tutoring to more than 100 students and has donated over 300 volunteer hours to adult literacy over the past year. Alison takes great pride in helping adults improve their literacy skills and become self-sufficient and active members of the community through Literacy Volunteers of America—Prince William, Inc. and other community-based organizations.

VOLUNTEER OF THE YEAR: PATTI J. BEATTIE

For the past 15 years, Patti has shared her time and service with Literacy Volunteers of America—Prince William, Inc. and its adult learners through multiple capacities as a volunteer tutor, dedicated member of the Board of Directors, tutor trainer, employee, and literacy advocate. In honor of her tireless efforts to our community, the Volunteer of the Year Award has been renamed in her honor. Patti is an active community volunteer, serving in multiple service organizations donating hundreds of hours each year to serve our local community. It is my honor to recognize Patti as the inaugural recipient of the Patti J. Beattie Volunteer of the Year Award recipient.

Mr. Speaker, I ask that my colleagues join me in commending the 2017 Literacy Volunteers of America—Prince William, Incorporated honorees and in thanking all students, tutors, volunteers, Board of Directors, and staff for their dedication, generosity, and commitment to adult literacy and its lasting impact on the Greater Prince William Area.

HONORING LUKE ANDREW MOYES

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Luke Andrew Moyes. Luke is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 495, and earning the most prestigious award of Eagle Scout.

Luke has been very active with his troop, participating in many scout activities. Over the

many years Luke has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Luke has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Luke Andrew Moyes for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

IN RECOGNITION OF MRS. IRMA MITCHELL WORKS

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. BISHOP. Mr. Speaker, it is with great pleasure that I extend my sincere congratulations to Golden Soror Irma Mitchell Works of the Gamma Tau Omega Chapter of Alpha Kappa Alpha Sorority, Inc. for fifty years of service to this great sisterhood. A reception will be held in her honor on Sunday, November 12, 2017 at the Green Island Country Club in Columbus, Georgia.

A native of Pittsview, Alabma, Irma Jean Mitchell was born to the late Jessie and Bertha Williams, as the thirteenth of fourteen children. She was a product of the Russell County School System and graduated from Glenville High School. After graduation, she attended Alabama A&M College (University), where she obtained her bachelor's degree in Vocational Home Economics. It was here that she discovered her calling to become a member of one of the finest reflections of womanhood, and on April 22, 1967, she was initiated into the Gamma Mu Chapter of Alpha Kappa Alpha Sorority, Incorporated. She also received masters degrees from the University of Georgia and Georgia State University, and an Educational Specialist Certificate in Administration and Supervision from Troy State University.

Mrs. Works has been a member of Benevolent Grove Missionary Baptist Church for fifty-nine years and currently serves as a Sunday School teacher, an adult choir member, a mentor for women of all ages, and a sponsor for the church's mini clothing bank.

Former Congresswoman Shirley Chisholm once said, ''Service is the rent that we pay for the space that we occupy here on this earth.'' Irma has continued her service within the sorority and throughout the community by joining Gamma Tau Omega Chapter and serving on committees such as: AKA Connections, Fundraising, Budget, the Pink and Green Breakfast, and serving two-terms as the founding Vice President of SISTERS, Incorporated's Board of Directors, which is the foundation of Gamma Tau Omega Chapter. She also transitioned to the Advisory Board and is presently serving a second term on the Board of Directors. She has received numerous awards and commendations from Alpha Kappa Alpha, Incorporated including 2000 Woman of Achievement; Women Helping Women; Outstanding Services to Youth; Finer Womanhood; Outstanding Community Service and Distinguished Woman; she also received recognition from the Muscogee Rotary Club; Phi Delta Kappa Professional Education Fraternity; Network for Professionals and Executives; National Education Association; Muscogee Education Association and Georgia Association of Educational Leaders among others.

Mr. Speaker, I ask my colleagues to join me today in paying tribute to an outstanding citizen and woman of faith, Mrs. Irma Mitchell Works, as she is honored for her fifty years of dedicated service to Alpha Kappa Alpha Sorority, Inc. and her community.

HONORING LAWRENCE BACA

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to recognize Lawrence Baca, a local artist in Santa Fe, for his outstanding work. Lawrence is well known for his beautiful silver creations and his award winning jewelry. He pulls from historic and cultural roots when making the jewelry.

Born and raised in Santa Fe, Lawrence is inspired by the strong Native American and Hispanic cultures that run deep in our state. He celebrates long-lasting traditions and keeps history alive by creating jewelry that uses metals and stones that were once used by our ancestors in New Mexico.

Collectors and fans from all over the world travel to the Spanish Market in Santa Fe to buy jewelry from Lawrence and other local artists. In 2015, he was awarded the Master's Award for Lifetime Achievement at the Spanish Market and Museum of Spanish Colonial Art.

The Spanish Colonial art features authentic artistic traditions which can be traced back over 400 years. Skilled artists, like Lawrence, create breathtaking expressions of a living tradition, and many of them count their art as their only source of income.

My hope is that Lawrence will continue to use his talent to honor the Spanish and Native American history in New Mexico, and will inspire future artists to do the same.

HONORING JAMES STUBBERS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize James Stubbers. James is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 10, and earning the most prestigious award of Eagle Scout.

James has been very active with his troop, participating in many scout activities. Over the many years James has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, James has become a Brotherhood member of the Order of the Arrow and earned the rank of Warrior in the Tribe of Mic-o-Say. James has also contributed to his community through his Eagle Scout project. James designed, and coordinated the construction of two computer tables and a white board for the Valley Park Elementary School in Leawood, Kansas.

Mr. Speaker, I proudly ask you to join me in commending James Stubbers for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Ms. GRANGER. Mr. Speaker, I was unable to make votes.

Had I been present, I would have voted YEA on Roll Call No. 569, YEA on Roll Call No. 570, and YEA on Roll Call No. 571.

RECOGNIZING THE 100TH ANNIVERSARY OF THE FAIRFAX COUNTY HEALTH DEPARTMENT

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to commemorate the 100th anniversary of the Fairfax County Health Department. Through a century of continuous service the department has distinguished itself as a national leader and a model public health department working to protect, promote and improve the quality of life for all its residents.

The origins of the Fairfax County Health Department can be traced back to April 1917, when the county launched a campaign for better health in the very same week that the United States would enter World War I. When the first public health physician and his successor were sent off to war, it left only one public health nurse to provide services for the entire county. Shortly after war's end the staff consisted of a full time health officer, one full time sanitation officer, one full time nurse and a part-time clerk, with funding provided by the Virginia State Health Department, the Fairfax County Board of Supervisors, the County Chapter of the Red Cross, the Tuberculosis Association, and donations from private citizens.

In the early years, the Health Department was primarily concerned with the spread of infectious diseases like diphtheria, smallpox, tuberculosis and typhoid fever. With better sanitation, education, and immunization practices, many of these threats began to wane and the department's services began to expand to accommodate the county's growing population.

With more facilities and staff, the department was able to offer maternal and child health clinics, home health care, speech and hearing, dental, and school health services. At the same time, a systematic program of environmental health was developed to include sewage disposal, protection of water supplies, fly and mosquito control, and general cleanliness of dwellings, tourist places and food establishments.

Due to its long history of financial and leadership support for public health, in 1995 Fairfax County sought and was granted the authority to operate its own health department by

an act of the Virginia General Assembly. Since that change in legislative authority more than 20 years ago, the Fairfax County Health Department has become more efficient, effective, and responsive.

Throughout its history, the Health Department has been a leader in the prevention and control of communicable diseases. During the polio epidemic of the 1950s, Fairfax County participated in the Salk vaccine trials and became the first county in the United States to provide polio vaccine to its grade school children. In 1960s, it was the first department in the nation to participate in a mass measles vaccination trial program. And in 1989, when there was an outbreak of Ebola virus in monkeys at a laboratory in Reston, Virginia—an event dramatized in Richard Preston's book ''The Hot Zone''—Fairfax County Health Department was once again on the front lines of an emerging disease threat.

While the emphasis on communicable disease control and prevention has not changed, the Health Department has dedicated more of its resources to population-based health services that address disparities within its increasingly diverse community. The Health Department's Adult Day Health Care, Community Health Care Network, Skin Deep Tattoo Removal Program, HIV case management program, and Homeless Health Care program have been a model for other departments in Virginia and around the country. Research on newer and better methods of onsite sewage disposal have often originated in Fairfax County. The department's laboratory is the largest local public health laboratory in the Commonwealth, performing more than 200,000 scientific tests annually.

Since the terrorist acts of September II, 2001, the Health Department has assumed a first responder role with significant responsibility for a wide range of disaster planning and response activities. In response to lessons learned from the anthrax crisis, the Health Department organized a Medical Reserve Corps (MRC) unit, a cadre of trained volunteers, to augment surge capacity during public health emergencies. In the years since, the Health Department has activated its Incident Management Team and the MRC in response to natural disasters such as floods and hurricanes, HI1N1 influenza pandemic, Ebola virus, Zika virus and other outbreak investigations.

The Fairfax County Health Department has achieved and sustained a well-earned reputation for excellence due in part to the dedication and compassion of its well-trained workforce, the quality and innovation of its programs and services, and the commitment of its leadership to continuous quality improvement. That commitment was demonstrated again in 2016 when the department achieved national accreditation by the Public Health Accreditation Board.

Mr. Speaker, I ask that my colleagues join me in recognizing the Fairfax County Health Department for a century of protecting, promoting and improving the health and quality of life for all in Fairfax County. Their selfless efforts, made on behalf of all citizens of our community are truly worthy of our highest praise.

HONORING THE LIFE OF PEDRO RAMÍREZ DAVIS

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. GRIJALVA. Mr. Speaker, I stand before you on this day to recognize Mr. Pedro Ramìrez Davis for his dedication to organized labor and the progressive political community in Tucson, Arizona and Pima County. Regrettably, he passed away on October 9, 2017 after dedicating over forty years of service to his fellow man. He was a life-long member of the Laborers' International Union Local No. 479 and the Teamsters local in Tucson.

Pedro R. Davis exemplified the highest ideals of the labor movement. He worked arduously to further the common goals of the working man to earn better wages, safer working conditions, the right to collective bargaining and the ability to call for a strike when the circumstances warranted it. He fought for benefits and financial aid for workers who were injured or retired.

Pedro understood the importance of union organizing as a way of empowering people and changing lives. He understood the need to be proactive in advocating policies and legislation to bring about necessary change. He was a true supporter of the Democratic Party because he believed it championed the interest of the working class. He supported local leaders and candidates he believed advocated for the struggles of the lower and middle classes. He worked tirelessly for those candidates, going door-to-door, encouraging folks to join the cause, putting up signs, collecting signatures, attending rallies and pitching in wherever help was needed.

