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No. 176

## House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. FERGUSON).

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
October 31, 2017.

I hereby appoint the Honorable A. DREW FERGUSON, IV 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 1:50 p.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

### LWCF PARITY FOR TERRITORIES AND DC ACT

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

Ms. BORDALLO. Mr. Speaker, I am indeed proud to introduce the LWCF Parity for Territories and D.C. Act, with the support of all six Members of the House representing our U.S. territories and the District of Columbia as original cosponsors.

Mr. Speaker, this bipartisan bill gives parity to Guam, the other territories, and D.C. in annual funding from

the Federal Land and Water Conservation Fund.

Current law requires the territories and D.C. to split six ways a single State's annual LWCF allocation. This bill fixes this disparity by providing a full, State-equivalent share of Land and Water Conservation Fund funding for each territory and D.C. every year.

This additional funding is needed to improve our public parks, our outdoor sports fields, and our community open spaces on Guam and the other territories, especially as Puerto Rico and the U.S. Virgin Islands rebuild from recent hurricanes.

So, Mr. Speaker, I encourage our colleagues to cosponsor this bipartisan legislation and support the LWCF parity for the territories and the District of Columbia.

### WE MUST NOT ABUSE THE FOURTH AMENDMENT

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

Mr. POE of Texas. Mr. Speaker, governments, militaries, and civilizations sometimes ignore history to justify their actions against individuals.

A bit of history is important here. When the British controlled the Colonies, they heavily taxed the Colonies. Citizens had to pay a tax on goods they brought in to the Colonies. The Colonies had no say on the imposition of those taxes. That is another issue.

The King issued writs of assistance. What that was was a piece of paper allowing the British military to go into businesses and homes, unreasonably, to search to see if the Colonies were paying the tax on imported goods. For example, John Hancock was a merchant. They would search his business to see if he had a tax stamp on the rum he brought the Colonies.

The right of privacy and the right to say something about your taxes were

two reasons for the American Revolution that came about. The right of privacy is a natural right, as Thomas Jefferson said, one of the rights given to us by our Creator.

So, our ancestors wrote the Fourth Amendment, unique to the United States, and here is what it says:

“The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation”—that means the officer has to swear to it—“and particularly describing the place to be searched, and the persons or things to be seized”—Fourth Amendment.

So what does that have to do with us today? I will explain.

Congress has passed the FISA legislation, the Foreign Intelligence Surveillance Act, which allows government to go after terrorists and people who are working as an agent of a foreign government and search their information. They go to a secret court and get a secret warrant—it is called a FISA warrant—from a FISA judge to allow that search of all that information. Separate the bad guys from Americans who they may be communicating with unrelated to terrorism. They may be cousins talking about whatever. But government, our government, NSA, seizes that information on Americans—emails, conversations, text messages—seizes all that information and keeps it forever.

And here is what happens in the violation of Americans' right of privacy: Government then can go back into that information, unrelated to terrorism, to search to see if those people are paying their taxes. Maybe somebody didn't pay their taxes on importation of Irish whiskey. So the government, IRS, files a criminal case against that American citizen.

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

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



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Remember, all of that information was based upon no probable cause warrant issued by a real judge.

We are getting ready to reauthorize, maybe, FISA, the Foreign Intelligence Surveillance Act. Before we do that, we need to protect Americans' right of privacy. It is in a section called 702. It really gets down in the weeds. 702 has been abused by government to seize American information and then keep it forever. Government then peruses that, based upon their high-tech guys in the NSA, to see if crimes were committed or not. They have no warrant, no probable cause, nobody sworn to the warrant.

I used to be a judge. I signed lots of probable cause warrants. But here it is just seized because government says: Well, we have got it because we were looking for a terrorist and it is an incidental search, and we want to keep it.

That is a violation of the Constitution. We should make sure Americans' right of privacy is protected before we reauthorize FISA.

Mr. Speaker, I include in the RECORD this article, "Secret Court Rebukes NSA for 5-Year Illegal Surveillance of U.S. Citizens," to illustrate.

SECRET COURT REBUKES NSA FOR 5-YEAR  
ILLEGAL SURVEILLANCE OF U.S. CITIZENS  
(By Tim Johnson)

WASHINGTON.—U.S. intelligence agencies conducted illegal surveillance on American citizens over a five-year period, a practice that earned them a sharp rebuke from a secret court that called the matter a "very serious" constitutional issue.

The criticism is in a lengthy secret ruling that lays bare some of the frictions between the Foreign Intelligence Surveillance Court and U.S. intelligence agencies obligated to obtain the court's approval for surveillance activities.

The ruling, dated April 26 and bearing the label "top secret," was obtained and published Thursday by the news site Circa.

It is rare that such rulings see the light of day, and the lengthy unraveling of issues in the 99-page document opens a window on how the secret federal court oversees surveillance activities and seeks to curtail those that it deems overstep legal authority.

The document, signed by Judge Rosemary M. Collyer, said the court had learned in a notice filed Oct. 26, 2016, that National Security Agency analysts had been conducting prohibited queries of databases "with much greater frequency than had previously been disclosed to the court."

It said a judge chastised the NSA's inspector general and Office of Compliance for Operations for an "institutional 'lack of candor'" for failing to inform the court. It described the matter as "a very serious Fourth Amendment issue."

The Fourth Amendment protects people from unreasonable searches and seizures by the government, and is a constitutional bedrock protection against intrusion.

Parts of the ruling were redacted, including sections that give an indication of the extent of the illegal surveillance, which the NSA told the court in a Jan. 3 notice was partly the fault of "human error" and "system design issues" rather than intentional illegal searches.

The NSA inspector general's office tallied up the number of prohibited searches conducted in a three-month period in 2015, but the number of analysts who made the

searches and the number of queries were blacked out in the ruling.

The NSA gathers communications in ways known as "upstream" and "downstream" collection. Upstream collection occurs when data are captured as they move through massive data highways—the internet backbone—within the United States. Downstream collection occurs as data move outside the country along fiber optic cables and satellite links.

Data captured from both upstream and downstream sources are stored in massive databases, available to be searched when analysts need to, often months or as much as two years after the captures took place.

The prohibited searches the court mentioned involved NSA queries into the upstream databanks, which constitute a fraction of all the data NSA captures around the globe but are more likely to contain the emails and phone calls of people in the United States.

Federal law empowers the NSA and CIA to battle foreign terrorist actions against the United States by collecting the electronic communications of targets believed to be outside the country. While communications of U.S. citizens or residents may get hoovered up in such sweeps, they are considered "incidental" and must be "minimized"—removing the identities of Americans—before broader distribution.

The court filing noted an NSA decision March 30 to narrow collection of "upstream" data within the United States. Under that decision, the NSA acknowledged that it had erred in sweeping up the communications of U.S. citizens or residents but said those errors "were not willful." Even so, the NSA said it would no longer collect certain kinds of data known as "about" communications, in which a U.S. citizen was merely mentioned.

The NSA announced that change publicly on April 28, two days after the court ruling, saying the agency would limit its sweeps to communications either directly to or from a foreign intelligence target. That change would reduce "the likelihood that NSA will acquire communications of U.S. persons or others who are not in direct contact with one of the agency's foreign intelligence targets."

The court document also criticized the FBI's distribution of intelligence data, saying it had disclosed raw surveillance data to sectors of its bureaucracy "largely staffed by private contractors."

The "contractors had access to raw FISA information that went well beyond what was necessary to respond to the FBI's requests," it said, adding that the bureau discontinued the practice on April 18, 2016.

Mr. POE of Texas. Mr. Speaker, we must remember history. We must not abuse the Fourth Amendment. It is Congress' responsibility to protect the natural right of citizens' right of privacy. Get a warrant or don't make the search.

And that is just the way it is.

#### LIMIT PRESIDENTIAL PARDON

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

Mr. COHEN. Mr. Speaker, I rise today in support of a constitutional amendment I have introduced today to prevent the President of the United States, or any future President of the United States, from pardoning himself or herself, members of their family, members of their administration, or

members of their Presidential campaign.

Monday's indictment of President Trump's campaign chairman, Paul Manafort, and guilty plea of another campaign staff member demonstrate how important it is for Congress to act.

The pardon power is supposed to be a safety valve against injustice, a vestige from when we were part of Britain and the King had this power. We are no longer part of Britain, and that power should not be as complete as it is. It is not supposed to be a way for Presidents to put themselves, their families, and members of their administration and their campaign team above the law, to obstruct justice if there is an investigation of wrongdoing.

Unless we change the Constitution, this is how it can be used and may be used. We should stop this conflict of interest from ever arising.

There are already serious questions swirling around the current President, his family, and members of his administration and his campaign staff, including possible collusion with Russia during the 2016 Presidential election currently being investigated by special counsel Robert Mueller. To ensure that everyone is treated equally under the law, we need to amend the Constitution to narrow the scope of the pardon power.

For some who may say this is only because of the current President, I would say: I objected to the pardon of the brother of a President in the past; in 1977, I proposed changing the pardon power in Tennessee through a constitutional convention item that would have said four Supreme Court Justices could disapprove of a gubernatorial pardon; and I also proposed in 2007, in this Congress, a change in the pardon power with the Supreme Court of our United States where a vote of six members could veto a pardon.

The pardon power is a vestige of a day gone by. It is not something that we should have complete and total ability of the President to use to pardon whomever and whatever he pleases and to obstruct justice.

I ask my fellow Members to join me in this amendment to protect America, to see that our Constitution is current and reflects our values, and to not be complicit in any activities that this President may use with the pardon power to free up wrongdoers.

#### CONGRATULATING EISENHOWER MEMORIAL COMMISSION

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

Mr. MARSHALL. Mr. Speaker, growing up in Kansas, I had many opportunities to visit the Dwight D. Eisenhower Presidential Library, Museum and Boyhood Home.

Some of my greatest memories go back to visiting Ike: on my 10th birthday, my entire family drove up to Abilene, Kansas, to visit the museum, and,

later on, in Rotary, multiple opportunities to go to the museum and to his library and honor Ike.

But, perhaps, the greatest memory I had was when my father was allowed to represent Kansas in Ike's color guard during his funeral procession from Washington, D.C., to Abilene, Kansas.

Like many fellow Kansans, I found Ike's devotion to public service, his leadership, and his integrity to be inspiring, both in his role as Supreme Allied Commander during World War II and during his time as the 34th President of the United States.

In October of 1999, this Congress recognized the significance of General Eisenhower to the United States and passed legislation directing the construction of a national memorial in his honor. This week, this very week, this Friday, the Eisenhower Memorial Commission will finally break ground on the construction of this memorial to commemorate the favorite son of Kansas here in our Nation's Capital.

I want to congratulate and thank several other Kansan legends who are a part of this commission—Senator Bob Dole, Senator PAT ROBERTS, and Senator Nancy Kassebaum—for their work on achieving this milestone, and we look forward to sharing Ike's legacy with generations to come.

#### PREMATURITY AWARENESS MONTH

Mr. MARSHALL. Mr. Speaker, November is Prematurity Awareness Month, and I rise today to discuss the fight to prevent premature births.

I remember my very first night alone at Bayfront Medical Center as a second year OB/GYN resident when I was summoned to the labor and delivery unit at 2 in the morning. There, I found a young lady who never had prenatal care, who literally was bleeding to death as her placenta was tearing away from her uterus. As we rushed her back to the operating room, I did a quick sonogram to figure out if these babies were viable. Just glancing at her, she looked like she was 22 or 23 weeks along. I quickly saw that not only was there one baby in this uterus, but there were two babies. Though we got the babies out in less than 30 seconds, both of those babies perished from their extreme prematurity.

That has been 25 or 30 years ago, Mr. Speaker, and to this day prematurity is still the number one cause of death for infants. One out of ten babies are still born premature, and one out of three of those still die. Though we have done a great job in treating these premature babies, we have done very little to lower the incidence of premature births.

That is why I rise today: to recognize this problem, and to tell everyone that the most important step you can do to prevent premature birth is early prenatal care. That is why, wherever I have been, whether it was a residency in St. Petersburg, Florida, or delivering babies in Great Bend, Kansas, I made sure that every patient, regardless of their ability to pay, had early

access to prenatal care early on in their pregnancy that hopefully identified the risk that might lead to premature birth.

#### NATIONAL VETERANS SMALL BUSINESS WEEK

Mr. MARSHALL. Mr. Speaker, this week is National Veterans Small Business Week, so I rise today to acknowledge the contribution that these folks have given not only in their service to our country, but also to their communities and businesses.

Veterans bring a unique perspective to entrepreneurship, taking the leadership skills that they developed during their military careers and applying it to starting and growing a business. Nearly 1 in every 10 businesses in this country is owned by a veteran, creating annual sales of over \$1 trillion each year and employing over 5 million Americans across the country.

Veteran-owned businesses are a pillar of our economy. I applaud the success of these veteran entrepreneurs, both in Kansas and across the country, and ask my colleagues to join me in celebrating National Veterans Small Business Week.

Mr. Speaker, there are so many veteran businesses I can honor today, but here are just a few of them listed from our own Fort Riley area, Junction City: Tim's Auto Sales, Godfrey's Shooting Range, Coyotes Saloon, Disabled American Veterans Engraving Service, Donnerson Mobile Gaming, Mastercut Lawn and Landscape, Rainbow International, The Veteran Woman, JC CrossFit, 360 Kayaking, Fitzgerald's Gunsmithing, and Studio Pink Candy Boutique.

Mr. Speaker, those are just but a few of the veteran-led businesses in my own district, and we are so proud of them and salute them on this week.

□ 1215

#### OUR ECONOMY IS GROWING

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

Mr. FITZPATRICK. Mr. Speaker, several economic indicators show us that our economy is growing: the unemployment rate is down, the stock market is up, consumer confidence is at its highest level in over a decade, and businesses are starting to invest in their future again. However, we cannot rest on this short-term snapshot.

For too long, top-down policies from Washington have built a system that is based on protecting the status quo rather than helping small businesses and middle class families. We need to embrace a governing vision that advances the American Dream and puts jobs and economic growth above the partisanship that too often divides us, and this starts with tax reform.

If this Congress is serious about standing up for middle class families and unleashing the power of the American economy, tax reform is the nat-

ural starting point. The model is straightforward. We need to simplify the ridiculously complex Internal Revenue Code, eliminate the loopholes that allow corporations and individuals to avoid paying their fair share, lower the rates for middle class families and for small businesses, and to broaden the tax base. We have the chance to make real, lasting changes to our broken and bloated tax system, and we need to act now.

As a CPA and a member of the Small Business Committee and as a concerned taxpayer, I am committed to fighting for real tax reform based on three core principles: encouraging growth, simplifying the Tax Code itself, and increasing service for the taxpayers. The time is now to act.

#### RECOGNIZING BILL PEZZA

Mr. FITZPATRICK. Mr. Speaker, earlier this year, Bristol Borough won the Small Business Revolution, earning the borough a \$500,000 grant to revitalize the community through small business development and entrepreneurship.

Integral to this effort was Mr. Bill Pezza, an individual who defines everything that is great about Bucks County and everything that is great about Bristol Borough.

Bill is a lifelong resident of Bristol, and his love for his hometown shines through in everything he does. He has served the community as an educator on the Bristol Borough Council, as a member of the school board, and as a community activist.

He has championed local businesses, creating an organization called Raising the Bar, a program which brought community leaders and business owners together to support the local Bristol Borough economy. Focused on development and community preservation, he continues to find new ways to serve the Bristol Borough community today.

Bill would be the first one to tell you that the many recognitions he has earned throughout the years belong to the community and not just to him, which is a true sign of his character. However, Mr. Speaker, it is my honor to recognize Bill today for being named Person of the Year at this year's Bristol Fall Classic.

I am deeply grateful to Bill for the positive impact on our community, and I congratulate him, his wife, Karen, and his entire family for this much-deserved recognition.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 19 minutes p.m.), the House stood in recess.

□ 1400

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MARSHALL) at 2 p.m.

## PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Compassionate and merciful God, we give You thanks for giving us another day.

Give the Members of this House strength, fortitude, and patience. Fill their parties with charity; their minds with understanding; their wills with courage to do the right thing for all of America.

In the work to be done in the week to come may they rise together to accomplish what is best for our great Nation.

Last week, we honored, and we thank You for the service rendered to the Allied cause of the Filipino veterans of World War II. May we always be grateful for the courageous in our midst, and the sacrifices of so many that we might enjoy the freedoms we have as a nation.

May all that is done this day be for Your greater honor and glory.

Amen.

## THE JOURNAL

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

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

## PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina 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.

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

## COMMUNICATION FROM THE CLERK OF THE HOUSE

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

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, October 27, 2017.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of

the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 27, 2017, at 9:48 a.m.:

That the Senate concurs in the House amendment to the bill S. 782.

That the Senate agreed to S. Con. Res. 28. With best wishes, I am,  
Sincerely,

KAREN L. HAAS.

MADE IN SOUTH CAROLINA  
CREATES JOBS

(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 the statewide consortium of ten institutions of higher education in South Carolina for receiving a 5-year Research Infrastructure Improvement Track-1 grant from the National Science Foundation's Established Program to Stimulate Competitive Research. This grant led to the creation of the Materials, Assembly, and Design Excellence in South Carolina initiative—or MADE in South Carolina—to create jobs.

This grant encourages small businesses to grow by providing seed money through the Small Business Innovation Research and Small Business Technology Transfer awards to businesses and materials-related projects. This consortium will further foster research and development in the State by focusing on advanced materials discovery and optimization efforts that are in high demand. MADE in South Carolina will boost the manufacturing and materials science workforce by adding new undergraduate degree programs and expanding current coursework, which will provide and increase the skilled-labor workforce.

As a proponent of creating jobs and encouraging manufacturing across South Carolina, I look forward to seeing these higher education institutions utilizing the grant to stimulate small business growth, jobs, and valuable research.

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

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 4 minutes p.m.), the House stood in recess.

□ 1700

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at 5 p.m.

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.

## NATIONAL FOREST SYSTEM VEGETATION MANAGEMENT PILOT PROGRAM ACT OF 2017

Mr. CRAWFORD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2921) to establish a vegetation management pilot program on National Forest System land to better protect utility infrastructure from passing wildfire, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2921

*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 "National Forest System Vegetation Management Pilot Program Act of 2017".

## SEC. 2. UTILITY INFRASTRUCTURE RIGHTS-OF-WAY VEGETATION MANAGEMENT PILOT PROGRAM.

(a) PILOT PROGRAM REQUIRED.—To encourage owners or operators of rights-of-way on National Forest System land to partner with the Forest Service to voluntarily perform vegetation management on a proactive basis to better protect utility infrastructure from potential passing wildfires, the Secretary shall conduct a limited, voluntary pilot program, in the manner described in this section, to permit vegetation management projects on National Forest System land adjacent to or near such rights-of-way.

(b) ELIGIBLE PARTICIPANTS.—A participant in the pilot program must have a right-of-way on National Forest System land. In selecting participants, the Secretary shall give priority to holders of a right-of-way who have worked with Forest Service fire scientists and used technologies, such as Light Detection and Ranging surveys, to improve utility infrastructure protection prescriptions.

(c) PROJECT ELEMENTS.—A vegetation management project under the pilot program involves limited and selective vegetation management activities, which—

(1) shall create the least amount of disturbance reasonably necessary to protect utility infrastructure from passing wildfires based on applicable models, including Forest Service fuel models;

(2) may include thinning, fuel reduction, creation and treatment of shaded fuel breaks, and other measures as appropriate;

(3) shall only take place adjacent to the participant's right-of-way or within 75 feet of the participant's right-of-way;

(4) shall not take place in any designated wilderness area, wilderness study area, or inventoried roadless area; and

(5) shall be subject to approval by the Forest Service in accordance with this Act.

(d) PROJECT COSTS.—A participant in the pilot program shall be responsible for all costs, as determined by the Secretary, incurred in participating in the pilot program, unless the Secretary determines that it is in the public interest for the Forest Service to contribute funds for a vegetation management project conducted under the pilot program.

## (e) LIABILITY.—

(1) IN GENERAL.—Participation in the pilot program does not affect any existing legal obligations or liability standards that—

(A) arise under the right-of-way for activities in the right-of-way; or

(B) apply to fires resulting from causes other than activities conducted pursuant to an approved vegetation management project.

(2) PROJECT WORK.—A participant shall not be liable to the United States for damage proximately caused by activities conducted pursuant to an approved vegetation management project unless—

(A) such activities were carried out in a manner that was grossly negligent or that violated criminal law; or

(B) the damage was caused by the failure of the participant to comply with specific safety requirements expressly imposed by the Forest Service as a condition of participating in the pilot program.