Pedro was born in Nogales, Sonora Mexico in 1928. His parents struggled hard to support their family of twelve children. At an early age, Pedro learned the value of hard work when he had to do his part to help provide for his younger siblings. He would often share stories of his family all huddled around a single kerosene burner and a wood-burning stove trying to keep out the chill of the frigid winters in their hillside Nogales home. In his household, there were times when there was not enough food, blankets and warm beds.

His father's work often took him away from home and that would leave Pedro and his brother Samuel to step up, as the men of the house, to provide for the family in their fathers absence. This, no doubt, contributed to Pedro's kind and generous nature throughout his life. On one occasion, a fine gentleman wrote a letter to the editor about a Good Samaritan, who carried him across a flooded street refused to provide his name and rejected any monetary compensation for the rescue. The Good Samaritan was Pedro.

At the age of 18, along with his peers, Pedro was drafted into military service. After completing his duty, like his father and grandfather before him, he worked as a carpenter. He moved to California to work for some time and upon his return to Nogales he met Enedina Luque. He fell in love with Enedina, and married her soon thereafter. They moved to Tucson in 1950 and Pedro began working in construction.

Throughout the years, his construction job led him to work on many of the major industrial projects that transformed Tucson including the missile silos and copper mines in the surrounding the area. He joined Tucson's Local No. 479 of the International Laborers' Union and the local Teamsters' Union in their formative years and remained actively involved in their collective bargaining efforts throughout his working life.

He took part in strikes against unfair labor practices when it became necessary, which was always a difficult thing, since he was unable to collect a wage for his family during those walkouts. Enedina always supported his decisions because they both saw it as a way for construction workers to obtain decent wages, health benefits, safe working conditions and retirement pensions. Pedro stood firm and worked extremely hard to make change possible for labor workers. His efforts were recognized by the leaders he worked to get elected which includes successful candidates such as: President Bill Clinton, Congressman Ed Pastor and myself, among others. Pedro would often receive invitations to dinners and other special events, to the surprise of many, including his family. Those were proud moments for him, indeed.

Pedro and Enedina raised six children and he always impressed upon them the value of an education. He felt that an education was the best job security anyone could hope to have. Even though he only had a sixth-grade education himself, Pedro was a learned man, always reading newspapers and magazines in both English and Spanish. He could engage in informed discussions on current events around the world. He knew about world leaders as well as his local representatives and had a profound interest in politics at home and abroad. Pedro and Enedina voted without fail as soon as they became naturalized United States citizens. He also instilled in his children and grandchildren the importance of registering to vote and engaged them in discussions on the important issues of the day.

In the early 80's, Pedro was asked to assist in the remodeling of an office building that had been made available to a candidate as the campaign headquarters. He was so inspired by the candidate that soon afterwards, he was out collecting signatures and walking door-to-door registering people to vote. He campaigned tirelessly for human rights and for candidates he respected. Pedro's car was always full of campaign signs and handouts. He eagerly shared his campaign experiences with his family. Pedro loved his country of origin, but he was proud to be an American. He loved and respected what this country stood for and wanted to make it better for the present and future generations.

When Enedina passed away in 2007, Pedro seemed to have lost a skip in his step. He found comfort by staying active in the political sphere and through his love for guitar. He was a self-taught guitarist and amassed a collection of Mexican classic songbooks. After retiring from construction, Pedro kept himself busy working as a school crossing guard for the Tucson Unified School District, which is a job that he took very seriously. The safety of the schoolchildren made him happy and he always had a supply of Jolly Ranchers to pass out to them. One of his greatest joys came when he received a large bundle of handmade birthday cards from the kids at Safford Primary School. The students at the school made him feel proud and happy.

After retiring as a crossing guard, Pedro could dedicate more time to his first love, the guitar. He would travel across town to meet with his friends in the guitar group. Together, they would polish their versions of the classic Mexican love ballads, even as he modestly repeated that he was not learning anything new.

I close by saying that Pedro Ramìrez Davis was a hard-working and decent man from very humble origins. Pedro, like so many immigrants, came to this country to work hard and build upon the character and values of our nation. He did so with pride and purpose. He lived a life worthy of recognition, honor and respect. His lifetime of involvement on behalf of the working people and the less fortunate in his community has not gone unnoticed. Pedro Ramìrez Davis will be sorely missed.

HONORING TRUMAN STATE UNIVERSITY

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Truman State University on their 150th Anniversary. Since 1867, this fine institution of higher learning has been producing quality graduates who greatly enrich our society with the knowledge and values that have been instilled in them.

Founded on September 2, 1867, in Kirksville, Missouri, by Joseph Baldwin, the school was originally known as the North Missouri Normal School and Commercial College and existed to train teachers to serve in public schools. It received several name and mission changes over the years and today, it is known as Truman State University. Building on a tradition of academic excellence, Truman State became the state's only public liberal arts and sciences university in 1985 at the direction of the Missouri Legislature. The recipient of multiple national accolades, the school continues to successfully embody their mission of providing affordable education to exemplary students. Highly selective in the students they accept, Truman State University boasts both the highest retention rate of freshman to sophomore students among public universities in Missouri and the highest public university graduation rate in the state.

Mr. Speaker, I proudly ask you to join me in recognizing the rich 150 year history of Truman State University. This elite public, liberal arts university in rural Northeast Missouri has educated generations of students who have made an exemplary impact both at home and abroad. I commend President Dr. Sue Thomas and the faculty and staff—past, present and future—for their commitment to providing the next generation with a quality education. I am extremely honored to represent this fine institution in the United States Congress.

HONORING THE LIFE OF ARNOLD PARK

HON. ADAM KINZINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. KINZINGER. Mr. Speaker, I rise today to honor the life of Army veteran, community leader, and my constituent, Arnold Park of Streator, Illinois.

Mr. Park served his country for two years in Germany before returning home to Streator to run the Lutheran Brotherhood Insurance Agency for the next thirty-five years. In this capacity, he was a trusted community member and able to provide peace of mind to thousands of my constituents. He also served his community as a member and President of the Streator School Board and as a council officer at St. Paul's Lutheran Church.

His dedication to his community and his neighbors continued throughout his life, with Mr. Park most recently dedicating his time and efforts to the Ramp Builders for St. Paul, an organization he founded which constructs and installs wheelchair ramps to help individuals with handicaps and senior citizens access their homes. The Ramp Builders have built hundreds of ramps since 1987 and it now serves people in nearby communities such as Ottawa, Marseilles, and Seneca.

Without question, Arnold Park positively impacted not only his family and loved ones, but also the entire Streator community. His commitment to his profession, his family, his community, and his faith should serve as an example to all of us.

Sadly, Mr. Park passed away on October 9, 2017. I offer my condolences to his widow, children, and grandchildren. Each of them should know how grateful his community and his country are for all he achieved during his life. It is truly an honor to represent an area of Illinois in which people like Arnold Park are making a difference in others' lives each and every day.

IN RECOGNITION OF THE VOLUNTEER SERVICE OF THE BAY ORAL SURGERY & IMPLANT CENTER AND ORAL & MAXILLOFACIAL SURGEONS-BAYCARE CLINIC

HON. MIKE GALLAGHER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. GALLAGHER. Mr. Speaker, I rise today to recognize the volunteer service of the Bay Oral Surgery & Implant Center and Oral & Maxillofacial Surgeons-BayCare Clinic. Since September 2014, these two groups have taken turns each week volunteering their professional services at the N.E.W. Community Clinic, a federally qualified health center in northeastern Wisconsin.

Over the last three years, these groups have provided expert care on a volunteer basis to over 1,200 patients and completed more than 3,300 surgical procedures. The patients these oral surgeons continue to serve are among the most vulnerable members of society, including those who are disabled, in wheelchairs, are cognitively delayed, have Alzheimer's or other severe forms of mental illness.

Without this volunteer service at the N.E.W. Community Clinic, many of these patients would not have access to the necessary oral procedures they need and deserve.

Mr. Speaker, I urge all members of this body to join me in commending the humanitarian work of the Bay Oral Surgery & Implant Center and Oral & Maxillofacial Surgeons-BayCare Clinic, and thank them for their ongoing commitment to serving those in need across northeastern Wisconsin.

100TH ANNIVERSARY OF CHESTERFIELD COUNTY'S HISTORIC COURTHOUSE

HON. DAVE BRAT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. BRAT. Mr. Speaker, this year marks the centennial of Chesterfield County's historic courthouse. This building is a point of pride for the county of Chesterfield and is an official Historic Landmark for Chesterfield and the commonwealth of Virginia.

The Chesterfield Courthouse sits where the original 1749 colonial courthouse once stood. It took only a mere eight months to build the 1917 Courthouse and began hearing cases shortly after construction. The bell from the 1749 Colonial courthouse has been carefully preserved and is the oldest historic artifact in Chesterfield County. It currently stands on display at the Chesterfield County Museum. The bell is, in fact, three years older than the great Liberty Bell.

The Courthouse is more than a well-preserved Landmark, it is a symbol of our great history. When it was built in 1917, it was one of the first preservation struggles in our nation. It was the place where WWI draftees camped out as they waited to ship out to training camps. It has and will continue to represent the critical third branch of government where it still hears cases to this day, 100 years later.

A centennial anniversary is a great accomplishment and is worth recognition and appreciation. It is necessary for our culture and history to be preserved and remembered; whether that be in the abstract of our ideals and principles, or in the physical; such as the Chesterfield Courthouse. Behind the physical buildings is where our principles and values lie. For this reason, I want to recognize the 100 year anniversary of the historic courthouse in Chesterfield, Virginia.

TRIBUTE TO JOHN T. FARINELLA

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. PAYNE. Mr. Speaker, I ask my colleagues to join me as I pay tribute to the recipient of the 2017 New Jersey Principal of the Year Award, Mr. John T. Farinella of Rahway High School.

Mr. Farinella is a lifelong South Plainfield resident and a graduate of South Plainfield High School. After high school, he went on to earn a dual bachelor's degree in economics and mathematics from Pennsylvania State University. He later received his Master's in Education Administration and Supervision from Saint Peter's College in Jersey City, New Jersey, followed by his Juris Doctor from Seton Hall University's School of Law. Mr. Farinella has worked in the New Jersey public school system for more than 20 years, and he has

served the New Jersey Principals and Supervisors Association (NJPSA) as a member of its Council, Legislative Committee, and Constitution Review Committee.

During his time as Principal of Rahway High School, Mr. Farinella has coordinated two key programs that have dramatically helped the students of Rahway High School: the Freshman Transition Program and the Rutgers Future Scholars Program. The Freshman Transition Program provides a support system for Rahway High School's incoming freshmen as they acclimate to the differences between middle school and high school. It helps them begin to plan their lives beyond high school. The Rutgers Future Scholars program recognizes and mentors eighth grade students whose parents have not graduated from college. Fifteen students who perform to the satisfaction of Rahway High School and the Rutgers Future Scholars Program are invited each year, free of charge, to attend Rutgers University.

Mr. Farinella and his staff have dedicated much of their time and effort over the past six years to creating a more comprehensive and complete learning environment for the children of Rahway High School. Through his work at Rahway High School, Mr. Farinella has shown students the value of a college degree and created a college-going mentality throughout his school. Mr. Farinella has shown passion through his leadership and vision for Rahway High School. The Tenth District of New Jersey is proud and honored to have Mr. John T. Farinella investing in the futures of the students of Rahway High School.

RECOGNIZING BRIGADIER GENERAL STEVEN P. BULLARD FOR HIS MILITARY SERVICE TO THE UNITED STATES OF AMERICA

HON. ANDY BARR

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. BARR. Mr. Speaker, we rise to recognize the distinguished military service and retirement of Brigadier General Steven P. Bullard of the United States Air Force and the Kentucky Air National Guard. General Bullard was commissioned as an officer in the United States Air Force and earned his wings as a navigator in the C–130 Hercules aircraft in 1985. Since that time, General Bullard quickly rose to vital leadership positions including: Chief of Staff of the Kentucky Air National Guard; Deputy Chief of the Joint Staff, Joint Force Headquarters-Kentucky National Guard; and a member of the Joint Air Component Coordination Element (JACCE) staff for the Commander, 7th Air Force, Osan Air Base, South Korea.

Over his many years of service, General Bullard worked hard to establish meaningful and trustworthy relationships with Members of Congress to effectively communicate the policies and concerns of the Kentucky Adjutant Generals Office. Through his leadership, General Bullard helped improve the lives of U.S. service members and strengthened the national security of the United States of America. We honor his military service and sacrifice that have led to the betterment of our nation.

HONORING 1 OCTOBER FIRST RESPONDERS

HON. DINA TITUS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Ms. TITUS. Mr. Speaker, I rise today to honor the on-call and off-duty first responders whose training, instincts, and valor saved lives and prevented further tragedy on October 1st in Las Vegas.

Southern Nevada's police, firefighters, and medical professionals rushed into gunfire, suppressed an active shooter, and prepared the community for its recovery. As bullets rained down and innocent victims lay in need of assistance, crews from Las Vegas, North Las Vegas, Henderson, and Clark County entered a situation without hesitation, despite knowing few details about the scope of the attack. Off-duty officials who attended the concert went from enjoying a night of music to selflessly acting under fire.

Amid the report of firearms, the whiz of bullets, and the screams of horror, first responders risked their lives to shield the helpless, provide medical assistance, and secure an area that was the target of an unspeakable event.

Their service did not stop after the shooting. Many went home for a few minutes to change their blood-soaked clothes and hug their family members. Then they returned to a grieving community. Not all of Las Vegas' heroes were lucky enough to go back to their families. Some, like Las Vegas Metro Police Officer Charles Hartfield, lost their lives. Others left the scene with gunshot wounds and various injuries. They were all Nevada's Guardian Angels that night. Those heroes and their family members cannot be thanked enough for their service and sacrifices.

Likewise, our ambulance services, American Medical Response and Community Ambulance, not only assisted the injured on the scene but rapidly transported hundreds to local hospitals. Our two trauma centers, designed to accommodate a fraction of the patients they received in the hours after the shooting, were able to treat a nonstop flow of victims. Our charities immediately set up blood drives and other donation centers to meet the needs of victims. On their own accord, good Samaritans opened their car doors to fleeing concertgoers, turned their belts into tourniquets, and imparted countless acts of kindness in the hours and days following the tragedy.

Through it all we were guided by the leadership of LVMPD Sheriff Joe Lombardo, LVMPD Undersheriff Kevin McMahill, Clark County Fire Chief Greg Cassell, University Medical Center CEO Mason VanHouweling, Sunrise Hospital CEO Todd Sklamberg, and Special Agent Aaron Rouse of the Las Vegas FBI.

These were among the first Nevadans to take action on October 1st. They have had sleepless nights, skipped meals, and borne the weight of the world on their shoulders. Thanks to their guidance and sacrifice, the community has been able to mourn and recuperate in peace. On behalf of Nevada's First Congressional District, I want to thank these leaders and all the local heroes who jeopardized their own lives to make sure that so many in Southern Nevada would be able to face a new day.

They made Las Vegas Strong.

PERSONAL EXPLANATION

HON. SEAN P. DUFFY

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. DUFFY. Mr. Speaker, I am not recorded because I was absent due to travel delays. Had I been present, I would have voted YEA on Roll Call No. 569, YEA on Roll Call No. 570, and NAY on Roll Call No. 571.

RECOGNIZING THE TWENTIETH ANNIVERSARY OF EMERALD COAST CRIME STOPPERS

HON. MATT GAETZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. GAETZ. Mr. Speaker, today I rise to recognize the twentieth anniversary of the Emerald Coast Crime Stoppers. This organization is celebrating 20 years of partnering with the community and local law enforcement.

Twenty years ago, a small group of community leaders and citizens attended and formed the nonprofit organization known as Emerald Coast Crime Stoppers.

Launched in 1997, the concept has developed into a combination of efforts by local media, businesses, civic and social clubs, law enforcement agencies, and the public. Donations of airtime, newspaper space, and reward monies have established Crime Stoppers as an effective tool to fight crime in our area. Crime Stoppers provides a method for local law enforcement to receive information on crimes. These efforts increase tips, which in turn increase arrests in our community.

A unique quality of this organization is that it is not a branch of any law enforcement agency or local government, but is run by community members who graciously volunteer to serve on the Board of Directors.

I would like to extend my gratitude to all who have served in any capacity with this very successful organization. The work that has been done by this group has proved to be invaluable to our communities.

Mr. Speaker, on behalf of the United States Congress, I am privileged to congratulate Emerald Coast Crime Stoppers on their 20th Anniversary.

HONORING DONOVAN SMITH

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to recognize Mr. Donovan Smith, who is a young entrepreneur and philanthropist, who has made a positive impact in our community through his soap making business.

Donovan came to New Mexico in 2011 with his mother, Ms. Casey Smith, after falling upon hard times. Ms. Smith, a Navy veteran,

had lost her job, and was unable to find employment due to health problems. They were able to find a place to stay at the Henderson House in Albuquerque, which provides shelter for female veterans. After overcoming this experience, Donovan has dedicated himself to helping others.

In 2014, Donovan was able to learn soapmaking from his mother as a part of his math and science education. At the age of 11 he started his bath product business at a local market held every weekend. He soon began selling online specialty soaps made from ingredients such as goat's milk and aloe vera. He generously donated a portion of his profits to help fight homelessness.

Donovan has also donated thousands of bars of soap to St. Martin's Hospitality Center, where the soap can be distributed to people in need. In light of his philanthropic work, TV personality Mike Rowe reached out to Donovan as part of his Facebook show, ''Returning the Favor,'' and set him up with a storefront in Downtown Albuquerque to continue his business and charitable work.

In addition to his work to fight homelessness, Donovan has been a vocal advocate against child abuse in New Mexico. He received the McDonald's 365Black Community Choice Award, as well as the Good Samaritan Award by the City of Albuquerque.

Donovan's story is inspiring and proves that with determination, amazing things can be achieved. I look forward to seeing Donovan's success grow as well as his continued efforts to make a difference in our community.

RECOGNIZING THE 2017 BEST OF BRADDOCK AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the recipients of the annual Best of Braddock Awards. These awards are the result of collaboration between the Braddock District Council and Braddock District Supervisor and are presented to individuals and organizations whose extraordinary efforts make our community a better place.

I have been proud to represent this community since my days as Chairman of the Fairfax County Board of Supervisors. The level of civic engagement celebrated by these awards is a testament to the community spirit of Braddock District. I have often said that civic engagement is a key indicator of a healthy community and tonight's event proves that Braddock District is one of the healthiest communities in all of Northern Virginia. That is due in no small part to the actions of those honored here this evening. I extend my congratulations to all of tonight's honorees and commend them for their efforts on behalf of others and in making our community one of the best places in the country in which to live, work and raise a family.

It is my honor to include in the RECORD the following recipients of the 2017 Best of Braddock Award.

Katie Pope—This Annandale High School student has an impressive record of community service to a number of civic, church and charitable organizations.

The Friends of Lake Accotink Park (FLAP)—This organization takes responsibility for supporting all of the numerous upkeep activities necessary to maintain a 493 acre park.

Meghan Walker—The organizer and manager of all of the FLAP activities in support of the Park.

Kiley Foster—This energetic first grader (one of the youngest Honorees ever) has started on an exemplary path of community service through her contributions to her church, charitable organizations, and other service groups such as ''Girls on the Run.''

Irene Merrill—Nominated by the Briarwood Court Condo Association, Irene has continuously improved and produced the Association newsletter for over 10 years.

Jeremiah Bethea—This All-Conference, All-Regional, and All-State pole vault competitor also finds time outside of athletics to earn service awards from his neighborhood, write for the student newspaper, participate in student Government, and qualify for Math and Social Studies Honor Societies.

Suzanne Metz—This physical education teacher is the organizer of ''Walk to School'' and ''Bike to School'' days. She has also been instrumental working with the PTA to establish a summer camp.

Norene Gerstner—This avid gardener has served the Braddock District for 21 years as a volunteer working in and around the Kings Park Library. She has been a leader in conceptualizing and implementing the unique garden surrounding the library along with her ''Gardening Friends of Kings Park Library'' Group.

Morton Berger—The first posthumous honoree, he volunteered thousands of hours with VIPS (Volunteers in Police Service) to memorialize through photograph numerous police activities for the Fairfax County Police Department.

Mr. Speaker, I ask my colleagues to join me in congratulating the 2017 Best of Braddock honorees for their tremendous contributions to Fairfax County and Northern Virginia. I also wish to extend special recognition to George Klein, the chair of the Braddock District Council, for his work in organizing this event and for his tireless efforts on behalf of others in our community.

INTRODUCING RESOLUTION ON COMMEMORATING INTERNATIONAL DAY OF RURAL WOMEN ON OCTOBER 15, 2017

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Ms. KAPTUR. Mr. Speaker, on October 15, the world celebrated International Day of Rural Women and the invaluable contribution of women farmers.

To do our part in expressing solidarity, I rise to introduce this Resolution to commemorate this every important day.

According to the U.N., rural women makeup over one-quarter of the total population and represent 43 percent of the agricultural workforce. They play a critical role in agricultural production, food security and economic stability.

Women serve as the bedrock of society. They feed the world's families. They feed our neighbors, and our countrymen. They are important role models for younger generations. Unfortunately, despite this, they still face many societal and economic limitations both here and abroad.

This Resolution shines a light on women farmers and empowers them to succeed as entrepreneurs. It calls on the people of the U.S. and the world to recognize their critical contribution and to recommit to reducing these barriers and limitations.

I urge my colleagues to support it.