(f) IMPLEMENTATION.—The Secretary shall utilize existing laws and regulations in the conduct of the pilot program and, in order to implement the pilot program in an efficient and expeditious manner, may waive or modify specific provisions of the Federal Acquisition Regulation, including modifications to allow for formation of contracts or agreements on a noncompetitive basis.

(g) TREATMENT OF PROCEEDS.—Notwithstanding any other provision of law, the Secretary may—

(1) retain any funds provided to the Forest Service by a participant in the pilot program; and

(2) use such funds, in such amounts as may be appropriated, in the conduct of the pilot program.

## (h) DEFINITIONS.—In this section:

(1) NATIONAL FOREST SYSTEM LAND.—The term “National Forest System land” means land within the National Forest System, as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)) exclusive of the National Grasslands and land utilization projects designated as National Grasslands administered pursuant to the Act of July 22, 1937 (7 U.S.C. 1010–1012).

(2) PASSING WILDFIRE.—The term “passing wildfire” means a wildfire that originates outside the right-of-way.

(3) RIGHT-OF-WAY.—The term “right-of-way” means a special use authorization issued by the Forest Service allowing the placement of utility infrastructure.

(4) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(5) UTILITY INFRASTRUCTURE.—The term “utility infrastructure” means electric transmission lines, natural gas infrastructure, or related structures.

(i) DURATION.—The authority to conduct the pilot program, and any vegetation management project under the pilot program, expires December 21, 2027.

(j) REPORT TO CONGRESS.—Not later than December 31, 2019, and every two years thereafter, the Secretary shall issue a report to the Committee on Energy and Natural Resources of the Senate, the Committee on Agriculture, Nutrition, and Forestry of the Senate, the Committee on Natural Resources of the House of Representatives, and the Committee on Agriculture of the House of Representatives on the status of the program and any projects established under this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. CRAWFORD) and the gentlewoman from Ohio (Ms. FUDGE) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas.

## GENERAL LEAVE

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days 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 Arkansas?

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 2921, the National Forest System Vegetation Management Pilot Program Act of 2017. This legislation authorizes the U.S. Forest Service to create a pilot program to assist in the management of our Federal forests to reduce wildfire risk and associated costs. These management pilot projects are approved by the Forest Service, but will be conducted and paid for by the private sector.

This collaborative approach will ensure a more stable power grid for Americans in rural areas. Deteriorating forest health is a problem felt across the United States, particularly in the West. This has resulted in increased fire threats to the electric transmission and associated utility infrastructures across the Forest Service land.

The Government Accountability Office has found that fuel reduction treatment projects reduce flammable vegetation, minimize the severity of wildland fires, create landscape resiliency to fire, and provide firefighter access during fire suppression activities.

Utility infrastructure destroyed by a fire or a fallen dead tree is costly to repair or replace, and outages can result in significant economic costs to businesses and homes.

Mr. Speaker, I urge my colleagues to support this legislation to allow utilities to collaborate with the Forest Service to keep the lights on in rural communities, and I reserve the balance of my time.

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

I rise today in support of H.R. 2921, the National Forest System Vegetation Management Pilot Program Act of 2017.

Mr. Speaker, H.R. 2921 is a bipartisan bill that would help protect electric transmission lines from forest fires and other potential forest management issues. The bill creates voluntary pilot project authority for the U.S. Forest Service to partner with the private sector to proactively undertake limited and selective vegetation management projects near utility infrastructure.

These pilot projects include, but are not limited to, things like tree thinning and fuel reduction, which would help to alleviate some of the risk of forest fires and enhance electric reliability.

H.R. 2921 requires that all projects comply with existing environmental laws.

Mr. Speaker, I urge my colleagues to vote “yes,” and I yield back the balance of my time.

Mr. CRAWFORD. Mr. Speaker, I yield 2 minutes to the gentleman from North Dakota (Mr. CRAMER).

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

It is no secret that a reliable supply of electricity is important to us on many levels, from human health, and, of course, to commercial productivity.

As a former public service commissioner, I can tell you that one of the main reasons for large outages is trees growing in power lines. And one of the reasons for forest fires, oftentimes, is power lines falling in the forest. Fires get to the power lines; power lines create fires. This bill, I think, helps alleviate some of that.

With consumers and regulators demanding, of course, reliable service, and a utility company’s natural incentive to keep the sale of electrons flowing, vegetation management has improved tremendously over the years. However, deep within the lands that are managed by our Federal agencies, the potential for problems persists.

My bill creates a pilot program, as the chairman described, for utility companies to partner with the Forest Service to voluntarily perform vegetation management proactively. Under Forest Service approval, utilities can propose a plan to selectively manage vegetation within 75 feet of the right-of-way with the least amount of disturbances as reasonably possible, and outside of designated wilderness areas is a very important point.

All of that work would be paid for by the utility company, not by the Federal Government. Currently, this offer of right-of-way work is the responsibility of the government, and with a strict liability standard, Mr. Speaker, to any utility company to step in and help. There is not an incentive—in fact, there is a disincentive for them to do so. So under the pilot program, these activities will be subject to a more appropriate standard of liability, a gross negligence standard, along with any specific safety requirements imposed under the programs in agreement with the Forest Service.

It removes the barrier for utility companies to carry out this important work not currently being done by them, to reduce direct impacts to damage utility infrastructure, and the amount of fuel for possible forest fires.

There is a lot of bipartisan support for this. I appreciate my friends in the more mountainous and more forested regions than the prairies of North Dakota on both side of the aisle. I know there is good support in the Senate as well.

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

Mr. CRAWFORD. Mr. Speaker, I urge all Members to support the passage of H.R. 2921, and I yield back the balance of my time.

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

the gentleman from Arkansas (Mr. CRAWFORD) that the House suspend the rules and pass the bill, H.R. 2921.

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

A motion to reconsider was laid on the table.

#### KISATCHIE NATIONAL FOREST LAND CONVEYANCE ACT

Mr. CRAWFORD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2941) to provide for the conveyance of certain National Forest System land within Kisatchie National Forest in the State of Louisiana.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2941

*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 "Kisatchie National Forest Land Conveyance Act".

#### SEC. 2. FINDING.

Congress finds that it is in the public interest to authorize the conveyance of certain Federal land in the Kisatchie National Forest in the State of Louisiana for market value consideration.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) COLLINS CAMP PROPERTIES.—The term "Collins Camp Properties" means Collins Camp Properties, Inc., a corporation incorporated under the laws of the State.

(2) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

(3) STATE.—The term "State" means the State of Louisiana.

#### SEC. 4. AUTHORIZATION OF CONVEYANCES, KISATCHIE NATIONAL FOREST, LOUISIANA.

(a) AUTHORIZATION.—

(1) IN GENERAL.—Subject to valid existing rights and subsection (b), the Secretary may convey the Federal land described in paragraph (2) by quitclaim deed at public or private sale, including competitive sale by auction, bid, or other methods.

(2) DESCRIPTION OF LAND.—The Federal land referred to in paragraph (1) consists of—

(A) all Federal land within sec. 9, T. 10 N., R. 5 W., Winn Parish, Louisiana; and

(B) a 2.16-acre parcel of Federal land located in the SW¼ of sec. 4, T. 10 N., R. 5 W., Winn Parish, Louisiana, as depicted on a certificate of survey dated March 7, 2007, by Glen L. Cannon, P.L.S. 4436.

(b) FIRST RIGHT OF PURCHASE.—Subject to valid existing rights and section 6, during the 1-year period beginning on the date of enactment of this Act, on the provision of consideration by the Collins Camp Properties to the Secretary, the Secretary shall convey, by quitclaim deed, to Collins Camp Properties all right, title and interest of the United States in and to—

(1) not more than 47.92 acres of Federal land comprising the Collins Campsites within sec. 9, T. 10 N., R. 5 W., in Winn Parish, Louisiana, as generally depicted on a certificate of survey dated February 28, 2007, by Glen L. Cannon, P.L.S. 4436; and

(2) the parcel of Federal land described in subsection (a)(2)(B).

(c) TERMS AND CONDITIONS.—The Secretary may—

(1) configure the Federal land to be conveyed under this Act—

(A) to maximize the marketability of the conveyance; or

(B) to achieve management objectives; and

(2) establish any terms and conditions for the conveyances under this Act that the Secretary determines to be in the public interest.

(d) CONSIDERATION.—Consideration for a conveyance of Federal land under this Act shall be—

(1) in the form of cash; and

(2) in an amount equal to the market value of the Federal land being conveyed, as determined under subsection (e).

(e) MARKET VALUE.—The market value of the Federal land conveyed under this Act shall be determined—

(1) in the case of Federal land conveyed under subsection (b), by an appraisal that is—

(A) conducted in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions; and

(B) approved by the Secretary; or

(2) if conveyed by a method other than the methods described in subsection (b), by competitive sale.

(f) HAZARDOUS SUBSTANCES.—

(1) IN GENERAL.—In any conveyance of Federal land under this Act, the Secretary shall meet disclosure requirements for hazardous substances, but shall otherwise not be required to remediate or abate the substances.

(2) EFFECT.—Nothing in this section otherwise affects the application of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) to the conveyances of Federal land.

#### SEC. 5. PROCEEDS FROM THE SALE OF LAND.

The Secretary shall deposit the proceeds of a conveyance of Federal land under section 4 in the fund established under Public Law 90-171 (commonly known as the "Sisk Act") (16 U.S.C. 484a).

#### SEC. 6. ADMINISTRATION.

(a) COSTS.—As a condition of a conveyance of Federal land to Collins Camp Properties under section 4, the Secretary shall require Collins Camp Properties to pay at closing—

(1) reasonable appraisal costs; and

(2) the cost of any administrative and environmental analyses required by law (including regulations).

(b) PERMITS.—

(1) IN GENERAL.—An offer by Collins Camp Properties for the acquisition of the Federal land under section 4 shall be accompanied by a written statement from each holder of a Forest Service special use authorization with respect to the Federal land that specifies that the holder agrees to relinquish the special use authorization on the conveyance of the Federal land to Collins Camp Properties.

(2) SPECIAL USE AUTHORIZATIONS.—If any holder of a special use authorization described in paragraph (1) fails to provide a written authorization in accordance with that paragraph, the Secretary shall require, as a condition of the conveyance, that Collins Camp Properties administer the special use authorization according to the terms of the special use authorization until the date on which the special use authorization expires.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. CRAWFORD) and the gentlewoman from Ohio (Ms. FUDGE) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas.

GENERAL LEAVE

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that all Members

have 5 legislative days 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 Arkansas?

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 2941, the Kisatchie National Forest Land Conveyance Act.

This measure introduced by our colleague, Mr. ABRAHAM, authorizes the USDA to sell specified Federal land in Winn Parish, Louisiana. The rural residential qualities of the land make it incompatible with National Forest management, and this transfer would eliminate unnecessary administrative and boundary maintenance costs on the already strained Forest Service.

The Kisatchie National Forest is rich in renewable wildlife resources, and supporting wilderness habitat is vital to their sustainability. This transfer, supported by the Forest Service, will allow the forest to be managed at the highest level of stewardship.

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

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

I rise in support of H.R. 2941, the Kisatchie National Forest Land Conveyance Act.

Mr. Speaker, H.R. 2941 permits the sale of two isolated parcels of Kisatchie National Forest land, totaling approximately 50 acres. These parcels are isolated from the forest's core lands and are intermixed with private land and residences, leaving it incompatible with the National Forest management.

The proceeds from the sale of these parcels will be made available for the acquisition of lands and interest in the Kisatchie National Forest.

Under H.R. 2941, the Secretary of Agriculture is required to first convey a portion of the land to Collins Camp Properties. Collins Camp Properties must pay reasonable appraisal costs and costs of any required administrative and environmental analysis.

H.R. 2941 allows the Kisatchie National Forest to consolidate ownership of natural lands and continues the strong tradition of the National Forest Service acting as stewards for the environment.

Mr. Speaker, I urge my colleagues to vote in favor of the bill, and I yield back the balance of my time.

Mr. CRAWFORD. Mr. Speaker, I urge all Members to support the passage of H.R. 2941. I thank the gentlewoman from Ohio for her support.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas (Mr. CRAWFORD) that the House suspend the rules and pass the bill, H.R. 2941.

The question was taken; and (two-thirds being in the affirmative) the

rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

—————

**AUTHORIZING PURCHASE OF  
SMALL PARCEL OF NATURAL  
RESOURCES CONSERVATION  
SERVICE PROPERTY IN RIVER-  
SIDE, CALIFORNIA**

Mr. CRAWFORD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3567) to authorize the purchase of a small parcel of Natural Resources Conservation Service property in Riverside, California, by the Riverside Corona Resource Conservation District, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3567

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

**SECTION 1. FINDINGS.**

Congress finds as follows:

(1) Since 1935, the United States has owned a parcel of land in Riverside, California, consisting of approximately 8.75 acres, more specifically described in section 2(a) (in this section referred to as the "property").

(2) The property is under the jurisdiction of the Department of Agriculture and has been variously used for research and plant materials purposes.

(3) Since 1998, the property has been administered by the Natural Resources Conservation Service of the Department of Agriculture.

(4) Since 2002, the property has been co-managed under a cooperative agreement between the Natural Resources Conservation Service and the Riverside Corona Resource Conservation District, which is a legal subdivision of the State of California under section 9003 of the California Public Resources Code.

(5) The Conservation District wishes to purchase the property and use it for conservation, environmental, and related educational purposes.

(6) As provided in section 2, the purchase of the property by the Conservation District would promote the conservation education and related activities of the Conservation District and result in savings to the Federal Government.

**SEC. 2. LAND PURCHASE, NATURAL RESOURCES CONSERVATION SERVICE PROPERTY, RIVERSIDE COUNTY, CALIFORNIA.**

(a) **PURCHASE AUTHORIZED.**—The Secretary of Agriculture shall sell and quitclaim to the Riverside Corona Resource Conservation District (in this section referred to as the "Conservation District") all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, that is located at 4500 Glenwood Drive in Riverside, California, consists of approximately 8.75 acres, and is administered by the Natural Resources Conservation Service of the Department of Agriculture. As necessary or desirable to facilitate the purchase of the property under this section, the Secretary or the Conservation District may survey all or portions of the property.

(b) **CONSIDERATION.**—As consideration for the purchase of the property under this section, the Conservation District shall pay to the Secretary of Agriculture an amount equal to the appraised value of the property.

(c) **PROHIBITION ON RESERVATION OF INTEREST.**—The Secretary of Agriculture shall not

reserve any future interest in the property to be conveyed under this section, except such interest as may be acceptable to the Conservation District.

(d) **HAZARDOUS SUBSTANCES.**—Notwithstanding section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)) or the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), in the case of the property purchased by the Conservation District under this section, the Secretary of Agriculture shall be only required to meet the disclosure requirements for hazardous substances, pollutants, or contaminants, but shall otherwise not be required to remediate or abate any such releases of hazardous substances, pollutants, or contaminants, including petroleum and petroleum derivatives.

(e) **COOPERATIVE AUTHORITY.**—

(1) **LEASES, CONTRACTS, AND COOPERATIVE AGREEMENTS AUTHORIZED.**—In conjunction with, or in addition to, the purchase of the property by the Conservation District under this section, the Secretary of Agriculture may enter into leases, contracts and cooperative agreements with the Conservation District.

(2) **SOLE SOURCE.**—Notwithstanding sections 3105, 3301, and 3303 to 3305 of title 41, United States Code, or any other provision of law, the Secretary may lease real property from the Conservation District on a non-competitive basis.

(3) **NON-EXCLUSIVE AUTHORITY.**—The authority provided by this subsection is in addition to any other authority of the Secretary.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. CRAWFORD) and the gentleman from Ohio (Ms. FUDGE) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas.

GENERAL LEAVE

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days 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 Arkansas.

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 3567, to authorize the transfer of the title of land owned by the NRCS in Riverside, California, to the Riverside-Corona Resource Conservation District. The conservation district has invested \$2.8 million in the facility with the hope of eventually acquiring the property, and would like to invest in further improvements when the property title issue is resolved.

Conservation districts work closely with their Federal partner, the NRCS. This legislation is a simple fix to allow the Riverside-Corona district to utilize the facility and serve the local folks on the ground through voluntary, incentive-based conservation.

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

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

Mr. Speaker, I rise in support of H.R. 3567.

H.R. 3567 will allow California's Riverside-Corona Resource Conservation District to purchase at appraised value the parcel of property on which it is currently located, which is the former U.S. Salinity Laboratory.

The property is currently administered by the USDA's Natural Resources Conservation Service and is being co-managed under a cooperative agreement. The cooperative agreement dates back to 1996. Since that time, the Riverside-Corona Resource Conservation District has invested \$2.8 million into the property with the understanding that NRCS would eventually transfer ownership.

The Riverside-Corona Resource Conservation District provides natural resource conservation through education, collaboration, and technical assistance in southern California.

Mr. Speaker, I support this legislation and I urge my colleagues to vote in favor of this measure.

I yield back the balance of my time. Mr. CRAWFORD. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Speaker, I rise today to urge the House to approve H.R. 3567, a necessary and long-overdue piece of legislation. This is a straightforward, commonsense bill that authorizes the purchase of a small parcel of Natural Resources Conservation Service property in Riverside, California, by the Riverside-Corona Resource Conservation District.

Since 1996, the conservation district has partnered with NRCS to acquire, collocate and manage what was previously the USDA Salinity Laboratory. Following acquisition of the property, NRCS has not obligated any Federal funds for plant materials research at the Riverside location in question.

On the other hand, the conservation district, as has been mentioned, has invested \$2.8 million in improvements and upgrade to the property. All along, the conservation district has an understanding with NRCS that they would eventually transfer the property to its ownership.

□ 1715

Following a series of changes in personnel within NRCS, the conservation district was informed that legislation authorizing such a transfer would be necessary.

H.R. 3567 authorizes USDA to sell the NRCS property in Riverside to the conservation district for an amount equal to the appraised value of the property. The legislation further states that current NRCS operation at the property shall be allowed to continue at no cost to the Federal Government.

In closing, this legislation will provide long-term security for the conservation district and the investments it has, and will continue to make, in the property. It also protects the interests of the NRCS and the Federal Government for as long as its limited use of the property is needed.

H.R. 3567 is a win-win solution for all stakeholders, and I urge my colleagues to support the bill.

Mr. CRAWFORD. Mr. Speaker, I thank the gentleman from California for his remarks, I thank the gentlewoman from Ohio for her support, and I urge all Members to support the passage of H.R. 3567.

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 Arkansas (Mr. CRAWFORD) that the House suspend the rules and pass the bill, H.R. 3567.

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

A motion to reconsider was laid on the table.

#### SOUTH CAROLINA PEANUT PARITY ACT OF 2017

Mr. CRAWFORD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2521) to amend the Farm Security and Rural Investment Act of 2002 to include South Carolina as a part of the Virginia/Carolina peanut producing region for purposes of appointment to the Peanut Standards Board.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2521

*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 “South Carolina Peanut Parity Act of 2017”.

##### SEC. 2. SOUTH CAROLINA INCLUSION IN VIRGINIA/CAROLINA PEANUT PRODUCING REGION.

Section 1308(c)(2)(B)(iii) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7953(c)(2)(B)(iii)) is amended by striking “Virginia and North Carolina” and inserting “Virginia, North Carolina, and South Carolina”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. CRAWFORD) and the gentlewoman from Ohio (Ms. FUDGE) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas.

##### GENERAL LEAVE

Mr. CRAWFORD. 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 Arkansas?

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 2521, the South Carolina Peanut Parity Act of 2017.

This legislation would allow for a representative of the South Carolina

peanut industry to be eligible for appointment to the Peanut Standards Board, which is tasked with the important role of establishing quality and handling standards for domestic and imported peanuts.

At the time the Peanut Standards Board was created, South Carolina was not a major peanut-producing State. However, now they are the fourth largest peanut-growing State and produce over 8 percent of U.S.-grown peanuts, and they deserve to have input into the establishment or alteration of industry standards. This bill would accomplish that by including South Carolina in the Virginia/Carolina peanut-producing region for the purpose of appointments to the Peanut Standards Board.

I want to thank Representative WILSON and the entire South Carolina delegation for their work on this legislation. This measure is broadly supported by the U.S. peanut industry and the American Farm Bureau Federation.

Mr. Speaker, I urge my colleagues to join me in support of this common-sense legislation, and I reserve the balance of my time.

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

I rise in support of H.R. 2521, the South Carolina Peanut Parity Act of 2017.

Mr. Speaker, the 2002 farm bill established the Peanut Standards Board to advise the Secretary of Agriculture on quality and handling standards for domestically produced and imported peanuts. The board consists of 18 members representing three regions: the Southeast, the Southwest, and the Virginia/North Carolina region.