HONORING QUARRIER COOK

HON. MICHELLE LUJAN GRISHAM

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, I rise today to honor the life of Quarrier ''Q'' B. Cook who represented the best of our great state of New Mexico. She was a loving wife, mother, and grandmother, a loyal friend to many, a philanthropist, and a dedicated advocate for the rights of women, and the environment.

Q was born in Wheeling, West Virginia to Nancy Fulton and Thomas Moffat Bloch on April 7, 1935. She graduated from the Wheeling Country Day School, the Ethel Walker School, and Vassar College where she earned a degree in political science that served her well through years of political activism. Q gained a passion for activism by observing her parents, who were involved in civic and public service.

Q began her philanthropic career as a board member of the Santa Fe Community Foundation. Not long after, she founded Santa Fe Style, a southwestern home furnishings boutique in Georgetown, Washington, D.C. Q helped to run the business for 11 years as store purchaser.

During her time in Santa Fe, Q worked to support nonprofit groups, and cultural organizations, including the Santa Fe Community Foundation and the Santa Fe Chamber Music Festival. Q joined the board of the Santa Fe Chamber Music Festival in 1987 and served as board president from 2002 to 2005.

Among their many successes, Q and her husband, Philip Cook, were granted the Santa Fe Community Foundation's Philanthropic Leadership Award in 2016.

Q married the love of her life, Philip Cook, in Santa Fe on March 11, 1991. They recently celebrated 25 years together, marked with joy and travel among family and friends.

On May 4, 2017, Q passed away at age 82. She was surrounded by family at her home in Santa Fe after a yearlong struggle with breast cancer. She was survived by her husband, Philip, and three children, Thomas McKittrick Jones, Nancy Jones Carter, and Clarke Fitz-Gerald Jones, as well as her seven grandchildren.

Q was truly a fighter of justice and we will all miss her dearly. I treasure all of the wonderful contributions she has made to our state. Her memory and legacy is a blessing to us all.

THE BICENTENNIAL BIRTH ANNIVERSARY OF THE BAHA'I FAITH

HON. LYNN JENKINS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Ms. JENKINS of Kansas. Mr. Speaker, I rise to recognize the 200th anniversary of the birth of Baha'u'llah, the founder of the Baha'i Faith. The message from the Baha'i faith has been that of justice, unity, and peace. I am proud to join my Baha'i constituents in Kansas and those around the world to recognize the occasion of the Bicentennial Birth Anniversary of the Baha'I faith.

The Baha'i Faith first arrived in the U.S. over 120 years ago and now the Baha'is live not only in my state of Kansas, but in every state of our union. Wherever they may live, Baha'is champion the principles of their faith and strive to build a better world by being good citizens, serving their communities, as well as working side by side with others to promote the common good.

Our world would do well to follow the example of Baha'u'llah, as he was known for his charity, service to others, and known as a father to the poor. I am grateful for this opportunity to wish the entire Baha'i community the very best as they continue to be an example of common respect and service to their fellow man.

RECOGNIZING THE 2017 INSTITUTE FOR EXCELLENCE IN SALES AND DEVELOPMENT AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the 2017 recipients of the Lifetime Achievement Award and the Woman in Sales Leadership Award presented by the Institute for Excellence in Sales & Business Development (IES).

IES was created to foster excellence in business sales and development practices and to help sales professionals and organizations maximize their efforts. IES conducts a variety of workshops and programs designed to provide the knowledge and tools necessary to advance the careers and growth of those who attend. Each year, IES recognizes individuals, teams, and organizations throughout the United States who demonstrate exemplary performance through leadership, risk taking, innovation, vision, and customer development.

Awards are presented in categories including Excellence in Sales Innovation, Excellence in Sales Training, Excellence in Sales Management, Excellence in Customer Partnering, and Excellence in Strategic Alliances. In addition, Lifetime Achievement Awards are bestowed to a select few who have demonstrated continued success and have made significant contributions in their fields.

The recipient of the 2017 Lifetime Achievement Awards is Mr. Paul Smith, Senior Vice President and General Manager of Public Sector for Red Hat, North America. In this capacity, Mr. Smith manages the Red Hat portfolio across the entire federal government, as well as the state and local marketplaces as it relates to education. Prior to joining Red Hat, Mr. Smith enjoyed successful careers at VERITAS, Netscape Communication and Oracle.

The recipient of the inaugural Woman in Sales Leadership Award is Ms. Mary Beth Cockerham, Vice-President of Sales for Deltek. In this capacity, Ms. Cockerham manages all sales personnel related to Deltek's GovWinIQ program, which provides business intelligence to companies that are pursuing public sector sales. Prior to joining Deltek, Ms. Cockerham spent 20 years with Sun Microsystems in a variety of data-related sales roles.

Mr. Speaker, I ask my colleagues to join me in recognizing Paul Smith and Mary Beth Cockerham for their innovative and effective leadership and in congratulating them on receiving the 2017 IES Lifetime Achievement Award and Woman in Sales Leadership Award.

EXTENDING FUNDING FOR COMMUNITY HEALTH CENTERS

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. CROWLEY. Mr. Speaker, I rise today to urge Congress to address the imminent financial crisis that is facing our nation's community health centers.

Last week, when I was back home in my district, I had the opportunity to visit the Institute for Family Health Center for Counseling in the Bronx. This is just one of New York's 29 Federally Qualified Health Centers operated by the Institute for Family Health, which is committed to improving access to high-quality, patient-centered primary health care targeted to the needs of medically underserved communities. The Center for Counseling highlights the importance of integrated behavioral health as part of the primary care continuum for all Americans, regardless of where they live.

My visit was a reminder of the important role community health centers play in our nation's health care system. They are driven by a commitment to reduce health disparities and assure every American has access to high-quality health care. Congress must not stand in the way of this vital role.

However, this Republican-led Congress has championed partisan gridlock that threatens the vitality of our community and teaching health centers. As of today, we have watched 24 days go by since federal funding for the Affordable Care Act's (ACA) Community Health Center Fund expired at the end of September. These federal health programs have steadfast bipartisan support, yet the majority's partisan approach is holding up the essential federal funding these centers rely on.

Within a package to extend federal funding for community and teaching health centers as well as the Children's Health Insurance Program (CHIP), Republicans proposed several problematic offsets that would ultimately set our health care system back. For example, certain changes to Medicaid would inhibit access to pediatric providers, and cuts to the ACA's Public Health and Prevention Fund would undermine the value of preventive services delivered at community health centers. Furthermore, the package would lead to higher premiums for certain seniors receiving Medicare benefits and shorter grace periods for individuals who receive their health coverage through the individual market. In other words, this package would slash benefits and protections for one group of beneficiaries to extend services for another.

Democrats will not stand for any packages that would rob Peter to pay Paul. I urge my Republican colleagues to drop this partisan exercise and work with us on a compromise to extend these long-standing, successful, bipartisan federal health programs. The job of our nation's 10,400 community health centers is much too important to bear the brunt of needless political games.

CONGRATULATING BRIGADIER GENERAL MICHAEL HAYES ON HIS RETIREMENT AS MANAGING DIRECTOR, OFFICE OF MILITARY AND FEDERAL AFFAIRS, MARYLAND DEPARTMENT OF COMMERCE

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. HOYER. Mr. Speaker, I'm proud that Maryland is home to some of the finest military installations in the country, where our nation's most dedicated service-members and civilian defense employees work to keep our country safe. Over the last eighteen years, they and their families and the communities that support our installations have had an outstanding advocate in Brigadier General Michael Hayes USMC (Ret.). Since August, 1999, after his retirement from a distinguished career as a decorated Marine Corps officer, Mike has led the State of Maryland's Office of Military and Federal Affairs as its first Director.

Under Mike's leadership, the Office of Military and Federal Affairs and the Maryland Military Installation Council have overseen efforts to bring community, academic, and military—as well as federal, state, and local—resources together to promote regional development and economic growth. I've had the pleasure of working closely with him over the years to ensure that Fifth District military installations—Patuxent River, Webster Field, and Indian Head—can continue to grow, serve our national defense, and bring jobs and opportunities to surrounding communities. Mike has played a pivotal role in these efforts, which have earned him accolades, including being named one of two national 'Public Officials of the Year' by the Association of Defense Communities (ADC) in 2007 and becoming a member of the ADC Board of Directors in 2011.

Mike's service to the State of Maryland caps a long career as a Marine officer. He served on active duty during the Vietnam War, commanding artillery batteries during two tours. Later, he went on to command Marine units based in the United States, Japan, and Panama before serving as Chief of Staff to the II Marine Expeditionary Force during Operation Desert Storm. Following his return home, Mike served as Assistant Deputy Chief of Staff for Facilities and Services at the Marine Corps

headquarters before his retirement from thirty-three years of commissioned service in 1999.

A native of Wisconsin, Mike obtained his B.S. in Economics from the University of Wisconsin, and he holds degrees as well from the Naval War College and the National War College. I hope all of my colleagues will join me in thanking Mike for his long career of service to our nation and to the State of Maryland. I wish him and his wife Barbara, as well as their two children and three grandchildren, all the best.

RECOGNIZING THE 2017 BLACK AND GOLD SCHOLARSHIP BALL AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. CONNOLLY. Mr. Speaker, I rise to recognize the Joyce-Gillespie-Harrington Charitable and Educational Foundation and the Zeta Upsilon Lambda Chapter of the Alpha Phi Alpha Fraternity on the occasion of their 37th annual Black and Gold Scholarship Ball.

Since 1980, these two organizations have made tremendous contributions to promoting academic opportunities for youth in Northern Virginia and in the greater Washington, D.C., metropolitan region.

The programs offered by the foundation are vital to the success of our students. This year's Black and Gold Scholarship Ball will support scholarships for ten college-bound high school students. During the last nineteen years, one-hundred students have received scholarships awarded by the foundation and have attended some of the top colleges and universities in the country. With the typical college graduate's debt averaging about $30,000, the foundation's continued support of these students is absolutely crucial.

I am pleased to include in the RECORD the following names of the 2017 scholarship winners:

Jordyn Bingham (Westfield HS)
Ibrahim Eltahir (Falls Church HS)
Nathanial Herbert (Dominion HS)
Morgan Hobson (Fairfax HS)
Kevin Lacey (Rock Ridge HS)
Andrew Lewis (Riverside HS)
Nicole Monlyn (Rock Ridge HS)
Justin Shelby (South Lakes HS)
Elijah Williamson (Herndon HS)
Mathewos Yiheyis (Hayfield SS)

Mr. Speaker, these students represent our country's next generation of gifted leaders who will have great impact on our society and future. I thank the Joyce-Gillespie-Harrington Charitable and Education Foundation and the Zeta Upsilon Lambda Chapter of Alpha Phi Alpha Fraternity for their dedicated commitment to fostering success in our youth and commend all of the scholarship winners for their academic excellence. I ask that my colleagues join me in congratulating these talented students and wishing them great success in all their future endeavors.

REMEMBERING THE LIFE OF OFFICER JUSTIN A. LEO

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. RYAN of Ohio. Mr. Speaker, today I rise to honor the life of Officer Justin A. Leo, 31, of Girard, who passed away on Saturday, October 21, 2017, at St. Elizabeth Hospital in Youngstown, Ohio, following an injury sustained in the line of duty. Officer Leo, a five-year-veteran of the Girard Police Department, was responding to a domestic dispute call when he was fatally ambushed by the suspect, who was then shot and killed by Leo's partner.

Justin was born January 9, 1986, in Youngstown, Ohio, to David and Patricia (Carson) Leo. He was a 2004 graduate of Girard High School and had attended the University of Toledo and Youngstown State University before graduating from the YSU Police Academy in June 2009. Justin worked for the Mahoning County Sheriff's Department and the Vienna Police Department prior to his appointment to the Girard Police Department on July 6, 2012.

Justin was a member of the Girard High School State Champion Cross Country Team in 2000, the Girard F.O.P. Lodge No. 52, the Girard Alumni Association, and St. Rose Church. Outside of work, Justin loved golfing with his dad and his old friends from the senior tees. He also umpired for the Girard baseball leagues and coached in the 4–6 youth basketball league.

Justin will always be remembered by his parents of Girard; his aunt, Denise Mitchell of Girard; his great-uncle, John (Mimi) Baglier of Canfield; great-aunts, Edith Paz of Sun City Center, Florida and Josephine Berezo, of Parkland, Florida and many cousins. He is preceded in death by his grandparents, Jennie Ellen Leo and John and Lila Carson and his uncle, Donald Leo.

Public calling hours will be held on Saturday, October 28, from 2:00 to 6:00 p.m. at the gymnasium. A funeral mass will be held on Sunday, October 29, 2:00 p.m. at Girard High School gymnasium, officiated by the Rev. Msgr. John Zuraw. Justin will be laid to rest at Tod Homestead Cemetery, following a private committal service.

My heart breaks for Officer Leo's family and friends in this tragedy. They have not only my thoughts and prayers, but the prayers of a community grateful for his selfless service. I extend my deepest condolences.

IN RECOGNITION OF MISS PHENIX CITY 2018—STELLA KONTOS

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention to recognize Miss Phenix City 2018, Stella Kontos.

Stella is a junior at Auburn University majoring in Chemical Engineering and minoring in Business. She is vice president of the College of Engineering and on the university's Dean's List. Stella is also a member of Omicron Delta Kappa, Cardinal Key, Lambda Sigma Honors Society, Phi Eta Sigma Honor Society, National Society of Collegiate Scholars and Alpha Gamma Delta Sorority.

Seven years ago, Stella founded her personal platform S.T.A.G.E. (Science, Technology, And Girls in Engineering). Stella works to increase female student participation in Engineering. She's the student liaison to the ''100 Women Strong'' organization and has spent 1,200 hours speaking to over 5,000 students in 25 different classrooms and conference settings.

Mr. Speaker, please join me in recognizing Miss Phenix City 2018, Stella Kontos.

RECOGNIZING THE 2017 ABOVE AND BEYOND BREAKFAST FIRST RESPONDER AWARD RECIPIENTS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize an outstanding group of individuals in Northern Virginia. These individuals have demonstrated superior dedication to public safety and to their community and are being recognized by the Greater Springfield Chamber of Commerce at their annual Above and Beyond Breakfast.

This event recognizes first responders in the Greater Springfield area who better their community by quietly volunteering personal time, energy, and financial support to fill a need outside of their day-to-day duties. In addition to honoring first responders, a portion of the proceeds raised at the Above and Beyond Breakfast are donated to charitable organizations designated by the honorees.

This year, three members of the public safety community are being honored by the Chamber. It is my honor to include in the RECORD the names of the following individuals.

Private First Class Tom Black, Fairfax County Sheriff's Office, for his work with seniors, Camp Sunshine and World Vision

Private First Class Anthony Capizzi, Fairfax County Police Department, for his work with the Boy Scouts of America

Mr. John ''JJ'' Jackson, Greater Springfield Volunteer Fire Department, for his faithful operation of Canteen 422, Fire Station 12

Mr. Speaker, I congratulate the 2017 Above and Beyond Breakfast first responder award recipients, and thank each of the men and women who serve in the Fairfax County Sheriff's Office, Fairfax County Police Department and the Greater Springfield Volunteer Fire Department. Their efforts, made on behalf of the citizens of our community, are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding this group of remarkable citizens and in thanking them for their dedication to the safety and protection of our residents, businesses, and properties.

PERSONAL EXPLANATION

HON. DINA TITUS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Ms. TITUS Mr. Speaker, I was absent October 2, 2017 through October 10, 2017 due to the horrific I October tragedy that occurred in my district. If I were present, I would have voted on the following:

Roll no. 544—H.R. 1547—On motion to suspend the rules and pass the bill: YEA

Roll no. 545—H.R. 965—On motion to suspend the rules and pass the bill, as amended: YEA

Roll no. 546—H. Res. 548—On ordering the previous question: NAY

Roll no. 547—H. Res. 548—On agreeing to the resolution: NAY

Roll no. 548—H.R. 36—On motion to recommit with instructions: YEA

Roll no. 549—H.R. 36—On passage: NAY

Roll no. 550—S. 782—On motion to suspend the rules and pass the bill, as amended: YEA

Roll no. 551—H. Res. 553—On ordering the previous question: NAY

Roll no. 552—H. Res. 553—On agreeing to the resolution: NAY

Roll no. 553—H. Con. Res. 71—On agreeing to the amendment: YEA

Roll no. 554—H. Con. Res. 71—On agreeing to the amendment: YEA

Roll no. 555—H. Con. Res. 71—On agreeing to the amendment: NAY

Roll no. 556—H. Con. Res. 71—On agreeing to the amendment: YEA

Roll no. 557—H. Con. Res. 71—On agreeing to the resolution: NAY

Roll no. 55—H.R. 1858—On motion to suspend the rules and pass the bill: YEA

Roll no. 559—H.R. 2464—On motion to suspend the rules and pass the bill: YEA

HONORING THE 80TH ANNIVERSARY OF THE DELTA SIGMA THETA SORORITY'S NEWPORT NEWS ALUMNAE CHAPTER

HON. ROBERT C. "BOBBY" SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. SCOTT of Virginia. Mr. Speaker, I rise today to honor the 80th anniversary of Delta Sigma Theta Sorority's Newport News Alumnae Chapter.

Delta Sigma Theta Sorority was founded in 1913 by 22 students attending Howard University. These women all saw education and community service as the key to pushing forward the cause of civil rights and progress for the African American community, and that mission remains strong to this day. Today, Delta Sigma Theta has grown to an organization with over 250,000 members and over 940 local chapters operating all over the United States and the world.

The Newport News Alumnae Chapter was originally charted in 1937 as the Beta Kappa Chapter. It was then changed to the Gamma Iota Sigma Chapter in 1947 before officially becoming the Newport News Alumnae Chapter of Delta Sigma Theta Sorority in 1960. The Chapter was dutifully led in these early years by Charter members Marian Palmer Capps, Clara Pannell, Ethel Pannell, Sallie Watkins Roberts, Dorothy Roles Watkins, Olivia Williamson, and Christine Jefferson Haynes.

The women of the Newport News Alumnae Chapter are committed to the same honored tradition of community service that has driven all of Delta Sigma Theta's members since its inception. Delta Sigma Theta's sisterhood has always been guided by the sorority's Five-Point Programmatic Thrust of Economic Development, Education Development, International Awareness and Involvement, Physical and Mental Health, and Political Awareness and Involvement. It is with these principles in mind that the Newport News Alumnae Chapter established the programs that continue to serve their local community to this day.

Delta Sigma Theta's unwavering commitment to serving the needs of African Americans has been truly reflected through the good work pursued by the Newport News Alumnae Chapter over the years. The Dr. Betty Shabazz Delta Academy provides young girls between 11 and 14 years old with the opportunity to pursue their interests in math, science, and technology. The Delta GEMS program offers college and career planning to at-risk teenage girls who may otherwise not understand the opportunities available to them. The EMBODI program addresses the challenges facing African-American boys by providing middle and high schoolers with counseling and support in subject areas such as fostering healthy relationships, fiscal management, physical and mental health, self-efficacy, and more. These programs provide an invaluable service to the youth of Newport News.

Mr. Speaker, as the Newport News Alumnae Chapter of Delta Sigma Theta Sorority celebrates this exciting milestone, its members can feel affirmed that these past 80 years of fellowship and outreach have left the Newport News community stronger and more united than it otherwise would have been. I would like to congratulate Chapter President Joyce Melvin-Jones and all of the members of the Newport News sisterhood on this special occasion.

RECOGNIZING THE 275TH ANNIVERSARY OF FAIRFAX COUNTY, VIRGINIA

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. CONNOLLY. Mr. Speaker, I rise today to recognize a momentous anniversary. This year marks the 275th anniversary of Fairfax County, which I am proud to represent in this chamber and which I represented prior to my election to this body for 14 years on the Fairfax County Board of Supervisors, including five years as Chairman.

In 1737, Lord Thomas Fairfax of Cameron took possession of a piece of land that included all of what is now Loudoun, Arlington and Fairfax Counties in addition to the cities of Falls Church, Fairfax and Alexandria. At the time, all of this land was part of Prince William County. Installing his cousin William as the managing agent for that land, Lord Fairfax departed back to England to cement his claim. In 1742, William arranged for that piece of land to be officially designated as Fairfax County.

This new county was home to many Americans who would have an impact on our country, most notably future President George Washington. In addition, Fairfax was home to the man who many credit with the creation of the Bill of Rights, George Mason. Working with a member of Virginia's congressional district (and future President himself) James Madison, Mason argued for the creation of amendments to the newly-created U.S. Constitution to protect individual freedoms. Indeed, Mason was one of only three delegates to the Constitutional Convention to refuse to sign the new document because of his concerns that the federal government would be abusive of its authority absent a document like the Bill of Rights.

Fairfax County also played a role in another pivotal time on our Nation's history, the Civil War. The courthouse in Fairfax City served as a headquarters for the U.S. Army and the remains of several forts can still be found throughout the county today. The founder of the Red Cross, Clara Barton, treated wounded soldiers at St. Mary's Church in Fairfax Station, an experience that would eventually lead her to found that organization. While the County was largely spared from major battles (with the exception of the Battle of Ox Hill in 1862), raids and skirmishes between Union and Confederate forces were frequent and portions of the County changed hands several times over the course of the war.

Mr. Speaker, the history of Fairfax County is intimately intertwined with the history of the United States. Although the founders of this County could not have known the future that awaited their holdings, I suspect the evolution from a rural farming community to today's suburban community of over 1 million would please them greatly. Fairfax County has consistently been rated among the best places in the country in which to live, work, raise a family and start a business. Indeed, it stands as an example of a community that consistently sees beyond the years. I was proud to serve it on the Board of Supervisors and have been proud to represent it in this body. I ask my colleagues to join me in congratulating Fairfax County on this important anniversary.