Despite its status as the Nation's fourth largest peanut-producing State, South Carolina is not represented on the Peanut Standards Board.

H.R. 2521, or the South Carolina Peanut Parity Act of 2017, would correct this problem by adding South Carolina to the Virginia/North Carolina region and making peanut farmers and industry representatives from the State eligible for board appointments.

The legislation has the support of the entire South Carolina delegation as well as the support of South Carolina, Virginia, and North Carolina peanut growers.

In conclusion, H.R. 2521 gives South Carolinians a rightful opportunity to serve on the Peanut Standards Board.

Mr. Speaker, I encourage my colleagues to support this bill, and I yield back the balance of my time.

Mr. CRAWFORD. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Mr. Speaker, I want to thank Congressman RICK CRAWFORD for his leadership today.

I am grateful to sponsor and support the South Carolina Peanut Parity Act of 2017, H.R. 2521. This bipartisan bill is cosponsored by all seven Members of

the South Carolina delegation. It gives the hard-working peanut farmers of South Carolina a voice and say on the United States Department of Agriculture Peanut Standards Board. South Carolina is fortunate to have Agriculture Commissioner Hugh Weathers from Bowman for his leadership.

When the 2002 farm bill created the USDA Peanut Standards Board to advise on standards for the handling and quality of peanuts, South Carolina was not a substantial peanut grower. Since then, South Carolina peanut production has increased significantly, as it now produces 8 percent of the United States peanut crop, making the Palmetto State the fourth largest peanut-producing State.

As I have said before, South Carolina appreciates peanuts so much that the State legislature has selected the boiled peanut as the State's official snack. Each year, I look forward to the Pelion Peanut Party festival which celebrates the importance of peanuts which is held in Pelion, South Carolina, led by Mayor Barbara Carey.

The midlands of South Carolina is fortunate to have enterprising entrepreneurs promoting boiled peanuts with Four Oaks Farm of Lexington owned by the Mathias family and the appreciated Cromer's peanuts of Columbia, heralded as “guaranteed worst in town.” That is actually meant as a compliment.

My South Carolina colleagues and I are grateful to acknowledge the significant increase in the peanut crops in the State and to advocate for the increase to be reflected on the Peanut Standards Board. We look forward to encouraging peanut farmers in South Carolina creating jobs and having their valuable input reflected on the national level.

Mr. Speaker, I urge support today of H.R. 2521.

Mr. CRAWFORD. Mr. Speaker, I thank the gentleman from South Carolina for his leadership on this issue.

Mr. Speaker, I yield 1 minute to the gentleman from South Carolina (Mr. NORMAN), a member of the State's delegation.

Mr. NORMAN. Mr. Speaker, I rise today in support of H.R. 2521, the South Carolina Peanut Parity Act of 2017.

I am proud to join Representative JOE WILSON, who has been a real leader in the area, and the entire South Carolina delegation as a cosponsor of the South Carolina Peanut Parity Act of 2017, an important bill for South Carolina's peanut farmers. I also commend Harry Ott of the Farm Bureau who has been a great leader in this effort.

Mr. Speaker, South Carolina has experienced explosive growth in peanut farming in recent years, going from producing very few peanuts in the early 2000s to becoming the fourth largest peanut-producing State today, led by Brent Cogdill from Sumter. This legislation will finally give South Carolina peanut farmers their much-deserved representation on the Peanut Standards Board.



Mr. Speaker, I urge my colleagues to support this important piece of legislation for South Carolina's peanut producers.

Mr. CRAWFORD. Mr. Chairman, I would like to thank the gentleman from South Carolina for his comments. And to my friend, the gentlewoman from Ohio, if only the farm bill was this easy.

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 Arkansas (Mr. CRAWFORD) that the House suspend the rules and pass the bill, H.R. 2521.

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. CRAWFORD. 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.

**CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO SUDAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 115-75)**

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

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), provides for the automatic termination of a national emergency unless, within 90 days before the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Sudan declared in Executive Order 13067 of November 3, 1997, is to continue in effect beyond November 3, 2017.

Despite recent positive developments, the crisis constituted by the actions and policies of the Government of Sudan that led to the declaration of a national emergency in Executive Order 13067; the expansion of that emergency in Executive Order 13400 of April 26, 2006; and with respect to which additional steps were taken in Executive Order 13412 of October 13, 2006, Executive Order 13761 of January 13, 2017, and Executive Order 13804 of July 11, 2017, has not been resolved. These actions and policies continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. I have, therefore,

determined that it is necessary to continue the national emergency declared in Executive Order 13067, as expanded by Executive Order 13400, with respect to Sudan.

DONALD J. TRUMP.  
THE WHITE HOUSE, October 31, 2017.

**RECESS**

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 26 minutes p.m.), the House stood in recess.

□ 1830

**AFTER RECESS**

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. TENNEY) at 6 o'clock and 30 minutes p.m.

**SOUTH CAROLINA PEANUT PARITY ACT OF 2017**

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 2521) to amend the Farm Security and Rural Investment Act of 2002 to include South Carolina as a part of the Virginia/Carolina peanut producing region for purposes of appointment to the Peanut Standards Board, 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 Arkansas (Mr. CRAWFORD) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 394, nays 1, not voting 37, as follows:

[Roll No. 591]

YEAS—394

Abraham	Brooks (AL)	Cole
Adams	Brooks (IN)	Collins (GA)
Aderholt	Brown (MD)	Collins (NY)
Allen	Brownley (CA)	Comer
Amash	Buchanan	Comstock
Amodei	Buck	Conaway
Arrington	Bucshon	Connolly
Babin	Budd	Conyers
Bacon	Burgess	Cook
Banks (IN)	Bustos	Cooper
Barletta	Byrne	Correa
Barton	Calvert	Costa
Bass	Capuano	Costello (PA)
Beatty	Carbajal	Courtney
Bera	Cardenas	Cramer
Bergman	Carson (IN)	Crawford
Beyer	Carter (GA)	Crist
Biggs	Carter (TX)	Crowley
Bilirakis	Cartwright	Cuellar
Bishop (GA)	Castor (FL)	Culberson
Bishop (MI)	Castro (TX)	Cummings
Bishop (UT)	Chabot	Curbelo (FL)
Black	Cheney	Davidson
Blum	Chu, Judy	Davis (CA)
Blunt Rochester	Cicilline	Davis, Denny
Bonamici	Clark (MA)	Davis, Rodney
Bost	Clarke (NY)	DeFazio
Boyle, Brendan	F.	Delaney
F.	Cleaver	DeLauro
Brady (PA)	Clyburn	DelBene
Brady (TX)	Coffman	Demings
Brat	Cohen	Denham

Dent	King (IA)	Raskin
DeSantis	King (NY)	Ratcliffe
DeSaulnier	Kinzinger	Reed
Deutch	Knight	Reichert
Diaz-Balart	Krishnamoorthi	Renacci
Dingell	Kuster (NH)	Rice (NY)
Doggett	Kustoff (TN)	Rice (SC)
Donovan	Labrador	Richmond
Doyle, Michael	LaHood	Roby
F.	LaMalfa	Roe (TN)
Duncan (SC)	Lamborn	Rogers (AL)
Duncan (TN)	Lance	Rogers (KY)
Dunn	Langevin	Rooney, Francis
Ellison	Larsen (WA)	Rooney, Thomas
Emmer	Larson (CT)	J.
Engel	Latta	Rosen
Eshoo	Lawrence	Roskam
Espallat	Lawson (FL)	Ross
Estes (KS)	Lee	Roithfus
Esty (CT)	Levin	Rouzer
Evans	Lewis (GA)	Roybal-Allard
Farenthold	Lewis (MN)	Royce (CA)
Faso	Lieu, Ted	Ruiz
Ferguson	Lipinski	Rush
Fitzpatrick	LoBiondo	Russell
Fleischmann	Loebsock	Rutherford
Flores	Lofgren	Sánchez
Fortenberry	Long	Sanford
Foster	Loudermilk	Sarbanes
Fox	Lowenthal	Scalise
Frankel (FL)	Lowey	Schakowsky
Fudge	Lucas	Schiff
Gabbard	Luetkemeyer	Schneider
Gaetz	Lujan Grisham,	Schrader
Gallagher	M.	Schweikert
Galleo	Lujan, Ben Ray	Scott (VA)
Garrett	Lynch	Scott, Austin
Gibbs	MacArthur	Scott, David
Gohmert	Maloney,	Sensenbrenner
Gomez	Carolyn B.	Serrano
Goodlatte	Maloney, Sean	Sessions
Gosar	Marchant	Sewell (AL)
Gottheimer	Marino	Shea-Porter
Gowdy	Marshall	Sherman
Granger	Massie	Shimkus
Graves (GA)	Mast	Shuster
Graves (LA)	Matsui	Sinema
Graves (MO)	McCarthy	Sires
Green, Al	McCaul	Slaughter
Green, Gene	McClintock	Smith (MO)
Grothman	McCollum	Smith (NE)
Guthrie	McEachin	Smith (NJ)
Hanabusa	McGovern	Smith (TX)
Handel	McHenry	Smith (WA)
Harper	McKinley	Smucker
Harris	McMorris	Soto
Hartzler	Rodgers	Speier
Hastings	McNerney	Stefanik
Heck	McSally	Stewart
Hensarling	Meadows	Stivers
Herrera Beutler	Meehan	Suozy
Hice, Jody B.	Meeks	Swalwell (CA)
Higgins (LA)	Messer	Takano
Higgins (NY)	Mitchell	Taylor
Himes	Moolenaar	Tenney
Holding	Moulton	Thompson (CA)
Hollingsworth	Mullin	Thompson (MS)
Hoyer	Murphy (FL)	Thompson (PA)
Hudson	Nadler	Tiberi
Huffman	Napolitano	Tipton
Huizenga	Neal	Titus
Hultgren	Newhouse	Tonko
Hunter	Noem	Torres
Issa	Nolan	Trott
Jackson Lee	Norcross	Tsongas
Jayapal	Norman	Turner
Jeffries	Nunes	Upton
Jenkins (KS)	O'Halleran	Valadao
Jenkins (WV)	O'Rourke	Vargas
Johnson (GA)	Olson	Vela
Johnson (LA)	Palazzo	Visclosky
Johnson (OH)	Pallone	Wagner
Johnson, E. B.	Palmer	Walberg
Johnson, Sam	Panetta	Walden
Jones	Paulsen	Walker
Jordan	Payne	Walorski
Joyce (OH)	Pearce	Walters, Mimi
Kaptur	Pelosi	Walz
Katko	Perlmutter	Wasserman
Keating	Perry	Schultz
Kelly (IL)	Peters	Waters, Maxine
Kelly (MS)	Peterson	Watson Coleman
Kelly (PA)	Pingree	Weber (TX)
Kennedy	Pittenger	Webster (FL)
Khanna	Poe (TX)	Welch
Kihuen	Poliquin	Wenstrup
Kildee	Posey	Williams
Kilmer	Price (NC)	Wilson (FL)
Kind	Quigley	Wilson (SC)

Wittman  
Womack  
Woodall

Yarmuth  
Yoho  
Young (AK)

Young (IA)  
Zeldin

NAYS—1

Blumenauer

NOT VOTING—37

Aguilar	Gonzalez (TX)	Rohrabacher
Barr	Griffith	Rokita
Barragan	Grijalva	Ros-Lehtinen
Blackburn	Gutiérrez	Ruppersberger
Bridenstine	Hill	Ryan (OH)
Butterfield	Hurd	Simpson
DeGette	Love	Thornberry
DesJarlais	Meng	Veasey
Duffy	Mooney (WV)	Velázquez
Franks (AZ)	Moore	Westerman
Frelinghuysen	Pascrell	Yoder
Garamendi	Pocan	
Gianforte	Polis	

□ 1855

Mr. MEADOWS changed his vote from “nay” to “yea.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MOONEY of West Virginia. Madam Speaker, I had a family commitment and could not attend votes. Had I been present, I would have voted “Yea” on rollcall No. 591.

Mr. HURD. Madam Speaker, I was unavoidably detained. Had I been present, I would have voted “Yea” on rollcall No. 591.

#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2936, RESILIENT FEDERAL FORESTS ACT OF 2017

Mr. NEWHOUSE, from the Committee on Rules, submitted a privileged report (Rept. No. 115-378) on the resolution (H. Res. 595) providing for consideration of the bill (H.R. 2936) to expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on Tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes, which was referred to the House Calendar and ordered to be printed.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 620

Mr. RUSH. Mr. Speaker, I ask unanimous consent to be removed from H.R. 620.

The SPEAKER pro tempore (Mr. GALLAGHER). Is there objection to the request of the gentleman from Illinois? There was no objection.

□ 1900

#### HONORING THE LIFE OF LESLIE AMUNDSON

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

Mr. NEWHOUSE. Mr. Speaker, I rise today to honor the life and memory of Leslie Amundson from my hometown of Sunnyside, Washington. Les was a decorated war veteran, a small-business owner, a farmer, and, truly, a pillar of our local community.

Les served this country honorably. As an Army Air Corps pilot during World War II, his plane was shot down over Holland. He and his crew spent a month hiding underground and being cared for by the Dutch people before being captured by the Nazis. Les served 18 months at a prisoner of war camp and earned a Purple Heart.

His family's roots were only strengthened when Les married and bought a farm in Sunnyside where he and his wife, Helen, raised their five children. He would often find opportunities to contribute and to help those around him, and his appreciation for the community showed in his actions.

Les leaves behind a legacy of devotion to the people of Sunnyside and to our Nation.

My thoughts and prayers are with his family during this difficult time, and I ask my colleagues to please join me in remembering my friend Les Amundson.

#### RUSSIAN INVESTIGATION MUST CONTINUE IN HOUSE UNIMPEDED

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

Mr. KRISHNAMOORTHY. Mr. Speaker, yesterday we learned that the first charges of Special Counsel Mueller's investigation had been filed against President Trump's campaign chairman, Paul Manafort, and his business associate Rick Gates.

But just as importantly, we learned that former Trump campaign foreign policy adviser George Papadopoulos pleaded guilty to lying to the FBI about his attempts to contact the Russian Government. The investigation is gaining momentum and must go on.

In the Senate, Majority Leader MCCONNELL has refused to commit floor time to legislation to protect Special Counsel Mueller's investigation from outside interference. If the Senate refuses to act, the House must. It is imperative that we allow the investigation into Russian interference in our democracy to continue unimpeded and unhindered.

Yesterday's news may be the first public revelations, but they cannot be the last. The investigation into the Russian Government's attempts to sabotage our democracy must continue. I urge Speaker RYAN and the House leadership to commit to safeguarding the independence and integrity of Special Counsel Mueller's investigation.

#### DOMESTIC VIOLENCE IS A HEALTH ISSUE AND A CRIMINAL MATTER

(Mr. POE of Texas asked and was given permission to address the House

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

Mr. POE of Texas. Mr. Speaker, Suzanne thought that Jason was the perfect boyfriend. He was protective, loving, and attentive. But after he moved in with Suzanne, she noticed his darker side. He became obsessive, jealous, and enraged. He began shoving and striking her. Once, he pushed her so hard her head smashed against the wall.

Fed up with his excuses, she made him leave, but her safety was short lived. One night as Suzanne returned home with friends, Jason ambushed her and forced her into the house at knifepoint. Horrified, her friends ran into the street to flag down the police.

Despite Suzanne's pleas, Jason stomped on her face and neck until she was unconscious. Then she later woke up to find him pouring boiling water over her body. About that time, the police broke in and saved her life.

Mr. Speaker, this month is Domestic Violence Awareness Month. Domestic violence is a health issue, and it is also a criminal matter. As my grandmother used to say: “You never hurt somebody you claim you love.”

And that is just the way it is.

#### REJECT TAX PLAN FOR BILLIONAIRES AND CORPORATIONS

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

Ms. LEE. Mr. Speaker, I rise in total opposition to the Republicans' rigged tax plan for billionaires and corporations.

Despite having one of the largest economies in the world, one in five Californians live in poverty. Yet Republicans in Congress are pursuing one priority: tax breaks for billionaires and corporations.

Their tax package is Robin Hood in reverse: it steals from the poor and gives to the rich. And it will decimate Medicare. It will cripple many essential programs like the child tax credit and the earned income tax credit.

This billionaires-first plan will devastate many States, including my home State of California. California will suffer tremendously. The earned income tax credit and child tax credit really has saved more than 1 million Californians from falling below the poverty line. Undermining the earned income tax credit and child tax credit would push millions of Californians even deeper into poverty.

Americans should not be forced to pay more than their fair share in order to give tax breaks to the ultrarich. Any tax plan that pushes even one more American deeper into poverty and forces middle-income people to pay more should not even be on the table.

Mr. Speaker, we need to reject this plan that lavishes tax breaks on President Trump, his billionaire buddies, and giant multinational corporations.

### CONGRATULATIONS TO JEFFERSON COUNTY DEVELOPMENT COUNCIL

(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 congratulate Jefferson County Development Council for being named Partner of the Year by the Pennsylvania Economic Development Association.

The Jefferson County Development Council has demonstrated outstanding accomplishments and, over the past year, has gone above and beyond in carrying out its mission to serve existing and new businesses in Jefferson County, Pennsylvania. Led by Brad Lashinsky, director of economic development and planning, the Jefferson County Development Council works to help new businesses start up, relocate, or expand.

The Jefferson County Development Council was named Partner of the Year for effectively utilizing various funding sources to complete a number of community and economic development projects. It also facilitated the formation of the Jefferson County Resource Partnership, which is a collection of professionals who make up the economic development delivery system in the county and who focus on providing assistance to businesses in all stages of business development and growth.

Mr. Speaker, I am proud of the Jefferson County Development Council for the work it does, and I wholeheartedly congratulate them on this outstanding achievement.

### HONORING THE LIFE OF SENATOR ARNETT GIRARDEAU

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

Mr. LAWSON of Florida. Mr. Speaker, I rise to honor the life and legacy of former Florida Senator Dr. Arnett Girardeau, who passed away last Thursday.

Senator Girardeau represented Jacksonville in the Florida Legislature. He was among the first African Americans to serve in the Florida Senate, and the first African American to serve as a senate president pro tempore.

During the 16 years that he served in the Florida Legislature, he provided principled leadership and service to our State, to our country, and he served as a role model of excellence to many of us who would follow in his footsteps.

As a young legislator, Senator Girardeau helped to mentor me and many of my other colleagues in north Florida. He was a founding member and chairman of the Florida Conference of Black State Legislators.

We extend our condolences to not only his wife, Carolyn, but especially to his family. He truly was an outstanding leader and a trailblazer in the State of Florida.

### THANKING MARY BOTTINI FOR EXCEPTIONAL SERVICE

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

Ms. TENNEY. Mr. Speaker, I rise today to recognize Mary Bottini, a generous and dedicated constituent of the 22nd Congressional District of New York.

In 2010, after a fruitful 29-year career, Mary retired and began to volunteer her time at the Oneida County Historical Society, where she was recently named Volunteer of the Year for 2017.

Mary is an active member of our community, a grandmother of three, and a passionate purveyor of our history. Her commitment and civic engagement are the impetus for this well-deserved award.

Oneida County has a rich history, and it is through the efforts and hard work of volunteers like Mary that its heritage and collective memory is preserved. Mary serves as a shining example of what it means to give back.

Please join me today in thanking Mary for her commitment to our community and her years of exceptional service.

### HELP AMERICA VOTE ACT ANNIVERSARY

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

Mr. LANGEVIN. Mr. Speaker, 15 years ago this week, Congress passed the Help America Vote Act, which provided much-needed Federal aid to overhaul our aging election infrastructure.

I was proud to support this investment in our elections, which helps States expand opportunities for all Americans to cast ballots and know that they were properly counted.

Unfortunately, today, much of our election infrastructure is again in need of a refresh. Among many challenges, Russia has mounted a direct attack on our elections, and it is absolutely imperative that we shore up our defenses.

To address this issue, among others, I introduced the PAPER Act with Congressman MARK MEADOWS, to provide States with resources to assess the security risks posed to their election systems and implement cybersecurity best practices, including postelection audits of paper ballots.

Mr. Speaker, it is time to recommit to the ideals of HAVA. I urge my colleagues to pass the PAPER Act and restore the integrity of our elections.

### SUPPORT CHAMPIONING HEALTHY KIDS

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

Mr. LAMALFA. Mr. Speaker, I rise today in support of the Championing Healthy Kids Act.

For years, programs such as CHIP and community health centers have been lifelines to underserved, especially rural communities: 9 million children rely on CHIP for health coverage; 25 million patients use community health centers; and 750 residency spots were created by teaching health centers to combat doctor shortages.