CIVIL RIGHTS

SPEECH OF

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 23, 2017

Mr. CLYBURN. Mr. Speaker, I thank Representative VEASEY, and our colleague Congresswoman EDDIE BERNICE JOHNSON, for joining me at the Center for African American Studies at the University of Texas at Arlington last Thursday evening. It was a wonderful experience for me and President Vistasp Karbhari, Dr. Jason Skelton and my longtime friend Dr. Marvin Delaney were perfect hosts.

Earlier this month, Sergeant La David T. Johnson died a hero's death in a distant land on a mission few Americans know about or understand.

This weekend, his grieving family, including his pregnant wife, took him to his final resting

place in Florida. Sgt. Johnson's tragic death leaves this young family fatherless.

Mr. Speaker, in his Second Inaugural address, President Abraham Lincoln called on our nation to endeavor "to care for him who shall have borne the battle and for his widow and his orphan. . . ."

Unfortunately, rather than comfort Sgt. Johnson's grieving family, the current occupant of the White House has chosen to use them as his latest prop in his constant effort to sow discord and division in this country.

The President and White House Chief of Staff John Kelly, who happens to be a Four-Star General, have insulted and smeared an honorable public servant who happens to be a Five-Star Congresswoman, and in effect called her and her grieving widowed constituent liars.

Congresswoman FREDERICA S. WILSON has been a champion for the people of South Florida for decades. It is no mystery—and it was not political—that she was accompanying Mrs. Johnson and her family to receive her husband's remains. She had mentored Sgt. Johnson throughout his childhood.

Mr. Speaker, I have participated in several of Congresswoman WILSON's 500 Role Models events and have spoken for one of their graduations. I often wear a red tie to this floor helping her highlight their efforts. And her passionate work on behalf of those kidnapped girls of Boko Haram is unmatched.

As the husband of a five-star African American woman for more than 56 years and the father of three African American daughters who are working hard to earn their stars each and every day, I feel compelled to respond to General Kelly and completely debunk his concocted misrepresentation.

Mr. Speaker, we can have political differences here in Washington, D.C. That comes with the territory. But people need to have the common decency and basic humanity to refrain from exacerbating the pain of those already suffering so much.

I was taught from childhood that silence gives consent. I want the White House to know this, I and the members of the Congressional Black caucus will not be silent or silenced.

TRIBUTE TO TAMMY SMITH

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Tammy Smith as the 2017 Taco John's International Manager of the Year.

Tammy's leadership has helped the team at the Creston Taco John's achieve record-setting sales levels by providing great service and a friendly smile. Tammy was quoted in the Creston News Advertiser as saying "It isn't just me. It's everybody in this store that makes something like that happen. You have to be doing everything right. There's no way I could come in and do it myself."

Mr. Speaker, it is an honor to represent leaders like Tammy in the United States Congress and it is with great pride that I recognize and applaud her for utilizing her talents to better both her community and the great State of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating her for earning this outstanding award and in wishing her nothing but continued success.

TRIBUTE TO MARCIA SHOWALTER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Marcia Showalter, from the Mount Ayr Medical Clinic in Mount Ayr, Iowa. Marcia was awarded the 2017 DAISY Award at a ceremony earlier this year.

This award was created to express the public's profound gratitude to nurses for the work they do on a daily basis. Through Marcia's skilled and compassionate care she delivers an outstanding service to her patients and their families. Gordon Winkler, CEO of Ringgold County Hospital, stated, "Marcia epitomizes the exceptional people who provide exceptional care at the clinic and the hospital."

Mr. Speaker, I applaud and congratulate Marcia for receiving this award and for providing excellent patient care to her fellow Iowans. I am proud to represent her and all the members of the Mount Ayr Medical Clinic in the United States Congress and I ask that my colleagues join me in congratulating Marcia on this outstanding achievement and in wishing her nothing but continued success.

TRIBUTE TO JOKAYE AND RONNIE SHIELDS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate JoKaye and Ronnie Shields on the very special occasion of their 60th wedding anniversary. The couple married on September 22, 1957 and resides in Mount Ayr, Iowa.

JoKaye and Ronnie's lifelong commitment to each other and their family truly embodies Iowa's values. As they reflect on their 60th anniversary, may their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend JoKaye and Ronnie on their 60 years together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

TRIBUTE TO MARILYN AND JAMES SAVILLE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Marilyn and James Saville on the very special occasion of their 50th wedding anniversary. The couple married on August 19, 1967 and resides in Mount Ayr, Iowa.

Marilyn and James' lifelong commitment to each other and their family truly embodies Iowa's values. As they reflect on their 50th anniversary, may their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50 years together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating Marilyn and James on this momentous occasion.

TRIBUTE TO EAGLE SCOUT HUNTER BECKER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Hunter Becker of Urbandale, Iowa for earning the rank of Eagle Scout.

The Eagle Scout designation is the highest advancement rank in scouting. Approximately two percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement with high standards that have been well-maintained over the past century.

To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. For his project, Hunter raised $1,750 and led 31 volunteers in 70 hours of service to prepare the Timberline Soccer Complex in Waukee for the season, including preparing the goals and building or refurbishing six picnic tables. The work ethic Hunter has shown not only in his Eagle Scout Project but through his many accomplishments during his scouting career speaks volumes about his commitment to serving a cause greater than himself and assisting his community.

Mr. Speaker, the example set by this young man and his supportive family and community demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent Hunter and his family in the United States Congress. I ask that my colleagues in the U.S. House of Representatives join me in congratulating him on obtaining the Eagle Scout ranking, and in wishing him nothing but continued success.

TRIBUTE TO LOIS AND BILL JAY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Lois and Bill Jay on the very special occasion of their 60th wedding anniversary. The couple resides in Creston, Iowa.

Lois and Bill's lifelong commitment to each other and their children and grandchildren truly embodies Iowa's values. As they reflect on their 60th anniversary, may their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 60 years together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating Lois and Bill on this momentous occasion.

TRIBUTE TO BERT AND EDDIE EHM

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Bert and Eddie Ehm on the very special occasion of their 60th wedding anniversary. The couple resides on a farm outside of Arispe, Iowa.

Bert and Eddie's lifelong commitment to each other, their three children and four grandchildren truly embodies Iowa's values. As they reflect on their 60th anniversary, may their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 60 years together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating Bert and Eddie on this momentous occasion.

TRIBUTE TO ZOLA AND BRUCE WESTPHAL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Zola and Bruce Westphal on the very special occasion of their 70th wedding anniversary. The couple was married on September 12, 1947, and resides in Greenfield, Iowa.

Zola and Bruce's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 70th wedding anniversary, may their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 70th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating Zola and Bruce on this momentous occasion and in wishing them both nothing but continued success.

TRIBUTE TO BEVERLY KEMERY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Beverly Thornton Kemery, of Bedford, Iowa for being awarded the Volunteer of the Year Award from the Bedford Area Chamber.

Beverly has been a lifelong resident of Bedford and has raised a family of four sons, 15 grandchildren and 8 great grandchildren. She held offices with the Bedford Lioness Club, has been a sponsor for the Young Mothers at Heart, and was a Sunday school teacher. Beverly is also a member of the Red Hat Society and the Bedford Northside Apartments.

Mr. Speaker, Beverly's efforts embody the Iowa spirit and I am honored to represent her, and constituents like her, in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Beverly for this outstanding achievement and in wishing her nothing but continued success.

TRIBUTE TO NANCI TRIBOLET

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 24, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Nanci Tribolet, of Bedford, Iowa for being named the 2017 Iowa Mother of the Year by American Mothers Inc. American Mothers Inc. is celebrating its 82nd year of nationally honoring motherhood.

Nanci was selected because she excels in her role as a mother and a community leader. In 1971, she married her high school sweetheart and they were blessed with three children and five grandchildren. Nanci's love of children has been the foundation of her career in childcare. Over the course of her 45 year career, she has worked with more than 150 children in her community.

Mr. Speaker, it is a profound honor to represent leaders like Nanci in the United States Congress and it is with great pride that I recognize and applaud her for utilizing her talents to better both her community and the great state of Iowa. I ask that my colleagues in the United States House of Representatives join me in congratulating Nanci for earning this outstanding award and in wishing her nothing but continued success.

Daily Digest

HIGHLIGHTS

Senate agreed to the motion to concur in the amendment of the House to the amendment of the Senate to H.R. 2266, Additional Supplemental Appropriations for Disaster Relief Requirements Act.

Senate

Chamber Action

Routine Proceedings, pages S6719–S6775

Measures Introduced: Eight bills and two resolutions were introduced, as follows: S. 1995–2002, and S. Res. 301–302. **Pages S6768–69**

Measures Passed:

Consumer Financial Protection Bureau Rule: By 51 yeas to 50 nays, Vice President voting yea (Vote No. 249), Senate passed H.J. Res. 111, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to "Arbitration Agreements", after agreeing to the motion to proceed. **Page S6760**

External power supplies: Senate passed S. 226, to exclude power supply circuits, drivers, and devices to be connected to, and power, light-emitting diodes or organic light-emitting diodes providing illumination or ceiling fans using direct current motors from energy conservation standards for external power supplies. **Pages S6772–73**

Protecting Patient Access to Emergency Medications Act: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of H.R. 304, to amend the Controlled Substances Act with regard to the provision of emergency medical services, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Page S6773**

McConnell (for Cassidy) Amendment No. 1577, in the nature of substitute. **Page S6773**

50th Anniversary of USS Forrestal Fire: Committee on Armed Services was discharged from further consideration of S. Res. 234, recognizing the Sailors and Marines who sacrificed their lives for ship and shipmates while fighting the devastating 1967 fire onboard USS Forrestal and, during the week of the 50th anniversary of the tragic event, commemorating the efforts of those who survived, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto: **Page S6773**

McConnell (for Ernst) Amendment No. 1578, to amend the preamble. **Page S6773**

National Chemistry Week: Senate agreed to S. Res. 301, designating the week beginning on October 22, 2017, as "National Chemistry Week". **Pages S6773–74**

Authorizing photography of Senate Wing of U.S. Capitol: Senate agreed to S. Res. 302, authorizing limited still photography of the Senate Wing of the United States Capitol and authorizing the release of preexisting photographs of the Senate Chamber and Senate Wing of the United States Capitol for a book on the history of the Senate. **Page S6774**

House Messages:

Additional Supplemental Appropriations for Disaster Relief Requirements Act: By 82 yeas to 17 nays (Vote No. 248), Senate agreed to the motion to concur in the amendment of the House to the amendment of the Senate to H.R. 2266, to amend title 28 of the United States Code to authorize the appointment of additional bankruptcy judges, after taking action on the following motions and amendments proposed thereto: **Pages S6721–30, S6730–38**

Withdrawn:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell Amendment No. 1568, to change the enactment date. **Page S6737**

During consideration of this measure today, Senate also took the following action:

McConnell Amendment No. 1569 (to Amendment No. 1568), of a perfecting nature, fell when McConnell motion to concur in the amendment of the House to the amendment of the Senate to the

bill, with McConnell Amendment No. 1568 (listed above), was withdrawn. Page S6737

By 80 yeas to 19 nays (Vote No. 247), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive all applicable sections of the Congressional Budget Act of 1974 and applicable budget resolutions for the purposes of McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill. Subsequently, the point of order that sections 304, 306, 308, and 309 of McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill were in violation of section 314(e) of the Congressional Budget Act of 1974, was not sustained. Page S6737

Appointments:

Western Hemisphere Drug Policy Commission: The Chair, on behalf of the Democratic Leader, pursuant to the provisions of Public Law 114–323, appointed the following individuals to serve as members of the Western Hemisphere Drug Policy Commission: Juan S. Gonzalez of the District of Columbia, and Douglas M. Fraser of Florida. Page S6772

Palk Nomination—Agreement: A unanimous-consent agreement was reached providing that at approximately 9:30 a.m., on Wednesday, October 25, 2017, Senate resume consideration of the nomination of Scott L. Palk, to be United States District Judge for the Western District of Oklahoma, with the time until the vote on the motion to invoke cloture on the nomination equally divided between the two Leaders, or their designees. Page S6774

Nominations Received: Senate received the following nominations:

Leonard Wolfson, of Connecticut, to be an Assistant Secretary of Housing and Urban Development.

William Beach, of Kansas, to be Commissioner of Labor Statistics, Department of Labor, for a term of four years.

Tara Sweeney, of Alaska, to be an Assistant Secretary of the Interior.

Robert M. Weaver, of Oklahoma, to be Director of the Indian Health Service, Department of Health and Human Services, for the term of four years. Page S6775

Messages from the House: Page S6766

Measures Referred: Page S6767

Enrolled Bills Presented: Page S6767

Executive Communications: Pages S6767–68

Petitions and Memorials: Page S6768

Executive Reports of Committees: Page S6768

Statements on Introduced Bills/Resolutions: Pages S6770–71

Additional Cosponsors: Pages S6769–70

Additional Statements: Pages S6764–66

Amendments Submitted: Pages S6771–72

Authorities for Committees to Meet: Page S6772

Record Votes: Three record votes were taken today. (Total—249) Pages S6767–38, S6760

Adjournment: Senate convened at 10 a.m. and adjourned at 10:28 p.m., until 9:30 a.m. on Wednesday, October 25, 2017. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6774.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the nominations of David J. Ryder, of New Jersey, to be Director of the Mint, Department of the Treasury, and Hester Maria Peirce, of Ohio, and Robert J. Jackson, Jr., of New York, both to be a Member of the Securities and Exchange Commission, after the nominees testified and answered questions in their own behalf.

MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT

Committee on Commerce, Science, and Transportation: Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded a hearing to examine reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act, focusing on fisheries science, after receiving testimony from Ray Hilborn, University of Washington School of Aquatic and Fishery Sciences, Seattle; Larry McKinney, Texas A&M University Harte Research Institute for Gulf of Mexico Studies, Corpus Christi; Karl Haflinger, Sea State, Inc., Vashon, Washington; and Michael Jones, Michigan State University Department of Fisheries and Wildlife, East Lansing.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nominations of Jeffrey Gerrish, of Maryland, to be a Deputy United States Trade Representative (Asia, Europe, the Middle East, and Industrial Competitiveness), Department of State, Gregory Doud, of Kansas, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, and Jason Kearns, of Colorado, to be a Member of the United States International Trade Commission.

NOMINATION

Committee on Finance: Committee concluded a hearing to examine the nomination of Kevin K. McAleenan, of Hawaii, to be Commissioner of U.S. Customs and Border Protection, Department of Homeland Security, after the nominee, who was introduced by Senator Hirono, testified and answered questions in his own behalf.

U.S. POLICY TOWARDS BURMA

Committee on Foreign Relations: Committee concluded a hearing to examine United States policy towards Burma, focusing on geopolitical, economic, and humanitarian considerations, after receiving testimony from W. Patrick Murphy, Bureau of East Asian and Pacific Affairs, and Mark C. Storella, Bureau of Population, Refugees, and Migration, both a Deputy Assistant Secretary, Department of State; and V. Kate Somvongsiri, Acting Deputy Assistant Administrator, Bureau for Democracy, Conflict, and Humanitarian Assistance, United States Agency for International Development.

BUSINESS MEETING

Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 16 public bills, H.R. 4099–4114; and 6 resolutions, H. Res. 579 and 581–585 were introduced. **Page H8143**

Additional Cosponsors: **Pages H8144–45**

Reports Filed: Reports were filed today as follows:

H.R. 3329, to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah, and for other purposes, with an amendment (H. Rept. 115–366, Part 1);

H.R. 3342, to impose sanctions on foreign persons that are responsible for gross violations of internationally recognized human rights by reason of the use by Hizballah of civilians as human shields, and for other purposes (H. Rept. 115–367, Part 1);

H.R. 2600, to provide for the conveyance to the State of Iowa of the reversionary interest held by the United States in certain land in Pottawattamie County, Iowa, and for other purposes, with an amendment (H. Rept. 115–368); and

H. Res. 580, providing for consideration of the Senate amendment to the concurrent resolution (H. Con. Res. 71) establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027 (H. Rept. 115–369). **Page H8143**

Speaker: Read a letter from the Speaker wherein he appointed Representative Hollingsworth to act as Speaker pro tempore for today. **Page H8079**

Recess: The House recessed at 10:49 a.m. and reconvened at 12 noon. **Page H8084**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Rabbi David-Seth Kirshner, Temple Emanu-El, Closter, NJ. **Page H8084**

Committee Resignation: Read a letter from Representative Duncan (SC) wherein he resigned from the Committee on Foreign Affairs and the Committee on Homeland Security. **Page H8086**

Committee Election: The House agreed to H. Res. 579, electing a Member to certain standing committee of the House of Representatives. **Page H8086**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and pass the following measure. Consideration began Monday, October 23rd.

International Narcotics Trafficking Emergency Response by Detecting Incoming Contraband with Technology Act: H.R. 2142, amended, to improve the ability of U.S. Customs and Border Protection to interdict fentanyl, other synthetic opioids, and other narcotics and psychoactive substances that are illegally imported into the United States, by a ⅔ yea-and-nay vote of 412 yeas to 3 nays, Roll No. 574. **Pages H8096–97**

Unanimous Consent Agreement: Agreed by unanimous consent that during consideration of H.R. 469, pursuant to House Resolution 577, the amendment placed at the desk be in order in lieu of the amendment printed in part A of House Report 115–363 and numbered 2. **Page H8097**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Family Office Technical Correction Act of 2017: H.R. 3972, amended, to clarify that family offices and family clients are accredited investors;

Pages H8097–99

Impeding North Korea's Access to Finance Act of 2017: H.R. 3898, amended, to require the Secretary of the Treasury to place conditions on certain accounts at United States financial institutions with respect to North Korea, by a ⅔ yea-and-nay vote of 415 yeas to 2 nays, Roll No. 581; and

Pages H8099–H8104, H8129–30

Agreed to amend the title so as to read: "To impose secondary sanctions with respect to North Korea, strengthen international efforts to improve sanctions enforcement, and for other purposes.".

Page H8130

Strengthening Cybersecurity Information Sharing and Coordination in Our Ports Act of 2017: H.R. 3101, amended, to enhance cybersecurity information sharing and coordination at ports in the United States. **Pages H8104–07**

Stop Settlement Slush Funds Act of 2017: The House passed H.R. 732, to limit donations made pursuant to settlement agreements to which the United States is a party, by a recorded vote of 238 ayes to 183 noes, Roll No. 580. **Pages H8107–29**

Pursuant to the Rule, the amendments recommended by the Committee on the Judiciary now printed in the bill shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as read.

Page H8129

Agreed to:

Goodlatte amendment (No. 1 printed in part B of H. Rept. 115–363) that prohibits Cy Pres distributions in cases where money is simply left over and the settlement contains no specific provision on its disposition and clarifies that payments made must not only be remedial but must actually go to the victims who suffered the injury.

Pages H8118–19, H8129

Rejected:

Cohen amendment (No. 2 printed in part B of H. Rept. 115–363) that sought to exempt settlement agreements based on race, religion, national origin, or any other protected category (by a recorded vote of 187 ayes to 233 noes, Roll No. 575);

Pages H8119–20, H8125–26

Johnson (GA) amendment (No. 3 printed in part B of H. Rept. 115–363) that sought to exempt a settlement agreement that directs funds to remediate the indirect harms caused by the manipulation of ignition standards on automobiles (by a recorded vote of 183 ayes to 235 noes with one answering "present", Roll No. 576); **Pages H8120–21, H8126–27**

Jackson Lee amendment (No. 4 printed in part B of H. Rept. 115–363) that sought to exempt settlement agreements that pertain to providing restitution for a State (by a recorded vote of 185 ayes to 234 noes, Roll No. 577); **Pages H8121–23, H8127**

Cicilline amendment (No. 5 printed in part B of H. Rept. 115–363) that sought to exempt settlements in relation to the predatory or fraudulent conduct involving residential mortgage-backed securities (by a recorded vote of 189 ayes to 231 noes, Roll No. 578); and **Pages H8123–24, H8127–28**

Conyers amendment (No. 6 printed in part B of H. Rept. 115–363) that sought to exempt settlements that direct funds to remedy the indirect harms of unlawful conduct resulting in an increase in the amount of lead in public drinking water (by a recorded vote of 191 ayes to 229 noes, Roll No. 579). **Pages H8124–25, H8128–29**

H. Res. 577, the rule providing for consideration of the bills (H.R. 469) and (H.R. 732) was agreed to by a recorded vote of 227 ayes to 190 noes, Roll No. 573, after the previous question was ordered by a yea-and-nay vote of 228 yeas to 189 nays, Roll No. 572. **Pages H8095–96**

Quorum Calls—Votes: Three yea-and-nay votes and seven recorded votes developed during the proceedings of today and appear on pages H8095, H8095–96, H8096–97, H8125–26, H8126–27, H8127, H8127–28, H8128–29, H8129, and H8129–30. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 7:56 p.m.

Committee Meetings

THE ROLE OF FACILITIES AND ADMINISTRATIVE COSTS IN SUPPORTING NIH-FUNDED RESEARCH

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies held an oversight hearing entitled "The Role of Facilities and Administrative Costs in Supporting NIH-Funded Research". Testimony was heard from public witnesses.