Yet, despite months of assurances to work together, Democrats continue to stall the reauthorization. It is not unreasonable to ask Medicare recipients making over \$500,000 to pay a little extra in premiums or to roll back lengthy enrollment periods so people can't game the system. It is certainly not unreasonable to ask lottery winners who hit the jackpot to forego Medicaid coverage.

We can't afford any more delay. These programs are supported time after time in a bipartisan fashion. This bill is worthy of that same support. I urge my colleagues to come together to get this bill done this week.

### CELEBRATING WOMEN'S SMALL BUSINESS MONTH

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

Mr. MCNERNEY. Mr. Speaker, throughout the month of October, we have celebrated the Women's Small Business Month.

According to the National Women's Business Council, there are around 9.8 million women-owned businesses in our country. Collectively, women-owned businesses produce about \$1.4 trillion in annual receipts and employ over 8 million employees, as this graphic shows.

The largest number of women-owned businesses are in my home State of California. California has about 1.3 million women-owned firms. In addition, in my district, the cities of Stockton and Lodi were ranked by WalletHub in 2016 as the second best place in California for women entrepreneurs.

Despite the challenges women-owned firms encounter, women entrepreneurs employ many residents that make up the vitality of our local communities across the United States. That is why I stand here today to acknowledge and celebrate women-owned small businesses such as the Valley Brewing Company in Stockton, California, owned by Kellie Jacobs, a friend of many years.

Let's support and thank all of the women entrepreneurs in our country and honor all of these businesses.

### SUPPORT NAFTA RENEGOTIATION

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

Ms. KAPTUR. Mr. Speaker, smart dealmakers don't divulge their tactics. Yet, according to a report from Inside Trade, President Trump told a group of

Senators that his so-called threats to withdraw from NAFTA are just a negotiating tactic. Mr. Speaker, workers in Ohio will tell President Trump that too much is at stake in NAFTA renegotiations to be playing games and telegraphing empty threats.

I hope that the President's focus is on balancing our ballooning NAFTA trade deficit with Mexico and Canada, which just accumulates more red ink at astronomical levels of outsourced jobs. We need an agreement that stops job outsourcing, an agreement that creates a level playing field for workers and businesses alike. It should give farmers and laborers on this continent equal status and a living wage.

Among other protections for workers, I have called for a tri-party labor secretariat that will represent workers in all three NAFTA nations. NAFTA must address fair labor standards and robust enforcement of rules, including for agricultural labor, the largest segment of our tri-national workforce.

NAFTA renegotiation is a once-in-a-lifetime opportunity to create a continental compact to boost fair opportunity across North America. Let's not indulge in phony boardroom brinksmanship. Let's come together and put our communities and workers first.

□ 1915

#### AFFORDABLE CARE ACT OPEN ENROLLMENT SEASON

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

Ms. JACKSON LEE. Mr. Speaker, before I start, I would like to express my sympathy and concern for those who lost their life in New York through an alleged terrorist act and to pray for their families.

Let me also make mention of the fact, Mr. Speaker, that tomorrow, November 1, begins the open enrollment. We know that this President has tried to sabotage the Affordable Care Act; but, in fact, you have until December 15. We believe that more than 12 million people will register.

This is a very important opportunity because, many times in the past, under the previous affordable healthcare structure, you wouldn't have this time to apply. But the Affordable Care Act is still the law of the land, and we should extend that law for everyone to be able to enroll.

Finally, let me thank the Texans for taking a knee in recognition of opposing language where football players were called inmates in a prison. I, frankly, believe I wanted to come to the floor to make that point. Later in the week, I will take a knee on this floor to acknowledge them.

Finally, I would like to indicate that I hope that there will be an apology coming from General Kelly for Congresswoman WILSON.

Finally, I want to be able to say something good, which is, Go Astros,

the greatest team in the world. Go Astros.

Mr. Speaker, tomorrow, November 1, 2017 marks the beginning of the fifth "Open Enrollment Season" for the Affordable Care Act.

During open enrollment people can sign up for health insurance coverage for 2018.

Open season ends on December 15, 2017, so I encourage all Americans to act without delay to ensure that they and their loved ones are covered.

More than 12 million people nationwide have selected individual healthcare plans through federal and state marketplaces.

If you held individual or family health insurance, and we all do, now is the time to sign up.

Under the Affordable Care Act—more commonly known as "Obamacare"—you can sign up for health insurance on your state's health insurance exchange or individual marketplace but only during an annual open enrollment period that this year starts November 1 and will end on December 15.

The only other times you may purchase health insurance is following a "qualifying life event," such as getting married or divorced or having a baby.

If you buy health insurance through your workplace, your employer will inform you about its open enrollment period.

The following information is for people buying health insurance on their own.

If you are buying health insurance on your own, you have several options for purchasing a policy:

From your state's health insurance marketplace—check Healthcare.gov to find the market place for your state;

Directly from a health insurance company; From websites like Insure.com that offers health insurance quotes from multiple carriers; or

From a health insurance agent.

We know the Trump Administration is attempting to sabotage enrollment during this year's shortened open enrollment period by cutting back on the outreach needed to inform the public about Open Enrollment Season.

The Center for American Progress estimates that under good-faith management of the marketplaces and the open enrollment process, 2018 marketplace enrollment would hold steady at about 12.2 million plan selections.

Unfortunately, the Trump Administration's repeated actions to destabilize insurance markets, repeal the ACA, and undermine open enrollment, threaten this progress and are designed to depress enrollment in 2018.

The President is creating uncertainty in the nation's health insurance marketplaces, which prior to January 20, 2017 were on track for continued growth in the number of people with health insurance.

This weekend, if you have health insurance take time to make sure that your relatives have enrolled.

The most important thing that Americans can do to preserve access to affordable health insurance is to enroll in a health care plan before the December 15, 2017 deadline.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GRIFFITH (at the request of Mr. MCCARTHY) for today on account of family considerations.

Mr. HILL (at the request of Mr. MCCARTHY) for today and November 1 on account of a family commitment.

Mr. MOONEY of West Virginia (at the request of Mr. MCCARTHY) for today on account of a family commitment.

#### PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY FOR THE 115TH CONGRESS

HOUSE OF REPRESENTATIVES, COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,

Washington, DC, October 26, 2017.

Hon. PAUL RYAN,

*The Speaker, House of Representatives, Washington, DC.*

DEAR MR. SPEAKER: (Pursuant to clause 2(a)(2) of Rule XI of the Rules of the House of Representatives, I hereby submit the rules of the Committee on Science, Space, and Technology for the 115th Congress for publication in the Congressional Record. These rules were adopted by the Committee on February 7, 2017, in a meeting that was open to the public.

Thank you for your consideration.

Sincerely,

LAMAR SMITH,  
*Chairman.*

#### RULE I. GENERAL

(a) Application of Rules.

(1) The Rules of the House of Representatives ("House Rules") are the rules of the Committee on Science, Space, and Technology and its Subcommittees with the specific additions thereto contained in these rules.

(2) Except where the term "Subcommittee" is specifically referred to, the following rules shall apply to the Committee and its Subcommittees as well as to the respective Chairs and Ranking Minority Members.

(b) Other Procedures. The Chair may establish such other procedures and take such actions as may be necessary to carry out these rules or to facilitate the effective operation of the Committee.

(c) Use of Hearing Rooms. In consultation with the Ranking Minority Member, the Chair of the Committee shall establish guidelines for the use of Committee hearing rooms.

#### RULE II. REGULAR, ADDITIONAL, AND SPECIAL MEETINGS

(a) Regular Meetings. The regular meeting day of the Committee for the conduct of its business shall be on the first Thursday of each month, if the House is in session. If the House is not in session on that day, then the Committee shall meet on the next Thursday of such month on which the House is in session, or at another practicable time as determined by the Chair.

(1) A regular meeting of the Committee may be dispensed with if, in the judgment of the Chair, there is no need for the meeting.

(2) The Chair may call and convene, as he considers necessary and in accordance with the notice requirements contained in these rules, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business.

(b) Bills and Subjects to be Considered.

(1) The Chair shall announce the date, place, and subject matter of any Committee meeting, which may not commence earlier than the third day on which Members have notice thereof, unless the Chair, with the concurrence of the Ranking Minority Member, or the Committee by majority vote with

a quorum present for the transaction of business, determines there is good cause to begin the meeting sooner, in which case the Chair shall make the announcement at the earliest possible date.

(2) At least 48 hours prior to the commencement of a meeting for the markup of legislation, the Chair shall cause the text of such legislation to be made publicly available in electronic form.

(3) To the maximum extent practicable, amendments to a measure or matter shall be submitted in writing or electronically to the designee of both the Chair and Ranking Minority Member at least 24 hours prior to the consideration of the measure or matter, and the Chair may oppose any amendment not so submitted.

(c) Open Meetings.

(1) Meetings for the transaction of business and hearings of the Committee shall be open to the public or closed in accordance with the House Rules.

(2) Any Member who is not a Member of the Committee (or any Committee Member who is not a Member of the Subcommittee) may have the privilege of nonparticipatory attendance at Committee or Subcommittee hearings or meetings in accordance with clause 2(g)(2) of House Rule XI. Such Member may not:

- i. vote on any matter;
- ii. be counted for the purpose of establishing a quorum;
- iii. participate in questioning a witness under the 5-Minute Rule, unless permitted to do so by the Chair;
- iv. raise points of order; or
- v. offer amendments or motions.

(d) Quorums. A majority of the Committee shall form a quorum, except that two Members shall constitute a quorum for taking testimony and receiving evidence, and one third of the Members shall form a quorum for taking any action other than for which the presence of a majority of the Committee is otherwise required. If the Chair is not present at any meeting of the Committee or Subcommittee, the Vice Chair on the Committee who is present shall preside at the meeting, unless another Member of the Committee is designated by the Chair.

(e) Postponement of Proceedings.

(1) Pursuant to clause 2(h)(4) of House Rule XI, the Chair may postpone further proceedings when a record vote is ordered on the question of approving a measure or matter or on adopting an amendment. The Chair may resume proceedings on a postponed vote at any time after reasonable notice.

(2) When proceedings resume on a postponed question, notwithstanding any intervening order for the previous question, an underlying proposition shall remain subject to further debate or amendment to the same extent as when the question was postponed.

(f) Time for Statements and Debate.

(1) Insofar as is practicable, the Chair, after consultation with the Ranking Minority Member, shall limit the total time of opening statements by Members at a Committee meeting to no more than ten minutes, the time to be divided equally between the Chair and Ranking Minority Member. When requested, ex officio Members of any Subcommittee shall also be recognized at a Subcommittee hearing for five minutes each to present an opening statement.

(2) The time any one Member may address the Committee on any bill, amendment, motion, or other matter under consideration by the Committee will be limited to five minutes, and then only when the Member has been recognized by the Chair. This time limit may be waived by the Chair pursuant to unanimous consent.

(g) Requests for Recorded Vote. A record vote of the Committee shall be provided on

any question before the Committee upon the request of one-fifth of the Members present.

(h) Transcripts. Transcripts of markups shall be recorded and may be published in the same manner as hearings before the Committee.

(i) Motion to Go to Conference. Without further action of the Committee, the Chair is authorized to offer a motion under clause 1 of House Rule XXII whenever the Chair considers it appropriate.

RULE III. HEARINGS

(a) Notice of Hearings.

(1) The Chair shall publicly announce the date, place, and subject matter of any hearing to be conducted by the Committee on any measure or matter at least one week before the commencement of that hearing. If the Chair, with the concurrence of the Ranking Minority Member, determines there is good cause to begin the hearing sooner, or if the Committee so determines by majority vote, a quorum being present for the transaction of business, the Chair shall make the announcement at the earliest possible date.

(2) The Chair shall publicly announce a list of witnesses to testify at a hearing as soon as a complete list of witnesses, including those to be called by the minority, is compiled. When practicable, the Chair and the Ranking Minority Member will seek to have a complete list of witnesses compiled at or as soon as practicable after the time that the hearing is publicly announced.

(b) Witnesses.

(1) Insofar as is practicable, no later than 48 hours in advance of his or her appearance, each witness who is to appear before the Committee shall file, in printed copy and in electronic form, a written statement of his or her proposed testimony and a curriculum vitae.

(2) Each witness shall limit his or her presentation to a five minute summary, however additional time may be granted by the Chair when appropriate.

(3) The Chair, or any Member of the Committee designated by the Chair, may administer oaths to witnesses before the Committee.

(4) Whenever any hearing is conducted by the Committee on any measure or matter, the Minority Members of the Committee shall be entitled, upon request to the Chair by a majority of them before the completion of the hearing, to call witnesses selected by the Minority to testify with respect to the measure or matter during at least one day of hearing thereon.

(5) In the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include a curriculum vitae and a disclosure of any Federal grants, cooperative agreements, or contracts, or contracts or payments originating with a foreign government, received during the current calendar year or either of the two previous calendar years by the witness or by an entity represented by the witness and related to the subject matter of the hearing. The disclosure shall include the amount and source of each Federal grant (or subgrant thereof), cooperative agreement, or contract (or subcontract thereof) related to the subject matter of the hearing; and the amount and country of origin of any payment or contract related to the subject matter of the hearing originating with a foreign government. Such statements, with appropriate redactions to protect the privacy or security of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

(c) Questioning of Witnesses.

(1) The right to interrogate a witness before the Committee shall alternate between Majority and Minority Members of the Com-

mittee. Each Member shall be limited to five minutes in the interrogation of witnesses. No Member may be recognized for a second period of interrogation until each Member present, who wishes to be recognized, has been recognized at least once.

(2) Notwithstanding clause 1, upon a motion the Chair, in consultation with the Ranking Minority Member, may:

i. Designate an specified number of Members of the Committee from each party to question a witness for a period of time equally divided between the majority party and the minority party, not to exceed one hour in the aggregate; or

ii. Designate staff from each party to question a witness for a period of time equally divided between the majority party and the minority party, not to exceed one hour in the aggregate.

(3) Members of the Committee have two weeks from the date of a hearing to submit additional questions in writing for the record to be answered by witnesses who have appeared before the Committee. The letters of transmittal and any responses thereto shall be included in the hearing record.

(d) Claims of Privilege. Claims of common-law privileges made by witnesses in hearings, or by interviewees or deponents in investigations or inquiries, are applicable only at the discretion of the Chair, subject to appeal to the Committee.

(e) Publication of Transcripts. The transcripts of those hearings conducted by the Committee, when it is decided they will be printed, shall be published in substantially verbatim form, with the material requested for the record inserted at that place requested, or at the end of the record, as appropriate. Individuals, including Members, whose comments are to be published as part of a Committee document shall be given the opportunity to verify the accuracy of the transcription in advance of publication. Any requests by those Members, staff, or witnesses to correct any errors other than errors in the transcript, or disputed errors in transcription, shall be appended to the record, and the appropriate place where the change is requested will be footnoted. Prior to approval by the Chair of hearings conducted jointly with another Congressional Committee, a memorandum of understanding shall be prepared which incorporates an agreement for the publication of the transcript.

(f) Pertinence of Testimony. At the discretion of the Committee, brief and pertinent statements may be submitted in writing for inclusion in the record. The Committee is the sole judge of the pertinence of testimony and evidence adduced at its hearing.

RULE IV. REPORTS

(a) Bills and resolutions approved by the Committee shall be reported by the Chair pursuant to clauses 2-4 of House Rule XIII.

(b) A proposed investigative or oversight report shall be considered as read if it has been available to the Members of the Committee for at least 24 hours (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such days).

(c) Every investigative or oversight report shall be approved by a majority vote of the Committee at a meeting at which a quorum is present. If at the time of approval of such a report a Member of the Committee gives notice of intent to file supplemental, minority, additional, or dissenting views that Member shall be entitled to file such views.

(d) Only those investigative or oversight reports approved by a majority vote of the Committee may be ordered printed, unless otherwise required by House Rules.

RULE V. BROADCASTING

(a) Whenever a meeting for the transaction of business, including the markup of legislation or a hearing is open to the public, that

meeting or hearing shall be open to coverage by television, radio, and still photography in accordance with clause 4 of House Rule XI.

(b) To the maximum extent practicable, the Committee shall provide audio and visual coverage of each hearing or meeting for the transaction of business in a manner that allows the public to easily listen to and view the proceedings, and maintain the recordings of such coverage in a manner that is easily accessible to the public. Operation and use of any Committee internet broadcast system shall be fair and nonpartisan, and in accordance with clauses 4(b) and (f) of House Rule XI and all other applicable rules of the Committee and the House.

#### RULE VI. SUBCOMMITTEES

(a) Committee Jurisdiction. The Committee shall have jurisdiction over such matters as determined by the Chair.

(b) Subcommittees and Jurisdiction. There shall be five standing Subcommittees of the Committee on Science, Space, and Technology, with jurisdictions as follows:

(1) Subcommittee on Energy. Shall have jurisdiction over the following subject matters: all matters relating to energy research, development, and demonstration projects therefor; commercial application of energy technology; Department of Energy research, development, and demonstration programs; Department of Energy laboratories; Department of Energy science activities; energy supply activities; nuclear, solar, and renewable energy, and other advanced energy technologies; uranium supply and enrichment, and Department of Energy waste management; fossil energy research and development; clean coal technology; energy conservation research and development, including building performance, alternate fuels, distributed power systems, and industrial process improvements; pipeline research, development, and demonstration projects; energy standards; other appropriate matters as referred by the Chair; and relevant oversight.

(2) Subcommittee on Environment. Shall have jurisdiction over the following subject matters: all matters relating to environmental research; Environmental Protection Agency research and development; environmental standards; climate change research and development; the National Oceanic and Atmospheric Administration, including all activities related to weather, weather services, climate, the atmosphere, marine fisheries, and oceanic research; risk assessment activities; scientific issues related to environmental policy, including climate change; remote sensing data related to climate change at the National Aeronautics and Space Administration (NASA); earth science activities conducted by the NASA; other appropriate matters as referred by the Chair; and relevant oversight.

(3) Subcommittee on Research and Technology. Shall have jurisdiction over the following subject matters: all matters relating to science policy and science education; the Office of Science and Technology Policy; all scientific research, and scientific and engineering resources (including human resources); all matters relating to science, technology, engineering and mathematics education; intergovernmental mechanisms for research, development, and demonstration and cross-cutting programs; international scientific cooperation; National Science Foundation; university research policy, including infrastructure and overhead; university research partnerships, including those with industry; science scholarships; computing, communications, networking, and information technology; research and development relating to health, biomedical, and nutritional programs; research, develop-

ment, and demonstration relating to nanoscience, nanoengineering, and nanotechnology; agricultural, geological, biological and life sciences research; materials research, development, demonstration, and policy; all matters relating to competitiveness, technology, standards, and innovation; standardization of weights and measures, including technical standards, standardization, and conformity assessment; measurement, including the metric system of measurement; the Technology Administration of the Department of Commerce; the National Institute of Standards and Technology; the National Technical Information Service; competitiveness, including small business competitiveness; tax, antitrust, regulatory and other legal and governmental policies related to technological development and commercialization; technology transfer, including civilian use of defense technologies; patent and intellectual property policy; international technology trade; research, development, and demonstration activities of the Department of Transportation; surface and water transportation research, development, and demonstration programs; earthquake programs and fire research programs, including those related to wildfire proliferation research and prevention; biotechnology policy; research, development, demonstration, and standards-related activities of the Department of Homeland Security; Small Business Innovation Research and Technology Transfer; voting technologies and standards; other appropriate matters as referred by the Chair; and relevant oversight.

(4) Subcommittee on Space. Shall have jurisdiction over the following subject matters: all matters relating to astronomical and aeronautical research and development; national space policy, including access to space; sub-orbital access and applications; National Aeronautics and Space Administration and its contractor and government-operated labs; space commercialization, including commercial space activities relating to the Department of Transportation and the Department of Commerce; exploration and use of outer space; international space cooperation; the National Space Council; space applications, space communications and related matters; Earth remote sensing policy; civil aviation research, development, and demonstration; research, development, and demonstration programs of the Federal Aviation Administration; space law; other appropriate matters as referred by the Chair; and relevant oversight.

(5) Subcommittee on Oversight. Shall have general and special investigative authority on all matters within the jurisdiction of the Committee.

(c) Composition of Subcommittees.

(1) The Chair shall assign Members to the Subcommittees. Minority party assignments shall be made only with the concurrence of the Ranking Minority Member. The Chair shall determine the ratio of Majority Members to Minority Members of each Subcommittee; provided that the ratio of Majority Members to Minority Members on each Subcommittee (excluding any ex officio Member) shall be no less favorable to the majority party than the ratio for the Committee.

(2) The Chair and Ranking Minority Member of the Committee shall be ex officio Members of each Subcommittee to which such Chair or Ranking Minority Member has not been assigned by the Chair. They are not authorized to vote on Subcommittee matters. Unless they are regular Members of the Subcommittee, they shall not be counted in determining a Subcommittee quorum other than a quorum for taking testimony.

(d) Referral to Subcommittees. The Chair shall expeditiously refer all legislation and

other matters referred to the Committee to the Subcommittee or Subcommittees of appropriate jurisdiction, unless the Chair deems consideration is to be by the Committee. Subcommittee Chairs may make requests for referral of specific matters to their Subcommittee if they believe Subcommittee jurisdictions so warrant.

(e) Subcommittee Procedures and Reports.

(1) Subcommittee Chairs shall set meeting dates with the concurrence of the Chair and after consultation with the other Subcommittee Chairs with a view toward avoiding simultaneous scheduling of Subcommittee meetings or hearings wherever possible. No Subcommittee may meet or hold a hearing at the same time as a meeting or hearing of the Committee without authorization from the Chair.

(2) Each Subcommittee is authorized to meet, hold hearings, receive testimony or evidence, mark up legislation, and report to the Committee on all matters referred to it. For matters within its jurisdiction, each Subcommittee is authorized to conduct legislative, investigative, forecasting, and general oversight hearings; to conduct inquiries into the future; and to undertake budget impact studies.

(3) Each Subcommittee shall provide the Committee with copies of such records of votes taken in the Subcommittee and such other records with respect to the Subcommittee as the Chair of the Committee deems necessary to ensure compliance with the House Rules.

(4) After ordering a measure or matter reported, a Subcommittee shall issue a report in such form as the Chair shall specify. To the maximum extent practicable, reports and recommendations of a Subcommittee shall not be considered by the Committee until after the intervention of 48 hours from the time the report is submitted and made available to the Committee. Printed hearings thereon shall be made available, if feasible, to the Committee, except that this Rule may be waived at the discretion of the Chair after consultation with the Ranking Minority Member.

#### RULE VII. VICE CHAIRS

(a) The Chair of the Committee shall designate a Member of the majority party to serve as Vice Chair of the Committee, and shall designate a Majority Member of each Subcommittee to serve as Vice Chair of the Subcommittee. Vice Chairs of the Committee and each Subcommittee serve at the pleasure of the Chair, who may at any time terminate his designation of a Member as Vice Chair and designate a different Member of the majority party to serve as Vice Chair of the Committee or relevant Subcommittee.

(b) The Chair may assign duties, privileges, and responsibilities to the Vice Chairs of the Committee or the various Subcommittees.

#### RULE VIII. OVERSIGHT AND INVESTIGATIONS

(a) The Committee shall review and study, on a continuing basis, the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within its jurisdiction, including all laws, programs, and Government activities relating to nonmilitary research and development in accordance with House Rule X.

(b) Not later than February 15th of the first session of the 115th Congress, the Committee shall meet in open session, with a quorum present, to adopt its authorization and oversight plan for submission to the Committee on Oversight and Government Reform and the Committee on House Administration in accordance with the provisions of clause 2(d) of House Rule X.

(c) Any investigation undertaken in the name of the Committee shall be approved by

the Chair. Nothing in this subsection shall be interpreted to infringe on a Subcommittee's authority to conduct general oversight of matters within its jurisdiction, short of undertaking an investigation.

#### RULE IX. SUBPOENAS

The power to authorize and issue subpoenas is delegated to the Chair as provided for under clause 2(m)(3)(A)(i) of House Rule XI.

#### RULE X. DEPOSITION AUTHORITY

The Chair may authorize the staff of the Committee to conduct depositions pursuant to section 3(b) of House Resolution 5, 115th Congress, and subject to any regulations issued pursuant thereto.

#### RULE XI. COMMITTEE RECORDS

(a) The records of the Committee at the National Archives and Records Administration shall be made available for public use in accordance with House Rule VII.

(b) The Chair shall notify the Ranking Minority Member of the Committee of any decision, pursuant to clauses 3(b)(3) or 4(b) of House Rule VII, to withhold a record otherwise available, and the matter shall be presented to the Committee for a determination on the written request of any Member of the Committee.

#### RULE XII. OFFICIAL COMMITTEE WEBSITE

The Chair shall maintain an official Committee website for the purpose of furthering the Committee's legislative and oversight responsibilities, including communicating information about the Committee's activities to Committee Members and other Members of the House. The Ranking Minority Member of the Committee may maintain a similar website for the same purpose, including communicating information about the activities of the minority to Committee Members and other Members of the House.

#### RULE XIII. COMMITTEE BUDGET

From the amount provided to the Committee in the primary expense resolution adopted by the House of Representatives in the 115th Congress, the Chair shall designate one-third of the budget, after adjustment for the salaries of the shared administrative functions for the Clerk, Printer and Financial Administrator, under the direction of the Ranking Minority Member for the purposes of minority staff, travel expenses of minority staff and Members, and all other minority office expenses.

#### RULE XIV. AMENDMENTS TO COMMITTEE RULES

The rules of the Committee may be modified, amended, or repealed, in the same manner and method as prescribed for the adoption of committee rules in clause 2 of House Rule XI, but only if written notice of the proposed change has been provided to each such Member at least 3 days before the time of the meeting at which the vote on the change occurs. Any such change in the rules of the Committee shall be published in the Congressional Record within 30 calendar days after their approval.

### ADJOURNMENT

Mr. MASSIE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 17 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, November 1, 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:

2997. A letter from the Board Chairman and CEO, Farm Credit Administration, transmitting the Administration's direct final rule — Assessment and Apportionment of Administrative Expenses (RIN: 3052-AD30) received October 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

2998. A letter from the Assistant General Counsel, Division of Regulatory Services, Office of the General Counsel, Department of Education, transmitting the Department's interim final rule — 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 [Docket No.: ED-2017-OPE-0108] (RIN: 1840-AD25) received October 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

2999. A letter from the Acting Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received October 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

3000. A letter from the Assistant General Counsel, Regulatory Affairs Division, Consumer Product Safety Commission, transmitting the Commission's final rule — Safety Standard for Infant Bouncer Seats [Docket No.: CPSC-2015-0028] received October 25, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3001. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Air Plan Approval; Connecticut; Nonattainment New Source Review Permit Requirements for the 2008 8-Hour Ozone Standard [EPA-R01-OAR-2017-0150; FRL-9969-54-Region 1] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3002. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Air Plan Approval; AL; VOC Definitions and Particulate Emissions [EPA-R04-OAR-2017-0436; FRL-9969-35-Region 4] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3003. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Air Plan Approval; Alabama; PSD Replacement Units [EPA-R04-OAR-2017-0371; FRL-9969-22-Region 4] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3004. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Air Plan Approval; South Carolina; Standards for Volatile Organic Compounds and Oxides of Nitrogen [EPA-R04-OAR-2017-0388; FRL-

9969-31-Region 4] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3005. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Ohio; Redesignation of the Fulton County Area to Attainment of the 2008 Lead Standard [EPA-R05-OAR-2017-0256; FRL-9969-67-Region 5] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3006. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Interstate Transport Requirements for the 2010 1-Hour Sulfur Dioxide Standard [EPA-R03-OAR-2014-0701; FRL-9969-51-Region 3] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3007. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Minnesota; Regional Haze Progress Report [EPA-R05-OAR-2015-0034; FRL-9969-59-Region 5] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3008. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Adoption of Control Techniques Guidelines for Control of Volatile Organic Compound Emissions from Miscellaneous Metal Parts Surface Coating, Miscellaneous Plastic Parts Surface Coating, and Pleasure Craft Surface Coatings [EPA-R03-OAR-2017-0437; FRL-9969-32-Region 3] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3009. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Amendment to Ambient Air Quality Standard for Ozone [EPA-R03-OAR-2016-0592; FRL-9969-40-Region 3] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3010. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; 2015 Ozone National Ambient Air Quality Standards [EPA-R03-OAR-2017-0413; FRL-9969-48-Region 3] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3011. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; City of Philadelphia; Control of Emissions from Existing Hospital/Medical/Infectious Waste Incinerator Units [EPA-R03-OAR-2017-0453; FRL-9969-45-Region 3] received October 12,

2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3012. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2017-0166; FRL-9964-42] (RIN: 2070-AB27) received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3013. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; South Carolina; Cross-State Air Pollution Rule [EPA-R04-OAR-2017-0364; FRL-9969-27-Region 4] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3014. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Michigan; Regional Haze Progress Report [EPA-R05-OAR-0058; FRL-9969-61-Region 5] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3015. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Illinois; Regional Haze Progress Report [EPA-R05-OAR-2017-0082; FRL-9969-64-Region 5] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3016. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Florida; Stationary Sources Emissions Monitoring [EPA-R04-OAR-2017-0500; FRL-9969-39-Region 4] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3017. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fenpicoxamid; Pesticide Tolerances [EPA-HQ-OPP-2016-0392; FRL-9966-73] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3018. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Triflumezopyrim; Pesticide Tolerances [EPA-HQ-OPP-2016-0142; FRL-9966-13] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3019. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Alabama; Transportation Conformity [EPA-R04-OAR-2017-0174; FRL-9969-24-Region 4] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3020. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Kentucky; Regional Haze Progress Report [EPA-R04-OAR-2016-0462; FRL-9969-26-Region 4] received October 12, 2017, pursuant to 5 U.S.C.

801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3021. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Georgia; Cross-State Air Pollution Rule [EPA-R04-OAR-2017-0452; FRL-9969-30-Region 4] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3022. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Georgia; New Source Review Updates [EPA-R04-OAR-2017-0078; FRL-9969-43-Region 4] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3023. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Florida; Interstate Transport (Prongs 1 and 2) for the 2010 1-hour NO<sub>2</sub> Standard [EPA-R04-OAR-2017-0079; FRL-9969-20-Region 4] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3024. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; AL; VOC Definitions and Particulate Emissions [EPA-R04-OAR-2017-0436; FRL-9969-36-Region 4] received October 12, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3025. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Revitalization of the AM Radio Service [MB Docket No.: 13-249] received October 26, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3026. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-169, "DC HealthCare Alliance Recertification Simplification 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.

3027. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-153, "Capitol Riverfront Business Improvement District 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.

3028. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 22-130, "Fiscal Year 2018 Budget Support Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3029. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-152, "General Obligation Bonds and Bond Anticipation Notes for Fiscal Years 2018-2023 Authorization Act of 2017", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

3030. A letter from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Recreational Boat Flotation Standards — Update of Outboard Engine Weight Test Requirements [Docket No.: USCG-2016-1012] (RIN: 1625-AC37) received October 26,

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.

## 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. BRADY of Texas: Committee on Ways and Means. H.R. 849. A bill to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board; with an amendment (Rept. 115-373, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 3903. A bill to amend the Securities Act of 1933 to expand the ability to use testing the waters and confidential draft registration submissions, and for other purposes; with amendments (Rept. 115-374). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1585. A bill to amend the Securities Act of 1933 to codify certain qualifications of individuals as accredited investors for purposes of the securities laws; with an amendment (Rept. 115-375). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee of Science, Space, and Technology. H.R. 1224. A bill to amend the National Institute of Standards and Technology Act to implement a framework, assessment, and audits for improving United States cybersecurity; with an amendment (Rept. 115-376). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALDEN: Committee on Energy and Commerce. H.R. 3043. A bill to modernize hydro-power policy, and for other purposes; with an amendment (Rept. 115-377, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEWHOUSE: Committee on Rules. House Resolution 595. Resolution providing for consideration of the bill (H.R. 2936) to expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on Tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes (Rept. 115-378). Referred to the House Calendar.

### DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committees on Energy and Commerce and Rules discharged from further consideration. H.R. 849 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Oversight and Government Reform discharged from further consideration. H.R. 3043 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. FITZPATRICK (for himself, Ms. TYTUS, Mr. TROTT, and Mr. KILDEE):

H.R. 4168. A bill to amend the Internal Revenue Code of 1986 to treat in the same manner as a machine gun any bump fire stock, or any other devices designed to accelerate substantially the rate of fire of a semiautomatic weapon; to the Committee on Ways and Means.

By Mr. MARCHANT (for himself, Mr. SMITH of Missouri, Mr. SIMPSON, and Mr. FERGUSON):

H.R. 4169. A bill to amend title XVIII of the Social Security Act to remove the enrollment restriction on certain physicians and practitioners prescribing covered outpatient drugs under the Medicare prescription drug program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Louisiana (for himself, Mr. GOODLATTE, Mr. GAETZ, Mr. BIGGS, Mr. BUCK, and Mr. BABIN):

H.R. 4170. A bill to amend the Foreign Agents Registration Act of 1938 to promote greater transparency in the registration of persons serving as the agents of foreign principals, to provide the Attorney General with greater authority to investigate alleged violations of such Act and bring criminal and civil actions against persons who commit such violations, and for other purposes; to the Committee on the Judiciary.

By Mr. GIANFORTE (for himself and Mr. CONNOLLY):

H.R. 4171. A bill to amend title 5, United States Code, to extend the authority to conduct telework travel expenses test programs, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. NEAL (for himself, Mr. THOMPSON of California, Mr. PASCRELL, Mr. LEVIN, Mr. LEWIS of Georgia, Mr. LARSON of Connecticut, Mr. BLUMENAUER, Mr. CROWLEY, Mr. DANNY K. DAVIS of Illinois, Ms. SANCHEZ, Mr. HIGGINS of New York, Ms. SEWELL of Alabama, Ms. DELBENE, Ms. JUDY CHU of California, Ms. NORTON, Mr. EVANS, Ms. WILSON of Florida, Ms. WASSERMAN SCHULTZ, Mr. HUFFMAN, Mr. GENE GREEN of Texas, and Ms. PLASKETT):

H.R. 4172. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for major disasters declared in any of calendar years 2012 through 2015, to make certain tax relief provisions permanent, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BANKS of Indiana (for himself, Mr. HOLLINGSWORTH, Mr. MESSER, Mr. BUCSHON, Mrs. WALORSKI, and Mr. MOULTON):

H.R. 4173. A bill to direct the Secretary of Veterans Affairs to conduct a study on the Veterans Crisis Line; to the Committee on Veterans' Affairs.

By Mr. RYAN of Wisconsin (for himself, Mr. FARENTHOLD, Mr. GOWDY, and Mr. KILMER):

H.R. 4174. A bill to amend titles 5 and 44, United States Code, to require Federal evaluation activities, improve Federal data management, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. SMITH of Missouri (for himself and Mr. SCHNEIDER):

H.R. 4175. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for equity investments in small business concerns; to the Committee on Ways and Means.

By Mr. THOMPSON of Mississippi (for himself and Mrs. WATSON COLEMAN):

H.R. 4176. A bill to strengthen air cargo security, and for other purposes; to the Committee on Homeland Security.

By Mr. CARTWRIGHT (for himself, Mr. LANCE, Mr. CURBELO of Florida, Mr. DEUTCH, Mr. DENT, Mr. FARENTHOLD, Ms. NORTON, Mr. CRIST, Mr. PETERS, Ms. WASSERMAN SCHULTZ, Mr. GARAMENDI, Mr. CONNOLLY, Mr. CUMMINGS, and Mr. LOWENTHAL):

H.R. 4177. A bill to enhance the Federal Government's planning and preparation for extreme weather and the Federal Government's dissemination of best practices to respond to extreme weather, thereby increasing resilience, improving regional coordination, and mitigating the financial risk to the Federal Government from such extreme weather, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ARRINGTON (for himself, Mr. GOHMERT, and Mr. CONAWAY):

H.R. 4178. A bill to amend title XVIII of the Social Security Act to provide for reform to and a permanent extension of the Medicare-dependent hospital program, and for other purposes; to the Committee on Ways and Means.

By Ms. BORDALLO (for herself, Miss GONZÁLEZ-COLÓN of Puerto Rico, Ms. NORTON, Mrs. RADEVAGEN, Mr. SABLAN, and Ms. PLASKETT):

H.R. 4179. A bill to amend title 54, United States Code, to apply the same apportionment formula to territories and the District of Columbia as is applied to States with respect to amounts made available for State purposes from the Land and Water Conservation Fund, and for other purposes; to the Committee on Natural Resources.

By Mr. BRENDAN F. BOYLE of Pennsylvania (for himself, Mr. KHANNA, Ms. MOORE, Ms. HANABUSA, Mr. BLUMENAUER, Mr. MEEKS, Ms. NORTON, and Ms. SHEA-PORTER):

H.R. 4180. A bill to amend the Victims of Crime Act of 1984 to provide that in order to be eligible to receive a grant for a crime victim compensation program, such program shall provide for the tolling of any limitation period relating to the submission of an application for compensation for victims of sexual assault with backlogged sexual assault evidence collection kits, and for other purposes; to the Committee on the Judiciary.

By Mr. COHEN:

H.R. 4181. A bill to amend the Higher Education Act of 1965 regarding proprietary institutions of higher education in order to protect students and taxpayers; to the Committee on Education and the Workforce.

By Mr. COMER (for himself, Mr. MEADOWS, and Mr. JODY B. HICE of Georgia):

H.R. 4182. A bill to amend title 5, United States Code, to modify probationary periods with respect to positions within the competitive service and the Senior Executive Service, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. COSTELLO of Pennsylvania (for himself and Miss RICE of New York):

H.R. 4183. A bill to condition a State's eligibility for grants under the National Criminal History Improvement Program on compliance with certain requirements relating to increasing reporting of domestic violence records, and for other purposes; to the Committee on the Judiciary.

By Mr. CURBELO of Florida (for himself, Mr. HASTINGS, Ms. ROSLEHTINEN, and Ms. WILSON of Florida):

H.R. 4184. A bill to adjust the immigration status of certain foreign nationals in temporary protected status who are in the United States, and for other purposes; to the Committee on the Judiciary.

By Ms. DELBENE (for herself, Mr. SMITH of Washington, and Ms. JAYAPAL):

H.R. 4185. A bill to amend the Internal Revenue Code of 1986 to increase state allocations for the low-income housing credit; to the Committee on Ways and Means.

By Mr. HIMES (for himself, Ms. NORTON, Ms. WASSERMAN SCHULTZ, and Mrs. TORRES):

H.R. 4186. A bill to amend title 18, United States Code, to protect more victims of domestic violence by preventing their abusers from possessing or receiving firearms, and for other purposes; to the Committee on the Judiciary.

By Mr. HOLLINGSWORTH:

H.R. 4187. A bill to amend title 18, United States Code, to prohibit former Members and elected officers of Congress from lobbying Congress at any time after leaving office; to the Committee on the Judiciary.

By Ms. JENKINS of Kansas (for herself, Mr. ESTES of Kansas, Mr. YODER, and Mr. MARSHALL):

H.R. 4188. A bill to designate the facility of the United States Postal Service located at 621 Kansas Avenue in Atchison, Kansas, as the "Amelia Earhart Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. KELLY of Pennsylvania:

H.R. 4189. A bill to reduce the disadvantages of individual retirement arrangements with respect to employer-sponsored retirement plans by helping taxpayers comply with laws affecting individual retirement arrangements, by providing for reduced penalties under the Internal Revenue Code of 1986 for certain self-corrections with respect to such laws, and for other purposes; to the Committee on Ways and Means.

By Ms. KUSTER of New Hampshire (for herself and Mr. JENKINS of West Virginia):

H.R. 4190. A bill to amend the 21st Century Cures Act to ensure the equitable distribution of resources to address the opioid epidemic, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LONG (for himself and Ms. MATSUI):

H.R. 4191. A bill to amend the Public Health Service Act to authorize the Secretary of Health and Human Services to designate an officer within the Department of Health and Human Services as having primary responsibility for the information security (including cybersecurity) programs of the Department, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MOORE (for herself, Ms. KELLY of Illinois, and Ms. NORTON):

H.R. 4192. A bill to establish a grant program to encourage States to adopt certain policies and procedures relating to the transfer and possession of firearms; to the Committee on the Judiciary.

By Ms. MOORE:

H.R. 4193. A bill to deauthorize a portion of the project for navigation, Milwaukee Harbor, Milwaukee, Wisconsin; to the Committee on Transportation and Infrastructure.

By Ms. NORTON:

H.R. 4194. A bill to direct the Mayor of the District of Columbia to establish a District of Columbia National Guard Educational Assistance Program to encourage the enlistment and retention of persons in the District of Columbia National Guard by providing financial assistance to enable members of the National Guard of the District of Columbia to attend undergraduate, vocational, or technical courses; to the Committee on Oversight and Government Reform.