EXAMINING HHS'S PUBLIC HEALTH PREPAREDNESS FOR AND RESPONSE TO THE 2017 HURRICANE SEASON

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Examining HHS's Public Health Preparedness for and Response to the 2017 Hurricane Season". Testimony was heard from Kimberly Brandt, Principal Deputy Administrator for Operations, Centers for Medicare and Medicaid Services, Department of Health and Human Services; Scott Gottlieb, M.D.,

Commissioner, Food and Drug Administration; Robert P. Kadlec, M.D., Assistant Secretary for Preparedness and Response, Department of Health and Human Services; and Rear Admiral Upper Half Stephen C. Redd, M.D., Director of the Office of Public Health Preparedness and Response, Centers for Disease Control and Prevention.

THE FEDERAL GOVERNMENT'S ROLE IN THE INSURANCE INDUSTRY

Committee on Financial Services: Subcommittee on Housing and Insurance held a hearing entitled "The Federal Government's Role in the Insurance Industry". Testimony was heard from public witnesses.

PUBLIC-PRIVATE SOLUTIONS TO EDUCATING A CYBER WORKFORCE

Committee on Homeland Security: Subcommittee on Cybersecurity and Infrastructure Protection; and Subcommittee on Higher Education and Workforce Development of the House Committee on Education and the Workforce held a joint hearing entitled "Public-Private Solutions to Educating a Cyber Workforce". Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Full Committee began a markup on H.R. 4092, the "AG Act"; and H.R. 3711, the "Legal Workforce Act".

REGULATORY REFORM TASK FORCES CHECK-IN

Committee on Oversight and Government Reform: Subcommittee on Government Operations; and Subcommittee on Healthcare, Benefits, and Administrative Rules held a joint hearing entitled "Regulatory Reform Task Forces Check-In". Testimony was heard from James Owens, Acting General Counsel, Department of Transportation; Joo Chung, Director of the Oversight and Compliance Directorate, Office of the Deputy Chief Management Officer, Department of Defense; Giancarlo Brizzi, Principal Deputy Associate Administrator, Office of Government-Wide Policy, General Services Administration; and public witnesses.

OVERSIGHT OF FEDERAL POLITICAL ADVERTISEMENT LAWS AND REGULATIONS

Committee on Oversight and Government Reform: Subcommittee on Information Technology held a hearing entitled "Oversight of Federal Political Advertisement Laws and Regulations". Testimony was heard from public witnesses.

CONCURRENT RESOLUTION ESTABLISHING THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2018 AND SETTING FORTH THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEARS 2019 THROUGH 2027

Committee on Rules: Full Committee held a hearing on the Senate Amendment to H. Con. Res. 71, a concurrent resolution establishing the congressional budget for the United States Government for fiscal year 2018 and setting forth the appropriate budgetary levels for fiscal years 2019 through 2027. The Committee granted, by record vote of 7–4, a rule providing for the consideration of the Senate amendment to H. Con. Res. 71. The rule makes in order a motion offered by the chair of the Committee on the Budget or her designee that the House concur in the Senate amendment to H. Con. Res. 71. The rule waives all points of order against consideration of the motion. The rule provides that the Senate amendment and the motion shall be considered as read. The rule provides one hour of debate on the motion equally divided and controlled by the chair and ranking minority member of the Committee on the Budget. Testimony was heard from Chairman Black, and Representatives Yarmuth, Grothman, Jayapal, and Pascrell.

AMERICAN LEADERSHIP IN QUANTUM TECHNOLOGY

Committee on Science, Space, and Technology: Subcommittee on Research and Technology; and Subcommittee on Energy held a joint hearing entitled "American Leadership in Quantum Technology". Testimony was heard from Carl J. Williams, Acting Director, Physical Measurement Laboratory, National Institute of Standards and Technology; Jim Kurose, Assistant Director, Computer and Information Science and Engineering Directorate, National Science Foundation; John Stephen Binkley, Acting Director of Science, Department of Energy; and public witnesses.

LEGISLATIVE MEASURES

Committee on Veterans' Affairs: Full Committee held a hearing on legislation to establish a permanent Veterans Choice Program; legislation to modify VA's authority to enter into agreements with State homes to provide nursing home care to veterans, to direct the Secretary to carry out a program to increase the number of graduate medical education residency positions, and for other purposes; legislation to direct VA to conduct a study of the Veterans Crisis Line; legislation to direct VA to furnish mental health care to veterans at community or non-profit mental

health providers participating in the Veterans Choice Program; legislation on the Veteran Coordinated Access and Rewarding Experiences Act; H.R. 1133, the "Veterans Transplant Coverage Act of 2017"; H.R. 2123, the "VETS Act of 2017"; H.R. 2601, the "VICTOR Act of 2017"; and H.R. 3642, the "Military SAVE Act". Testimony was heard from Representatives Banks of Indiana, Gallagher, Carter of Texas, Thompson of Pennsylvania, Dunn, and Barr; David J. Shulkin, M.D., Secretary, Department of Veterans Affairs; and public witnesses.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, OCTOBER 25, 2017

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: Subcommittee on SeaPower, to receive a closed briefing on the major threats facing naval forces and the Navy's current and planned capabilities to meet those threats, 9:15 a.m., SVC–217.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the commercial satellite industry, 10 a.m., SR–253.

Committee on Environment and Public Works: business meeting to consider the nominations of Michael Dourson, of Ohio, to be Assistant Administrator for Toxic Substances, and William L. Wehrum, of Delaware, Matthew Z. Leopold, of Florida, and David Ross, of Wisconsin, each to be an Assistant Administrator, all of the Environmental Protection Agency, Paul Trombino III, of Wisconsin, to be Administrator of the Federal Highway Administration, Department of Transportation, and Jeffery Martin Baran, of Virginia, to be a Member of the Nuclear Regulatory Commission; to be immediately followed by a hearing to examine an original bill entitled, "the Wildfire Prevention and Mitigation Act of 2017", 10 a.m., SD–406.

Committee on Foreign Relations: Subcommittee on Africa and Global Health Policy, to receive a closed briefing on Nigeria security, 10 a.m., SVC–217.

Committee on Indian Affairs: business meeting to consider S. 1223, to repeal the Klamath Tribe Judgment Fund Act; to be immediately followed by a hearing to examine S. 1870, to amend the Victims of Crime Act of 1984 to secure urgent resources vital to Indian victims of crime, S. 1953, to amend the Tribal Law and Order Act of 2010 and the Indian Law Enforcement Reform Act to provide for advancements in public safety services to Indian communities, and S. 1942, to direct the Attorney General to review, revise, and develop law enforcement and justice protocols appropriate to address missing and murdered Indians, 2:30 p.m., SD–628.

Committee on Veterans' Affairs: business meeting to consider the nominations of Melissa Sue Glynn, of the District of Columbia, to be an Assistant Secretary (Enterprise Integration), Randy Reeves, of Mississippi, to be Under Secretary for Memorial Affairs, and Cheryl L. Mason, of Virginia, to be Chairman of the Board of Veterans' Appeals, all of the Department of Veterans Affairs, Time to be announced, Room to be announced.

Special Committee on Aging: to hold hearings to examine working and aging with disabilities from school to retirement, 2:30 p.m., SD–562.

House

Committee on Appropriations, Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, oversight hearing entitled "Down Syndrome: Update on the State of the Science and Potential for Discoveries Across Other Major Diseases", 10 a.m., 2358–C Rayburn.

Committee on Energy and Commerce, Full Committee, hearing entitled "Federal Efforts to Combat the Opioid Crisis: A Status Update on CARA and Other Initiatives", 10 a.m., 2123 Rayburn.

Subcommittee on Communications and Technology, hearing entitled "Oversight of the Federal Communications Commission", 2 p.m., 2322 Rayburn.

Committee on Financial Services, Subcommittee on Housing and Insurance, hearing entitled "Sustainable Housing Finance: Private Sector Perspectives on Housing Finance Reform", 10 a.m., 2128 Rayburn.

Full Committee, hearing entitled "Examining the Equifax Data Breach", 2 p.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on the Middle East and North Africa, hearing entitled "The President's Iran Decision: Next Steps", 10 a.m., 2172 Rayburn.

Committee on House Administration, Full Committee, hearing entitled "State Voter Registration List Maintenance", 11 a.m., 1310 Longworth.

Committee on the Judiciary, Full Committee, continue markup on H.R. 4092, the "AG Act"; and H.R. 3711, the "Legal Workforce Act", 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Full Committee, hearing entitled "Empowering State Based Management Solutions for Greater Sage Grouse Recovery", 10 a.m., 1324 Longworth.

Subcommittee on Indian, Insular and Alaska Native Affairs, hearing on H.R. 215, the "American Indian Empowerment Act of 2017", 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on Government Operations; and Subcommittee on Health Care, Benefits, and Administrative Rules, joint hearing entitled "Ongoing Management Challenges at IRS", 2 p.m., 2154 Rayburn.

Committee on Science, Space, and Technology, Subcommittee on Oversight, hearing entitled "Bolstering the Government's Cybersecurity: Assessing the Risk of Kaspersky Lab Products to the Federal Government", 10 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Contracting and Workforce, hearing entitled "GAO Audit Reveals Half-Measures Taken by Small Business Advocates", 11 a.m., 2360 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Disability Assistance and Memorial Affairs, hearing entitled "Examining How VBA Can Effectively Prevent and Manage Overpayments", 10:30 a.m., 334 Cannon.

Subcommittee on Economic Opportunity, markup on H.R. 815, to amend title 38, United States Code, to adjust certain limits on the guaranteed amount of a home loan under the home loan program of the Department of Veterans Affairs; H.R. 3018, the "Veterans' Entry to Apprenticeship Act"; H.R. 3634, the "Securing Electronic Records for Veterans' Ease Act of 2017"; H.R. 3949, the "VALOR Act"; H.R. 3965, the "Veterans Armed for Success Act"; legislation to amend title 38, United States Code, to eliminate the applicability of certain provisions of the Administrative Procedure Act to housing and business loan programs of the Department of Veterans Affairs; legislation to amend title 38, United States Code, to make certain improvements to the use of educational assistance provided by the Department of Veterans Affairs for flight training programs, 2 p.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Trade, hearing entitled "Miscellaneous Tariff Bill: Providing Tariff Relief to U.S. Manufacturers Through the New MTB Process", 2 p.m., 1100 Longworth.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the economic outlook, 10 a.m., 1100, Longworth Building.

Next Meeting of the **SENATE**

9:30 a.m., Wednesday, October 25

Senate Chamber

Program for Wednesday: Senate will resume consideration of the nomination of Scott L. Palk, to be United States District Judge for the Western District of Oklahoma, and vote on the motion to invoke cloture on the nomination at approximately 10:30 a.m.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Wednesday, October 25

House Chamber

Program for Wednesday: Consideration of H.R. 469—Sunshine for Regulations and Regulatory Decrees and Settlements Act of 2017. Consideration of measures under suspension of the Rules.

Extensions of Remarks, as inserted in this issue

HOUSE

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