By Ms. NORTON:

H.R. 4195. A bill to amend the Congressional Accountability Act of 1995 to provide enhanced enforcement authority for occupational safety and health protections applicable to the legislative branch, to provide whistleblower protections and other antidiscrimination protections for employees of the legislative branch, and for other purposes; to the Committee on House Administration, and in addition to the Committees on the Judiciary, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALLONE:

H.R. 4196. A bill to prohibit price gouging after a major disaster, and for other purposes; to the Committee on Energy and Commerce.

By Mr. POSEY:

H.R. 4197. A bill to create qualifications for, and certain limitations on, staffs of special counsels; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROYBAL-ALLARD (for herself, Ms. BORDALLO, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. CLARK of Massachusetts, Ms. DELAURO, Mr. ESPAILLAT, Ms. KAPTUR, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. MATSUI, Ms. MOORE, Mrs. NAPOLITANO, Ms. NORTON, Mr. POCAN, Mr. SWALWELL of California, Mr. TAKANO, Ms. TITUS, and Ms. BONAMICI):

H.R. 4198. A bill to promote the economic security and safety of survivors of domestic violence, dating violence, sexual assault, or stalking, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Financial Services, Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SLAUGHTER:

H.R. 4199. A bill to direct the Attorney General to establish a national pharmaceutical stewardship program to facilitate the collection and disposal of prescription medications; to the Committee on Energy and Commerce.

By Mr. COHEN (for himself, Mr. JONES, Mr. JOHNSON of Georgia, Mr. RASKIN, Mr. TED LIEU of California, Ms. JAYAPAL, and Ms. WILSON of Florida):

H.J. Res. 120. A joint resolution proposing an amendment to the Constitution of the United States limiting the pardon power of the President; to the Committee on the Judiciary.

By Mr. POE of Texas (for himself and Mr. AL GREEN of Texas):

H. Res. 594. A resolution supporting the goals and ideals of October as "National Domestic Violence Awareness Month" and expressing the sense of the House of Representatives that Congress should continue to raise awareness of domestic violence and its devastating effects on individuals, families, and communities, and support programs designed to end domestic violence in the United States; to the Committee on Education and the Workforce.

By Mr. GALLEGU (for himself and Mr. WENSTRUP):

H. Res. 596. A resolution commending the heroism and achievements of Team USA at the Invictus Games Toronto 2017; to the Committee on Foreign Affairs, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GROTHMAN (for himself, Mr. SHIMKUS, Mr. JODY B. HICE of Georgia, Mr. LAMBORN, Mr. HUIZENGA, Mr. KING of Iowa, and Mr. HUNTER):

H. Res. 597. A resolution recognizing 500 years since the Protestant Reformation and its significance for many Americans; to the Committee on Oversight and Government Reform.

By Ms. NORTON:

H. Res. 598. A resolution recognizing the life and legacy of Isaac "Ike" Fulwood, Jr., Police Chief for the Metropolitan Police Department of the District of Columbia from 1989 to 1992; to the Committee on Oversight and Government Reform.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. FITZPATRICK:

H.R. 4168.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. MARCHANT:

H.R. 4169.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 clause 1: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States; 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. JOHNSON of Louisiana:

H.R. 4170.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. GIANFORTE:

H.R. 4171.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. NEAL:

H.R. 4172.

Congress has the power to enact this legislation pursuant to the following:

Sections 7 & 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. BANKS of Indiana:

H.R. 4173.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution

By Mr. RYAN of Wisconsin:

H.R. 4174.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of the Constitution grants the Congress the authority to enact this law.

By Mr. SMITH of Missouri:

H.R. 4175.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1 provides Congress with the power to "lay and collect Taxes, Duties, Imposts and Excises" in order to "provide for the . . . general Welfare of the United States."

By Mr. THOMPSON of Mississippi:

H.R. 4176.

Congress has the power to enact this legislation pursuant to the following:

The United States Constitution Article 1, Section 8, Clause 18, that Congress shall have the power to make all laws which shall be necessary and proper.

By Mr. CARTWRIGHT:

H.R. 4177.

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. ARRINGTON:

H.R. 4178.

Congress has the power to enact this legislation pursuant to the following:

United States Constitution Article I Section 8

By Ms. BORDALLO:

H.R. 4179.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2; Article I, Section 8, Clause 17; and Article I, Section 8, Clause 3

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 4180.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.

By Mr. COHEN:

H.R. 4181.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. COMER:

H.R. 4182.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. COSTELLO of Pennsylvania:

H.R. 4183.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. CURBELO of Florida:

H.R. 4184.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4: The Congress shall have Power \*\*\* To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States.

By Ms. DELBENE:  
H.R. 4185.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8, clause 1  
By Mr. HIMES:  
H.R. 4186.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8, Clause 3 of the United States Constitution.  
By Mr. HOLLINGSWORTH:  
H.R. 4187.  
Congress has the power to enact this legislation pursuant to the following:  
Section 8, Clause 18 of the United States Constitution: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.  
By Ms. JENKINS of Kansas:  
H.R. 4188.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8:  
The Congress shall have Power To establish post offices and post roads.  
By Mr. KELLY of Pennsylvania:  
H.R. 4189.  
Congress has the power to enact this legislation pursuant to the following:  
Article I Section 8 of the United States Constitution.  
By Ms. KUSTER of New Hampshire:  
H.R. 4190.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, section 8 of the Constitution of the United States  
By Mr. LONG:  
H.R. 4191.  
Congress has the power to enact this legislation pursuant to the following:  
Article 1, Section 8, Clause 1  
By Ms. MOORE:  
H.R. 4192.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8 of the United States Constitution  
By Ms. MOORE:  
H.R. 4193.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8 of the United States Constitution  
By Ms. NORTON:  
H.R. 4194.  
Congress has the power to enact this legislation pursuant to the following:  
clauses 16, 17, and 18 of section 8 of article I of the Constitution.  
By Ms. NORTON:  
H.R. 4195.  
Congress has the power to enact this legislation pursuant to the following:  
clause 18 of section 8 of article I of the Constitution.  
By Mr. PALLONE:  
H.R. 4196.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section VIII of the United States Constitution.  
By Mr. POSEY:  
H.R. 4197.  
Congress has the power to enact this legislation pursuant to the following:  
This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.  
By Ms. ROYBAL-ALLARD:  
H.R. 4198.  
Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the U.S. Constitution.  
By Ms. SLAUGHTER:  
H.R. 4199.  
Congress has the power to enact this legislation pursuant to the following:  
Article I, Section 8.  
By Mr. COHEN:  
H.J. Res. 120.  
Congress has the power to enact this legislation pursuant to the following:  
Article V

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:  
H.R. 113: Mr. JOHNSON of Georgia, Ms. ADAMS, Mrs. DEMINGS, and Mr. MACARTHUR.  
H.R. 158: Ms. WILSON of Florida.  
H.R. 163: Mr. EVANS.  
H.R. 191: Mr. KIND.  
H.R. 299: Mr. KRISHNAMOORTHY, Mr. GOSAR, and Ms. FUDGE.  
H.R. 365: Mr. GARRETT.  
H.R. 389: Mr. AMODEI.  
H.R. 392: Ms. MCSALLY, Mr. LOWENTHAL, Mr. ZELDIN, and Ms. PINGREE.  
H.R. 435: Mr. MCNERNEY.  
H.R. 439: Mr. DELANEY.  
H.R. 444: Ms. WASSERMAN SCHULTZ.  
H.R. 502: Mr. CROWLEY and Mr. GENE GREEN of Texas.  
H.R. 564: Mr. RICE of South Carolina.  
H.R. 613: Mr. NORMAN.  
H.R. 643: Mr. DUNCAN of South Carolina and Mr. SMITH of Texas.  
H.R. 669: Mr. DOGGETT, Mr. KIHUEN, Ms. SHEA-PORTER, Mr. YARMUTH, Ms. ROYBAL-ALLARD, Mr. SERRANO, and Mr. TAKANO.  
H.R. 681: Mr. LAMALFA.  
H.R. 696: Mr. NORCROSS.  
H.R. 740: Ms. NORTON.  
H.R. 747: Mr. KUSTOFF of Tennessee, Mr. FERGUSON, and Mr. DESANTIS.  
H.R. 807: Mr. JOHNSON of Georgia and Mr. PETERS.  
H.R. 816: Ms. WILSON of Florida.  
H.R. 820: Mr. BUCHANAN, Mr. JODY B. HICE of Georgia, Mr. DIAZ-BALART, Mr. GAETZ, Mr. FRANKS of Arizona, and Mr. BRAT.  
H.R. 821: Ms. HANABUSA.  
H.R. 849: Ms. PLASKETT and Mr. LABRADOR.  
H.R. 878: Mr. MEADOWS.  
H.R. 881: Ms. ROYBAL-ALLARD.  
H.R. 936: Mr. BYRNE, Mr. BUCHSON, Mr. HIMES, Mr. ROSS, and Mr. BERA.  
H.R. 1017: Mr. PANETTA and Mr. RUTHERFORD.  
H.R. 1038: Ms. MICHELLE LUJAN GRISHAM of New Mexico.  
H.R. 1046: Mr. MARSHALL, Mr. COLLINS of Georgia, Mrs. BLACKBURN, and Mr. WEBSTER of Florida.  
H.R. 1057: Mrs. HANDEL and Mr. RUIZ.  
H.R. 1094: Ms. BLUNT ROCHESTER.  
H.R. 1098: Mr. ROGERS of Kentucky, Mr. YARMUTH, and Mrs. WAGNER.  
H.R. 1143: Mrs. NAPOLITANO and Mr. TAKANO.  
H.R. 1155: Mr. CARTER of Georgia and Mr. DELANEY.  
H.R. 1173: Mr. MEEHAN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. NAPOLITANO, and Mr. LEWIS of Georgia.  
H.R. 1243: Ms. JACKSON LEE.  
H.R. 1267: Mr. SCHIFF and Mr. HUDSON.  
H.R. 1279: Mr. O'ROURKE.  
H.R. 1300: Ms. SINEMA.  
H.R. 1318: Mr. PANETTA.  
H.R. 1357: Mr. GRIJALVA and Mr. POCAN.  
H.R. 1374: Mr. SERRANO and Mr. CARSON of Indiana.  
H.R. 1406: Ms. BARRAGÁN, Mr. CROWLEY, and Mr. REICHERT.

H.R. 1444: Mr. SMITH of Texas and Mr. GRAVES of Louisiana.  
H.R. 1445: Mr. HIGGINS of Louisiana.  
H.R. 1456: Mr. SHERMAN and Mr. CROWLEY.  
H.R. 1472: Ms. SLAUGHTER.  
H.R. 1515: Ms. LEE.  
H.R. 1539: Mr. SEAN PATRICK MALONEY of New York.  
H.R. 1552: Mr. WENSTRUP.  
H.R. 1626: Mr. CARTWRIGHT and Mr. GAETZ.  
H.R. 1661: Mr. GOMEZ.  
H.R. 1749: Mr. YOUNG of Iowa.  
H.R. 1817: Ms. DELAURO.  
H.R. 1819: Ms. MOORE.  
H.R. 1841: Mr. GALLEGO.  
H.R. 1876: Mr. STIVERS.  
H.R. 1880: Ms. SLAUGHTER.  
H.R. 1886: Ms. NORTON.  
H.R. 1896: Ms. MAXINE WATERS of California and Mr. POCAN.  
H.R. 1897: Ms. MAXINE WATERS of California.  
H.R. 1953: Mr. RUIZ.  
H.R. 1955: Mr. KIND and Mr. GARAMENDI.  
H.R. 1987: Mr. JEFFRIES, Mr. CLAY, Mr. ELLISON, and Mr. TED LIEU of California.  
H.R. 2092: Mr. SMITH of Missouri.  
H.R. 2095: Ms. JACKSON LEE.  
H.R. 2228: Mr. MOULTON.  
H.R. 2234: Mr. PASCARELL, Mr. MCKINLEY, and Mr. HIMES.  
H.R. 2248: Ms. ROYBAL-ALLARD.  
H.R. 2259: Mr. WALDEN and Mrs. DINGELL.  
H.R. 2285: Mr. COLLINS of New York.  
H.R. 2339: Mr. POSEY and Mr. ROSS.  
H.R. 2340: Mr. MCKINLEY, Mr. PASCARELL, Mr. BLUMENAUER, Mr. DESAULNIER, Mrs. NAPOLITANO, and Mr. MCNERNEY.  
H.R. 2358: Ms. NORTON.  
H.R. 2392: Mr. PAYNE and Ms. MOORE.  
H.R. 2401: Ms. BLUNT ROCHESTER, Mr. ESPAILLAT, Mr. MCKINLEY, and Mr. PASCARELL.  
H.R. 2404: Mr. PASCARELL.  
H.R. 2418: Ms. JACKSON LEE and Mrs. CAROLYN B. MALONEY of New York.  
H.R. 2482: Mr. MCKINLEY.  
H.R. 2499: Mr. CARSON of Indiana and Mr. HECK.  
H.R. 2501: Mr. DONOVAN.  
H.R. 2589: Mr. COHEN.  
H.R. 2626: Ms. STEFANIK.  
H.R. 2627: Ms. STEFANIK.  
H.R. 2633: Ms. BONAMICI.  
H.R. 2641: Mr. MARSHALL.  
H.R. 2651: Mr. DENHAM, Mr. DUNN, Mr. TIP-TON, and Mr. HASTINGS.  
H.R. 2663: Mr. NORCROSS.  
H.R. 2723: Mr. HARPER and Mr. WOMACK.  
H.R. 2790: Mr. CONYERS, Mr. LARSEN of Washington, Mr. NORCROSS, Mr. SHERMAN, and Ms. DELAURO.  
H.R. 2799: Mr. PANETTA.  
H.R. 2856: Mr. YODER.  
H.R. 2881: Mr. KIND.  
H.R. 2938: Mr. MOULTON.  
H.R. 2957: Mr. WILLIAMS.  
H.R. 2961: Mr. DESAULNIER.  
H.R. 2987: Mr. GIANFORTE and Mr. WELCH.  
H.R. 2996: Mr. ROTHFUS.  
H.R. 3086: Ms. KUSTER of New Hampshire.  
H.R. 3089: Mr. CAPUANO.  
H.R. 3138: Mr. COOK and Mr. AGUILAR.  
H.R. 3179: Mr. ROTHFUS and Mr. STIVERS.  
H.R. 3220: Mr. KIND.  
H.R. 3222: Mr. NOLAN, Mr. DOGGETT, Mr. SCHRADER, Mr. GOMEZ, and Mrs. CAROLYN B. MALONEY of New York.  
H.R. 3227: Mr. LIPINSKI.  
H.R. 3238: Mr. MCNERNEY and Mr. CULBERSON.  
H.R. 3248: Mr. RASKIN.  
H.R. 3251: Mr. BROWN of Maryland and Mr. DELANEY.  
H.R. 3254: Mr. EVANS and Mr. JEFFRIES.  
H.R. 3273: Mr. SOTO.  
H.R. 3274: Mr. KIND, Mr. YOUNG of Alaska, Mr. RICHMOND, Mr. KIHUEN, Mr. POCAN, Ms.

- KAPTUR, Mr. McCLINTOCK, Mr. CARSON of Indiana, Mr. HIGGINS of Louisiana, Mr. GIANFORTE, Mr. SHUSTER, and Mr. DENT.  
H.R. 3275: Mr. PETERS.  
H.R. 3282: Mr. WENSTRUP and Mr. GARRETT.  
H.R. 3294: Mr. EVANS, Mr. COMER, Mr. LAWSON of Florida, Mr. MARSHALL, Mr. ESPAILLAT, Ms. ADAMS, Mrs. MURPHY of Florida, and Ms. CLARKE of New York.  
H.R. 3299: Ms. MOORE.  
H.R. 3314: Mr. CARTWRIGHT.  
H.R. 3320: Ms. EDDIE BERNICE JOHNSON of Texas.  
H.R. 3325: Mr. PETERS and Mr. SESSIONS.  
H.R. 3327: Mr. CRAMER.  
H.R. 3356: Mrs. LOVE, Mr. RYAN of Ohio, and Mr. COHEN.  
H.R. 3361: Mr. EVANS.  
H.R. 3365: Mr. JONES.  
H.R. 3395: Mr. DELANEY, Mr. EVANS, Mrs. LAWRENCE, Mr. TED LIEU of California, Mr. LYNCH, Mr. SEAN PATRICK MALONEY of New York, Mr. PERLMUTTER, Mrs. WATSON COLEMAN, Mr. WELCH, and Mr. KRISHNAMOORTHY.  
H.R. 3396: Ms. STEFANIK.  
H.R. 3409: Mr. SOTO.  
H.R. 3419: Mr. GAETZ.  
H.R. 3441: Mr. DAVIDSON, Mr. WEBER of Texas, Mr. CRAWFORD, Mr. MEADOWS, Mr. BABIN, Mr. AUSTIN SCOTT of Georgia, Mr. BLUM, Mr. BRADY of Texas, Mr. MARCHANT, and Mr. JOHNSON of Ohio.  
H.R. 3447: Ms. SEWELL of Alabama and Mr. BLUMENAUER.  
H.R. 3477: Mr. GUTHRIE.  
H.R. 3478: Ms. LOFGREN.  
H.R. 3497: Ms. JENKINS of Kansas and Mr. MCNERNEY.  
H.R. 3507: Mr. KILMER.  
H.R. 3529: Mr. MARSHALL.  
H.R. 3566: Mr. KIND.  
H.R. 3577: Mr. DESAULNIER.  
H.R. 3632: Ms. TENNEY and Mrs. BUSTOS.  
H.R. 3635: Mr. BLUMENAUER and Ms. DEGETTE.  
H.R. 3642: Mr. CURBELO of Florida, Mr. GUTHRIE, Ms. JACKSON LEE, Ms. JENKINS of Kansas, Mr. JONES, Mr. LANCE, Mr. MEEHAN, Mrs. RADEWAGEN, Mr. RUSH, Ms. SINEMA, Mr. RYAN of Ohio, Ms. SPEIER, Mrs. WALORSKI, Mrs. WATSON COLEMAN, Ms. GABBARD, Mr. FORTENBERRY, and Ms. STEFANIK.  
H.R. 3664: Ms. NORTON.  
H.R. 3671: Mr. MCGOVERN.  
H.R. 3687: Mr. WELCH and Ms. STEFANIK.  
H.R. 3711: Mr. DUNN and Mr. BUCSHON.  
H.R. 3767: Mr. POCAN and Mr. CHABOT.  
H.R. 3768: Mr. CARBAJAL.  
H.R. 3770: Mr. THOMPSON of California and Mr. KIND.  
H.R. 3792: Mr. POCAN.  
H.R. 3806: Ms. JACKSON LEE.  
H.R. 3811: Ms. JAYAPAL and Mr. COHEN.  
H.R. 3828: Ms. WILSON of Florida, Mr. POLIS, Mr. RYAN of Ohio, Ms. JACKSON LEE, Mr. KHANNA, and Mr. KIND.  
H.R. 3866: Ms. NORTON.  
H.R. 3875: Ms. JUDY CHU of California.  
H.R. 3887: Mr. COLLINS of New York and Mr. LONG.  
H.R. 3889: Mr. POLIQUIN.  
H.R. 3892: Mr. MESSER.  
H.R. 3897: Mr. KNIGHT, Mr. SHUSTER, Mrs. HARTZLER, Mr. AUSTIN SCOTT of Georgia, Mr. FRANKS of Arizona, Mr. GRAVES of Missouri, Ms. BLUNT ROCHESTER, Mr. MARSHALL, and Mr. MCEACHIN.  
H.R. 3907: Mr. VALADAO.  
H.R. 3913: Mr. COOK, Mr. RODNEY DAVIS of Illinois, Mrs. LOVE, and Mr. CLAY.  
H.R. 3917: Ms. LOFGREN and Ms. MAXINE WATERS of California.  
H.R. 3923: Mr. HUFFMAN and Ms. MICHELLE LUJAN GRISHAM of New Mexico.  
H.R. 3924: Ms. MAXINE WATERS of California.  
H.R. 3929: Mr. HUFFMAN.  
H.R. 3931: Mr. MCGOVERN.  
H.R. 3939: Mr. CRAWFORD.  
H.R. 3942: Mr. HULTGREN, Mr. BISHOP of Michigan, Mr. FLORES, Mr. PITTENGER, Mr. LAMALFA, Mrs. LOVE, Mr. POSEY, and Mr. WEBER of Texas.  
H.R. 3949: Mr. WENSTRUP and Mr. GALLAGHER.  
H.R. 3956: Mr. MCCAUL.  
H.R. 3967: Mr. ELLISON.  
H.R. 3983: Mr. CARSON of Indiana.  
H.R. 3988: Mr. GROTHMAN.  
H.R. 4007: Mr. YOUNG of Alaska.  
H.R. 4012: Mr. ZELDIN.  
H.R. 4020: Mr. BLUMENAUER and Mr. JEFFRIES.  
H.R. 4022: Ms. KAPTUR, Ms. GRANGER, Mr. ROSS and Mr. DELANEY.  
H.R. 4062: Ms. CLARK of Massachusetts, Ms. MOORE, Mr. NADLER, and Ms. BORDALLO.  
H.R. 4082: Mr. KRISHNAMOORTHY, Ms. ESHOO, Ms. DELBENE, Mr. DAVID SCOTT of Georgia, Mr. SMITH of Washington, and Mr. CARSON of Indiana.  
H.R. 4087: Mr. TED LIEU of California and Mr. ELLISON.  
H.R. 4090: Mr. SENSENBRENNER, Mr. MCKINLEY, Mr. WOMACK, Mr. TED LIEU of California, Ms. KAPTUR, Mr. FRANKS of Arizona, Mr. MOONEY of West Virginia, and Mr. MCGOVERN.  
H.R. 4092: Mr. DUNN.  
H.R. 4098: Ms. WASSERMAN SCHULTZ.  
H.R. 4101: Mr. PETERSON, Mr. CRAMER, Mr. DUFFY, Mr. FASO, Ms. STEFANIK, Mr. MARSHALL, Mr. VALADAO, Mr. WELCH, Mr. EVANS, Mr. ROE of Tennessee, Mr. MEEHAN, Mr. BISHOP of Michigan, Mr. AMODEI, and Mr. RODNEY DAVIS of Illinois.  
H.R. 4103: Mr. SOTO, Mr. HUFFMAN, Ms. TSONGAS, and Mr. BROWN of Maryland.  
H.R. 4114: Ms. MAXINE WATERS of California and Mr. ELLISON.  
H.R. 4119: Mr. MITCHELL, Mr. ROSS, Mr. HUNTER, Mr. BANKS of Indiana, Mr. BUCSHON, and Mr. ROKITA.  
H.R. 4127: Mrs. WAGNER.  
H.R. 4129: Mrs. WATSON COLEMAN.  
H.R. 4131: Mr. LABRADOR, Mr. ABRAHAM, Mr. FARENTHOLD, Mr. BARR, Mr. OLSON, Mr. BUCSHON, Mr. DUFFY, and Mr. RENACCI.  
H.R. 4143: Mr. GAETZ and Mr. LONG.  
H.R. 4145: Mr. ESPAILLAT.  
H.R. 4146: Mr. JONES.  
H.R. 4148: Mr. ROSS.  
H.R. 4152: Ms. DELBENE and Mr. NADLER.  
H.R. 4155: Mr. PALLONE, Mr. COHEN, Ms. BARRAGÁN, Mr. SEAN PATRICK MALONEY of New York, Mr. PERLMUTTER, Mr. CÁRDENAS, Mr. VARGAS, Ms. MOORE, Mr. BEYER, Mr. CAPUANO, Mr. TED LIEU of California, Ms. PINGREE, and Mrs. CAROLYN B. MALONEY of New York.  
H.R. 4156: Mr. POCAN.  
H. Con. Res. 57: Mr. WEBER of Texas.  
H. Con. Res. 81: Mr. CARTWRIGHT.  
H. Con. Res. 88: Ms. WASSERMAN SCHULTZ, Ms. NORTON, Mr. MOULTON, Mrs. LOVE, Mr. CURBELO of Florida, Mr. MCGOVERN, and Ms. CASTOR of Florida.  
H. Res. 142: Mr. ROE of Tennessee.  
H. Res. 252: Mr. KHANNA.  
H. Res. 307: Mr. FLEISCHMANN, Mr. JOHNSON of Georgia, and Mr. HUNTER.  
H. Res. 393: Mr. POCAN, Mr. CONYERS, Mr. CICILLINE, Mr. NADLER, and Ms. EDDIE BERNICE JOHNSON of Texas.  
H. Res. 401: Ms. GABBARD.  
H. Res. 443: Mr. BACON.  
H. Res. 495: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Mr. PAYNE.  
H. Res. 524: Mr. NORCROSS.  
H. Res. 529: Mr. SOTO and Miss RICE of New York.  
H. Res. 534: Mr. HUNTER and Mr. POLIS.  
H. Res. 570: Mr. FRANKS of Arizona.  
H. Res. 571: Ms. BROWNLEY of California.  
H. Res. 576: Mr. FLORES, Mr. HUNTER, Mr. BABIN, Mr. MEEKS, Mr. CULBERSON, and Mr. MCCAUL.  
H. Res. 588: Mr. KELLY of Mississippi.

#### 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. 620: Mr. RUSH.



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# Congressional Record

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

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## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Sovereign Lord of the Universe, we pray today for all who govern. Use our Senators for Your glory, providing them with wisdom to live with the integrity that brings stability to nations. Because of their labors, enable us to live peaceful, quiet, godly, and dignified lives, growing in grace and in a knowledge of You.

Lord, inspire our lawmakers in every situation to seek to glorify You, doing justly, loving mercy, and walking humbly on the path You have chosen. May they speak for those who cannot speak for themselves, ensuring justice for those who are perishing. Lord, keep our Senators ever in the circle of Your unfolding providence as they find delight in doing Your will.

We pray in Your Holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. SASSE). The majority leader is recognized.

### OPIOID CRISIS

Mr. McCONNELL. Mr. President, the opioid crisis is hurting communities across our country. Its challenges are complex and its causes are many.

As I said last week, no single bill or program is going to solve this crisis on its own. Only a sustained, committed effort can do that. That has been my view over the many years that I have been involved in this issue, from the first time I invited the White House drug czar down to Eastern Kentucky to see the challenges posed by prescription drug abuse firsthand to my work on other initiatives, such as helping pass a law to help address the tragedy of babies born addicted to drugs.

It is also what I believed as the Republican-led Senate worked hard to pass important legislation such as Jessie's Law, the 21st Century Cures Act, and the Comprehensive Addiction and Recovery Act in the last Congress.

I believe President Trump took the same view as he announced another important step last week by declaring a public health emergency for opioids. I would like to, once again, thank the President for his commitment to confronting this crisis.

We all know there is much further to go, and as we move forward, Republicans and Democrats, the House and the Senate, the States and the White House, we should remain committed to working together on policies and programs that actually deliver results.

About an hour ago, the Government Accountability Office released a report I requested about the Federal Government's response to opioid use disorders. The Government's chief watchdog recommends that as the Department of Health and Human Services expands access to medication-assisted treatment, it should also develop clear measures to gauge performance. This GAO study will help to ensure that dollars are spent wisely to fight the crisis of opioid abuse taking lives in communities all across our country. The announcement of GAO's conclusions will help us as we continue to build a comprehensive approach to combating heroin and prescription drug abuse. It is another step in the right direction.

As government officials review this morning's report and as agencies develop new plans to fulfill its objectives, I will continue to work with partners in Washington and Kentucky to address this important crisis. The goal, of course, is that one day we can finally put the pain of opioid abuse behind us once and for all.

### JUDICIAL NOMINATIONS

Mr. McCONNELL. Mr. President, yesterday the Senate advanced the nomination of Professor Amy Barrett, President Trump's impressive nominee to be a judge on the Seventh Circuit Court of Appeals. She is the first of four strong nominees to our Nation's circuit courts that the Senate will confirm this week.

Professor Barrett's experience as a distinguished law professor at the University of Notre Dame shows her qualifications to serve our Nation on the Federal bench. She is going to be an asset to our judiciary.

Of course, some on the left have tried to invent any reason to prevent this President's nominees from advancing. For an outstanding nominee such as Professor Barrett, their task was not easy. They can't attack her credentials, which are truly impressive; they can't attack her belief in the rule of law—Professor Barrett's writings and her testimony clearly show a nominee who will uphold our Constitution and our Nation's laws as they are written—as they are written—not as she wishes they were.

Unbelievably, some on the political left, including some of our Democratic colleagues, are actually criticizing Professor Barrett for a law review article she cowrote back in law school by saying it says the opposite of what it actually says.

They claim Professor Barrett wrote that a judge should put her personal beliefs ahead of the rule of law, when, in fact, she said a judge should not do

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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that—exactly the opposite. She wrote that if a judge's personal views were to impede that judge's ability to impartially apply the law, then the judge should recuse herself from the case.

As the coauthor of that article and current president of Catholic University recently put it, "The case against Prof. Barrett is so flimsy, that you have to wonder whether there isn't some other, unspoken, cause for their objection."

It does make you wonder.

To those using this matter as cover to oppose Professor Barrett because of her personally held religious beliefs, let me remind you, there are no religious tests—none—for public office in this country. That is not how we do things here. Our government and our Nation are made better through the service of qualified people of faith. That will surely be true of Professor Amy Barrett.

I look forward to voting to confirm this accomplished law professor and devoted mother of seven later today, and I would urge our colleagues to join me.

Once we do, the Senate will advance another of President Trump's well-qualified circuit court nominees, Michigan Supreme Court Justice Joan Larsen, to serve on the U.S. Court of Appeals for the Sixth Circuit.

Justice Larsen is the second of three accomplished women whom the Senate will consider this week for appointment to our circuit courts. I assume that all three of these impressive women will receive strong support from our Democratic colleagues who never seem to miss an opportunity to talk about the war on women.

Here is what nominees such as Larsen and Barrett and the others we will consider this week represent for our Federal judiciary: equal justice under the law for all and a fair shake for every litigant. What a refreshing departure from President Obama and his so-called empathy standard for selecting judicial nominees—really just another of the left's ideological purity tests and one that was anything but empathetic for individuals on the other side of the case. If you are the litigant for whom the judge does not have empathy, you are in a tough position before such a judge.

Finally, I would like to express my gratitude, once again, to Chairman CHUCK GRASSLEY for his continued work to bring these outstanding nominees to the Senate floor.

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#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

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#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session and resume consideration of the Barrett nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Amy Coney Barrett, of Indiana, to be United States Circuit Judge for the Seventh Circuit.

The PRESIDING OFFICER. The assistant Democratic leader.

Mr. DURBIN. Mr. President, Senator MCCONNELL has come to the floor to complain about what he calls obstruction of President Trump's judicial nominees. The majority leader must feel that many of us suffer from amnesia.

It was just last year Senate Republicans, under the leadership of the same Senator MCCONNELL, set a new standard of obstruction. The most prominent victim of Republican obstruction, Chief Judge Merrick Garland, was President Obama's nominee for the Supreme Court. Never, never in the history of the U.S. Senate has the Senate denied a Supreme Court nominee a hearing and a vote. Senator MCCONNELL led the Republicans last year in doing that.

Then, Senator MCCONNELL refused to even meet with Judge Garland, refused to give him the courtesy of a meeting, even though the judge's qualifications were unquestioned and even though he had been confirmed to the DC Circuit with broad bipartisan support.

The way Senate Republicans treated Merrick Garland was disgraceful, but Judge Garland was far from the only victim of Republican systematic obstruction during the Obama Presidency. In 2016, there were 30 non-controversial judicial nominees—17 women and 13 men—who were denied a floor vote by Senate Republicans. All but two of these nominees were reported out of the Judiciary Committee with a unanimous vote of Democrats and Republicans. Some of these nominees—like Edward Stanton of Tennessee and Julien Neals of New Jersey—sat on the Senate calendar for more than a year, waiting for a vote which the Republican majority leader and his Members refused to give them.

During the last 2 years of President Obama's administration, the Republican-controlled Senate confirmed only 22 judges in 2 years. That is the lowest number of confirmations in a Congress since 1952. By comparison, in the last 2 years of George W. Bush's Presidency, the Democratic-controlled Senate confirmed 68 judicial nominees—22 under Republicans and Obama and 68 under Democrats for President Bush.

That is not all. Republicans also obstructed 18 Obama nominees by denying them blue slips. That is the permission slip from a Senator from the State of the judicial nominee. That included five nominees who had been State su-

preme court justices who were not approved by Republican Senators to move to the Federal bench: Lisabeth Tabor Hughes from Kentucky, Myra Selby from Indiana, Don Beatty from South Carolina, Louis Butler from Wisconsin, Patricia Timmons-Goodson from North Carolina.

Senate Republicans turned obstruction of judicial nominees into an art form under President Obama. Yet Senator MCCONNELL, day after day, has said: "I think President Obama has been treated very fairly by any objective standard."

He comes to the floor now regularly to complain about "obstruction" of Trump nominees. Senator MCCONNELL and the Senate Republicans set the standard for obstruction. If Leader MCCONNELL thinks President Obama was treated fairly with these facts, it is hard to understand why he is complaining about the treatment of President Trump's judicial nominees.

So far this year, the Senate has confirmed four of President Trump's circuit court nominees and four of his district court nominees. At the same point in his first year, President Obama had one circuit court nominee and three district court nominees confirmed. Twice the number have been confirmed under President Trump as were confirmed under President Obama in each of their first years. President Trump's nominees are moving twice as fast as President Obama's.

Senator MCCONNELL controls the floor schedule. If he wants to schedule more votes on judges, I suppose he has the power to do so. He is exercising that power by doing something that has never happened in the history of the Senate. Four circuit court judge nominees will be considered this week in the Senate.

Since the Republicans in the Senate are dedicating this week to judicial nominations, it gives us a good opportunity to look at the nominees. President Trump has put forward for lifetime appointments to the second highest courts in the Federal system.

Time and again, we have seen President Trump nominate people who are far outside of the judicial mainstream. For example, there is John Bush, now a judge on the Sixth Circuit, who blogged about the false claim that President Obama wasn't born in the United States, compared abortion to slavery, and said in his hearing that he thinks impartiality is an aspiration for a judge, not an expectation.

There is Damien Schiff, nominee for the Court of Federal Claims under President Trump, who called Supreme Court Justice Anthony Kennedy "a judicial prostitute."

There is Jeff Mateer, a Trump nominee for the district court in Texas, who described transgender children as part of "Satan's plan" and who lamented that States were banning so-called "conversion therapy," the pseudoscience of attempting to "convert" LGBT Americans into heterosexuals.

There is Thomas Farr, Trump nominee for the district court in North Carolina, whom the Congressional Black Caucus describes as “the preeminent attorney for North Carolina Republicans seeking to curtail the voting rights of people of color.”

There is Greg Katsas, nominee for the DC Circuit, who refused to say at his hearing whether the torture technique known as waterboarding is illegal.

There is Brett Talley, a nominee by President Trump to be Federal trial judge in Alabama, who has never tried a single case and he wrote in a blog: “I pledge my support to the National Rifle Association, financially, politically, and intellectually.”

There is Alabama district court and Trump nominee Liles Burke, who hung a portrait of Confederate President Jefferson Davis in his office and defended it at his hearing, saying it had “historical significance.”

There is Oklahoma district court nominee Charles Goodwin, who received a very rare rating of “not qualified” to be a Federal judge from the American Bar Association.

The list of Trump nominees goes on. Routinely, we see judicial nominees under President Trump who have a history of taking ideologically driven positions that are out of the mainstream. Nearly all of these nominees are members of the rightwing Federalist Society, which President Trump uses as his gatekeeper for the Federal bench.

Do you remember Neil Gorsuch, the Supreme Court Justice? Do you know how he was notified that he had been chosen to be a candidate for the Supreme Court? You would expect a call from the White House, right—maybe even a call from the President? No. The White House decided to delegate to the Federalist Society to notify him. They called Mr. Leo, their director, and said: Why don’t you call Mr. Gorsuch and give him the good news? Well, it is no surprise to those of us who know that the Federalist Society, this conservative group, is now the gatekeeper of all the Federal judges under President Trump.

Many of these nominees have given no reassurance that they will be independent as judges. And the question obviously is, What impact will the President—who has unfortunately denigrated and pressured Federal judges in the past—have on them?

Let’s consider the nominees before the Senate this week.

Professor Amy Coney Barrett, who has been nominated to sit on the Seventh Circuit Court of Appeals, is a distinguished professor at Notre Dame Law School. She has strong academic credentials. She clerked for Justice Scalia on the Supreme Court. But she has no judicial experience. And she told the Judiciary Committee that she could only recall three litigation matters that she worked on in her entire career—three. She has never served as a counsel of record in an appellate case or ever argued an appeal.

Given her lack of judicial record and her minimal record as a practicing lawyer, the Judiciary Committee looked at Professor Barrett’s academic writings to try to understand who she is and what she believes. Basically, that is all we had to go on.

Much of Professor Barrett’s writings deal with when she believes it is acceptable for judges to deviate from precedent. For example, in a 2003 law journal article, she called for “federal courts to restore flexibility to stare decisis doctrine.” In a 2013 article, she said that it is “more legitimate for [a justice] to enforce her best understanding of the Constitution rather than a precedent she thinks clearly in conflict with it.” These are extraordinary—some would say even extreme—views of the obligation of a Federal judge to follow established precedent from someone who is seeking a lifetime appointment to the second highest court in the land.

I would like to address Barrett’s Law Review article. She co-wrote an article in 1998 with John Garvey in the *Marquette Law Review* entitled “Catholic Judges in Capital Cases.” This article was about what she perceived then as the recusal obligations of “orthodox Catholic” judges. The article said some provocative things. Here are some examples:

“A judge will often entertain an ideological bias that makes him lean one way or another. In fact, we might safely say that every judge has such an inclination.”

“Litigants and the general public are entitled to impartial justice, and that may be something that a judge who is heedful of ecclesiastical pronouncements cannot dispense.”

She wrote, when discussing the “behavior of orthodox Catholics in capital cases,” that “the judge’s cooperation with evil passes acceptable limits when he conducts a sentencing hearing.”

This is an article written by the nominee. This is an issue raised by the nominee. It was such a profound statement about the relationship between conviction, conscience, and religious belief, that it was the subject of many questions from many Senators on the Judiciary Committee.

For the last 2 days, Senator MCCONNELL has come to the floor and talked about the left asking questions about Amy Coney Barrett’s religious beliefs. Obviously Senator MCCONNELL has not read the transcript from the Senate Judiciary Committee.

Some have suggested it was inappropriate for the Judiciary Committee to even question the nominee about the impact of religious belief on the discharge of her duties. Some of my colleagues have questioned the propriety of such questions in light of the Constitution’s clear, unequivocal prohibition on religious tests. But I would remind the Senate that it was the nominee herself, in this 47-page Law Review article, who raised this issue on whether the teachings of the Catholic Church

should have any impact on the discharge of judicial duties of a Catholic judge.

So was it any surprise that at least five different Senators—three Republicans and two Democrats—asked her about the article that she coauthored? It is no surprise that the gravity of this publication and the issue it raised led committee members on both sides of the aisle to ask questions about the nominee’s religious beliefs, the contents of her writings, and how it would impact the discharge of her duties if she was approved by the Senate.

Who asked the first question about the religious beliefs of Amy Coney Barrett? It was the Republican chairman of the Committee, CHARLES GRASSLEY. He noted that Professor Barrett had been outspoken about her Catholic faith and asked her when it was proper for a judge to put religious views above applying the law. Chairman GRASSLEY also asked, in his second question, how she would decide when she needs to recuse herself on grounds of conscience.

Senator MCCONNELL comes to the floor and suggests that any reference to that article somehow raises questions of religious bias. Let me say for the record that I do not believe Chairman GRASSLEY is guilty of religious bias, nor have I ever seen any evidence of it. It was hard to imagine how he could avoid the obvious. She had written a lengthy article—coauthored an article on a subject, and he felt duty-bound, as chairman of the Judiciary Committee, to ask her questions about her beliefs on the subject. I don’t believe that Chairman GRASSLEY would ever apply a religious test to any nominee, but he and many of us felt it important to ask Professor Barrett to state her position clearly on the convergence of her faith, her conscience, and her duties as a Federal judge.

Similarly, Republican Senator ORRIN HATCH felt it necessary to ask Professor Barrett to make clear a judge’s duty when the laws or Constitution conflicts with the judge’s personal religious beliefs. Again, I do not believe Senator ORRIN HATCH, Republican of Utah, would apply a religious test to any nominee, but the nominee’s writings and the questions those writings raised led him to ask the nominee that question.

Later in the hearing, Senator TED CRUZ, Republican of Texas, raised the same issue. I will quote what he said to Professor Barrett:

I’ve read some of what you’ve written on Catholic judges and in capital cases, and in particular, as I understand it, you argued that Catholic judges are morally precluded from enforcing the death penalty. I was going to ask you to just please explain your views on that because that obviously is of relevance to the job for which you have been nominated.

That was from Republican Senator TED CRUZ. I do not suggest that he was guilty of any religious bias in asking the question about an article written by the nominee.

I take our Constitution seriously when it says there should be no religious test for public office, but many Senators on the Judiciary Committee—three Republicans and two Democrats, including myself—felt the writings of the nominee warranted an inquiry about her views on the impact of her religion on a judge's role. That is far from a religious test in violation of the Constitution.

At her hearing, I asked Professor Barrett several questions about her 1998 *Law Review* article. I asked her whether she still agreed with her article. She said in general that she did. I said that even though I am a Catholic, even though I have gone through 19 years of Catholic education, I have never run into the term "orthodox Catholic," which she used in that article. I asked her if she could define it. What was she saying? Whom did she describe? She said it was an imperfect term but explained the context for her use of it. I asked her whether she considered herself in that category, using her term which she put forward as carrying certain obligations on judicial recusal. She acknowledged again that the term is a proxy and that it wasn't a term in current use.

Some have argued that I was imposing a religious test—somehow, the three Republican Senators asking the same question have not been challenged—or that I was insinuating that Catholics can't serve on the bench. That is absurd. I myself am Catholic. I deeply respect and value the freedom of religion in our country and the Constitution. And I will let my record speak for itself about the number of Catholic nominees whom I have appointed to the bench or tried to appoint to the bench with the concurrence of the Senate during the course of my career. I voted for many judicial nominees who are of the Catholic religion, including Judge Ralph Erickson, who is outspoken about his Catholic faith and whom I voted to confirm several weeks ago. I am also sure I voted against nominees who were Catholic as well because I didn't think they had the experience, judgment, or temperament to serve in the Federal judiciary.

At nomination hearings, I ask questions to try to understand how the nominee would approach the job of a judge. I asked Professor Barrett questions about issues she raised in her academic writings that could directly impact the discharge of her judicial duties.

I would note that Professor Barrett put forward her views as part of the academic legal debate. Contrast that with Paul Abrams, President Obama's nominee for the Central District of California, who was aggressively questioned by committee Republicans last year about statements he made while speaking at his synagogue. Republicans ultimately blocked Paul Abrams' nomination. No one on this side of the aisle—not this Senator or any Senator—questioned whether they were

applying a religious test in rejecting his nomination.

When judicial nominees have put forward their views on issues like the intersection of law and faith as part of the academic legal debate, I think it is fair for members of the Judiciary Committee to ask them about it. That is no religious test by my measure.

I voted against Professor Barrett's nomination in committee because I don't believe she has sufficient experience to be a circuit court judge and because of her writings about precedent. No one doubts that she is smart, but she has barely spent any time in the courtroom. The only basis we have to judge her on is on her academic writings.

Let's be honest. If a Democratic President had put forward a nominee with as little practical legal experience as Professor Barrett and with a similar history of advocating for not following precedent, I think we know exactly how the Senators on the other side of the aisle would have voted. As it stands, I cannot support Professor Barrett's nomination.

#### NOMINATION OF JOAN LARSEN

I oppose the nomination of Michigan Supreme Court Justice Joan Larsen to the Sixth Circuit. She is one of the 21 Supreme Court candidates that the Federalist Society and the Heritage Foundation handpicked for President Trump. Clearly, those rightwing organizations are confident that they will like her rulings if she is confirmed.

When she appeared before our committee, I asked some simple questions, and I was troubled by the responses.

In 2006, Justice Larsen wrote an op-ed defending President Bush's use of a signing statement on the McCain torture amendment. The McCain amendment prohibited torture and cruel, inhuman, or degrading treatment. I asked Justice Larsen about that op-ed and asked her if she believes waterboarding is torture and illegal. She would not answer the question. The law is clear on this matter, and I have voted against nominees in the past who would not acknowledge this.

I also asked Justice Larsen about the \$140,000 in ads that a dark money front group called the Judicial Crisis Network had run in support of her nomination. This is the same rightwing, dark money organization that spent millions of dollars in undisclosed donations running ads to oppose Merrick Garland's nomination to the Supreme Court and to support the nomination of Neil Gorsuch.

I am troubled that special interest groups are making undisclosed donations to these nomination front groups. These special interests likely have a stake in the cases that will come before these judges. The donations should be transparent so that judges can make informed decisions about recusal.

I asked Justice Larsen if she could call on this front group to stop running ads in support of her nomination unless donations to the groups are made pub-

lic. She responded that this was a political debate on which she could not opine. I think that is an absurd position, given that the debate here is over her own nomination and getting information for her own recusal decisions.

I also asked Justice Larsen if she agreed, as a factual matter, with President Trump's patently absurd claim that 3 to 5 million people voted illegally in the 2016 election. I think that is an easy question. Justice Larsen ducked it, saying that this was a political debate. I am troubled by these answers. I believe Justice Larsen has not shown the necessary independence from the President or rightwing groups like the Judicial Crisis Network, and she does not earn my vote.

#### NOMINATION OF ALLISON EID

I oppose the nomination of Colorado Supreme Court Justice Allison Eid to the Tenth Circuit. She is another on the short list of 21 Supreme Court nominees that the Federalist Society and the Heritage Foundation assembled for President Trump. She has now been nominated to the seat of the Tenth Circuit once held by Supreme Court Justice Neil Gorsuch.

I am troubled by the dissents Justice Eid wrote in a number of cases. I asked her about one of those cases during her hearing. A 2015 case, *Westin Operator, LLC v. Groh*, involved a hotel that evicted a group of college-age, intoxicated friends into freezing weather one night. The young adults ended up getting into a car and driving away. The car crashed, and a person was killed. The family of Caitlin Groh, who suffered traumatic brain damage in the accident, sued the hotel for negligently evicting the guests into a foreseeably dangerous environment.

Justice Eid's dissent argued that the court should have dismissed the Groh's family claim on a motion for summary judgment. She said that she saw no material dispute of fact in the case because she claimed the hotel video showed there were taxis in the area that the evicted guests could have taken. But the majority of the court saw the same evidence, the same video, and came to the opposite conclusion.

The majority wrote:

Video footage from hotel security cameras shows two taxis in the vicinity during the general timeframe of the eviction. No taxi is visible on screen during the time in which the group exited the hotel and walked to the parking lot en masse, but there is a police car parked at the entrance. It is unclear from the record whether the taxis visible at other times in the video were occupied or available for service, whether any member of the group saw the taxis, and whether the security guards evicting the group were aware if a taxi was immediately available. . . . One of the people evicted testified at his own deposition that he tried to look for a cab outside the hotel but didn't see one.

In other words, looking at the same evidence, the majority of the court could not reach the same conclusion. It is difficult to understand how Justice Eid saw this evidence as undisputed and why she wanted this case dismissed



on summary judgment—until you read the part of Justice Eid’s dissent where she talks about “the burden that the majority is placing on Colorado businesses.” That appears to explain her ruling, not the facts in the case.

In written questions I asked Justice Eid if she had also considered the burden the court’s decision would place on these young adults and their families. She did not respond.

This is one of her troubling dissents, but there were others. In the 2014 case of *City of Brighton v. Rodriguez*, her dissent would have denied workers’ compensation for a city employee who fell down the stairs to her office and needed brain surgery. In the 2017 case of *People v. Boyd*, her dissent criticized the State’s decision not to prosecute a person on appeal based on a marijuana possession statute that is no longer operative. The cases go on and give ample reason why I do not believe this troubling record justifies Justice Eid replacing Justice Gorsuch on this important court.

#### NOMINATION OF STEPHANOS BIBAS

The last nominee I will address is, I believe, one of the most unusual I have ever seen before the Senate Judiciary Committee—Stephanos Bibas, who has been nominated for a lifetime appointment to the Third Circuit Court. In 2009, Professor Bibas wrote a lengthy draft paper entitled “Corporal Punishment, Not Imprisonment.” In it, he said that for a wide range of crimes “the default punishment should be non-disfiguring corporal punishment, such as electric shocks.” He went on to call for “putting offenders in the stocks or pillory where they would sit or stand for hours bent in uncomfortable positions.” Professor Bibas then went on to say that “bystanders and victims could jeer and pelt them with rotten eggs and tomatoes (but not rocks).”

For more severe crimes, Professor Bibas called for “multiple calibrated electroshocks or taser shots” with medical personnel on hand to ensure “that the offender’s health could bear it.”

He also wrote “instinctively, many readers feel that corporal punishment must be unconstitutionally and immorally cruel, but neither objection withstands scrutiny.” He then wrote that corporal punishment “in moderation, without torture or permanent damage, is not cruel.”

Professor Bibas said at his hearing that he didn’t ultimately publish the 60-page, footnoted paper because he realized that his writings were wrong and offensive. He now says that he rejects his paper. But his 2009 paper was not just scribbles on a notepad. This was a polished, heavily footnoted, 60-page draft law review article.

Professor Bibas admitted that he presented this draft paper at conferences—on June 8, 2009, at a conference at the University of Pennsylvania Law School; on July 20, 2009, at George Washington University Law School; on

September 12, 2009, at that Vanderbilt Criminal Justice Roundtable.

According to the website of the Federalist Society, Professor Bibas also gave presentations on this same article to three student chapters of the Federalist Society—on September 3, 2009, at George Mason; on October 21, 2009, at the University of Florida; on October 22, 2009, at Florida State. Incredibly, this presentation by Professor Bibas was advertised with the title “Corporal Punishment, Not Imprisonment: The Shocking Case for Hurting Criminals.” This is an insensitive title for a presentation that called for administering electric shocks to human beings.

In his draft article, Professor Bibas thanked nine other people for their thoughts and comments on this paper. This was not something the professor wrote as a child or even as a student. When he wrote this paper in 2009, Professor Bibas was a professor at the University of Pennsylvania Law School, and he had already worked as an assistant U.S. attorney. He wrote this paper after Congress had considered the McCain torture amendment.

At the hearing I asked Professor Bibas: Do you remember the debate we went through as Americans about the acceptable method of interrogation for suspected terrorists overseas? Do you remember the debate we had on the floor when Senator McCain, the victim of torture himself as a prisoner of war in the Vietnam war, came forward and authored an amendment, which got a vote of 90 to 9, condemning torture, cruel, inhuman, and degrading treatment of prisoners suspected of being terrorists? I asked him if he remembered that debate, which occurred 3 years before he wrote this outrageous article.

He said at the hearing: Well, I want to make it clear that I don’t support waterboarding.

I said: So you support electric shock on American prisoners, but you do not support waterboarding?

He said on the record, under oath: “I [knew] it was a crazy idea.”

This is a man seeking a lifetime appointment to the second highest court in the land. This paper deeply troubles me. Not only did Professor Bibas go a long way down a dangerous path with his proposals, but this law school professor got the law wrong. The Supreme Court had made clear in 2002 in the case of *Hope v. Pelzer* that the corporal punishment practiced in the State of Alabama of restraining prisoners by tying them to a hitching post in uncomfortable positions constituted cruel and unusual punishment in violation of the Eighth Amendment.

Professor Bibas wrote his paper, workshopped it, took it to six different universities, and then ran away from it only after he heard how offensive his proposals were.

That is not my only concern about his nomination. We spent a lot of time at the hearing talking about his ag-

gressive prosecution of Linda Williams. What was she charged with? The alleged theft of \$7 from a cash register. The magistrate judge acquitted this defendant even before the closing argument from defense counsel. The case was weak, yet it was aggressively pursued by then-attorney Bibas. Professor Bibas apologized at his hearing for this prosecution, but we have seen over and over again that many people try to walk away from who they are and what they have done when it comes to a confirmation hearing.

I believe these cases that I mentioned, particularly this outrageous article, show a real insight into the judgment and temperament of this judicial nominee.

I have been a member of the Senate Judiciary Committee for a number of years, and I have seen many nominees. I will tell you without fear of contradiction that I have never seen a nominee who has written an article that is so unsettling and so worrying. I wonder about the temperament of this nominee. Given the power that we are about to give him to judge the fate of others for decades to come, can we really trust his temperament? Can we really trust his judgment?

Sadly, if the shoe were on the other foot, if this were a nominee who had been proffered by a Democratic President before that same committee, I know exactly what his fate would have been. He would never have been taken seriously or considered for such a high position.

Mr. President, the article by Amy Coney Barrett, “Catholic Judges in Capital Cases,” published in the *Marquette Law Review* can be found online at <http://scholarship.law.marquette.edu/cgi/viewcontent.cgi?article=1443&context=mulr>, and the article by Stephanos Bibas entitled “Corporal Punishment, Not Imprisonment,” can be found online at <https://www.judiciary.senate.gov/download/stephanos-bibas-corporal-punishment>, so that those who read my statement will understand exactly what it was based on.

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. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

#### RUSSIA INVESTIGATION

Mr. SCHUMER. Mr. President, yesterday morning we learned that two members of the Trump campaign—Mr. Manafort, his one-time campaign chairman, and Mr. Gates, a close associate of Manafort’s—were indicted on a dozen charges as part of Special Counsel Mueller’s investigation, including

money laundering, conspiracy to commit fraud, and conspiracy against the United States.

The fact that the activity in question took place partially before the Trump campaign offered Mr. Manafort the role of chairman in no way diminishes the gravity of the situation. If anything, it suggests that the Trump campaign was negligent in hiring as its chairman a man who was an unregistered foreign agent working for a pro-Russian proxy party in Ukraine. That man is now alleged to have been laundering large sums of money and concealing his identity as a foreign agent from the FBI and the Department of Justice, including during his time during the Trump campaign. Imagine having such poor vetting and poor judgment to hire such a person as your campaign manager.

We also learned that a Trump campaign adviser met with a Kremlin contact to discuss “dirt” they possessed on Secretary Clinton and had several email exchanges with other Trump officials about his outreach to the Russians. This disclosure should put an end to the idea that there was no communication or possible connection between the Trump campaign and Russia.

It is not fake news, Mr. President. It is not fake news. There was a connection between the Trump campaign and Russia. Who was involved, how much, and what happened are yet to be determined, but there was a connection, even though the President has denied that connection for months.

The President can assert whatever he wants on Twitter, but the facts are the facts. There were official members of the Trump campaign who were receptive to working with a hostile foreign power to obtain damaging information about their political opponent. These revelations should concern every Member of this body—Democrat, Republican, Independent, liberal, moderate, and conservative.

I understand the strength of the centrifugal forces in our politics that warp everything into a partisan battle between two sides. There are two sides to every argument, but no one is above the law, no matter what side of the argument one is on. The rule of law and American democracy are indisputable as our bedrock. We cannot abandon it for political expediency.

Special Counsel Mueller, who served both Republican and Democratic administrations—a lifetime public servant and a man of unimpeachable integrity—was appointed by President Trump’s Deputy Attorney General. Mr. Mueller was a career prosecutor and is as straight of a shooter as they come. He must be allowed to finish the work he started without any interference. If he had nothing to fear, as he claims, President Trump would encourage Special Counsel Mueller to follow every lead and pledge his full cooperation. Instead, President Trump is again trying to divert our attention by making spurious allegations and trying to knock down anyone or anything in his way,

playing right into the partisan, two-sides instinct of Washington. But this goes beyond partisanship. It goes right to the rule of law.

The President has a tendency to call anyone who disagrees with him and anyone who has facts that he doesn’t like a liar, dishonest, and this, that, or the other thing. This has demeaned and degraded our Presidency and even our country. There are places where it must stop, and it should stop at the rule of law. I say that to President Trump, who may never listen, but I say that to my Republican colleagues here in this Chamber.

The Founders of the Republic put at the center of our civic life no religion, dogma, or sovereign, but rather the rule of law. It is what separated the American experiment from the hereditary monarchies of the era and outdated ideas like the divine rights of Kings.

The rule of law holds in check our people, including our President. Donald Trump is President, not King. He cannot decree things to go away or say that facts are not facts. He is as subject as anyone else to the rule of law. That is what makes our democracy so grand. No one—no one—is below the rule of law’s protection, and no one is above its reproach, including the President of the United States. It safeguards our democracy from the usurpations of demagogues and would-be dictators. It is why this noble experiment—the American experiment—continues, and Donald Trump is shaking the foundation of that when he tries to get out from Special Counsel Mueller’s due process.

What Special Counsel Mueller represents is the rule of law at work in 21st century American democracy. Intentionally and spurnously impugning his integrity or smearing his efforts as partisan is not only inaccurate, it is not only false, it is not only fake, but it is damaging to a core ideal in our country, the independent and impartial rule of law that no man—even the President of the United States, even Donald Trump, think what he may—is above the rule of law.

Special Counsel Mueller’s investigation must be allowed to proceed unimpeded, and my friends on the other side of the aisle must help dispel the notion that his investigation is in any way partisan. To their great credit, many of my colleagues have done just that in the last 24 hours, and I salute them.

The American people must have faith that when the very foundations of our democracy are shaken by a hostile foreign power, our independent judicial system built on the rule of law will not be degraded by partisan politics. We must loudly reject forces and actors that will try to make it so—on both ends of Pennsylvania Avenue. Our leaders—our Republican leaders in the House and Senate—have an obligation to tell Donald Trump to lay off Mueller’s investigation. Let it proceed

where it goes. That is what our democracy is all about, and that is what leadership is all about.

#### REPUBLICAN TAX PLAN

Mr. President, according to their timeline, House Republicans are set to release the details of their tax plan tomorrow. We will see if they can do it and, if so, just how detailed it will be. What everyone in America should focus on is the question of who exactly the Republican plan will benefit. Will it be the poor, the working class, or the middle class, or will it be big corporations and the richest 1 percent?

We live in a time of immense inequality, so much so that it strains the bonds of affection that bind us together in this country. The wealthy have amassed astonishing wealth—and God bless them. We don’t begrudge them for their success, but working Americans and middle-class Americans have slipped further and further behind. The President is surely aware of this. He rode into the White House by channeling the legitimate anger and anxiety of working-class Americans who have seen their wages diminished and their jobs shipped overseas.

Will President Trump and his Republican Party, once in power, turn around and rewrite the Tax Code to benefit the wealthy few at the expense of the middle class? Will he do a 180-degree turn from what he campaigned on and what he talks about and pass a plan for the hard right—those wealthy thousand people who give so much money to the Republican Party and think tanks? Will he bow to them against everything he campaigned on and what he says? It sure seems so.

On Wednesday, Republicans will likely propose to eliminate or substantially reduce the State and local tax deductibility, a bedrock middle-class deduction claimed by over one-third of all taxpayers—not just the wealthy—most of whom are in the middle class or the upper middle class. The proposal caused such angst in the House that it almost brought down the budget resolution. So Republicans have crafted a compromise that would allow taxpayers to claim State and local deductions on property taxes but not sales and income tax. That compromise would still cost taxpayers \$900 billion.

Taxpayers in high sales tax States, like Tennessee, Florida, and Nevada, would get whacked, as would taxpayers in high income tax States, like New York, New Jersey, California, Minnesota, and Colorado. Go figure that high property tax States, like Texas, Chairman BRADY’s State, would be better off under the proposal.

Picking winners and losers like this doesn’t solve the problem. The new State and local compromise is still a nearly \$1 trillion tax hike on the middle class to pay for tax giveaways to big corporations and the very wealthy.

I say to my Republican colleagues in the House, particularly to those from suburban and fairly affluent districts, middle-class and upper middle class

districts, that they vote for this compromise at the same peril as they voted for the bill that would totally eliminate State and local deductibility. The damage still remains, and don't think a small compromise—a small haircut—can let you escape from the political whirlwind you would reap if you vote for this bill.

The Republicans are also likely to unveil tomorrow what they plan to do with 401(k)s. We have heard reports that Republicans want to tax 401(k)s to get more revenue to pay for their tax giveaways to the rich. It is another clear example that this plan is not going to be for the middle class. The 401(k)s are one of the best tools we have to encourage Americans to start saving early for retirement. We know Americans aren't doing enough of that right now, at the same time that defined benefit plans are enjoyed by fewer Americans than in the past, as companies reduce or eliminate pensions. Why make it even harder for Americans to prepare for their retirement on their own by saving through 401(k)s? Why tax them so that you can give tax cuts to the very rich?

We Democrats have a better deal to offer the American people on 401(k)s. Rather than having Uncle Sam dip his hands into American retirement plans, we Democrats believe Americans deserve a helping hand when it comes to their retirement. In just a short time, we will release our 401(k) plan.

I yield the floor.

The PRESIDING OFFICER (Mr. STRANGE). The Senator from Connecticut.

#### GUN VIOLENCE

Mr. MURPHY. Mr. President, last week, we voted on a judge who felt it necessary to sign up for a lifetime membership with a political organization in order to get his nomination forwarded back before this body.

The judge we voted on last week became a lifetime member of the NRA in between his appointment by President Obama and, then, his appointment by President Trump—a signal, apparently, to the new Republican White House that he would align with their interests and views on issues related to the regulation of firearms in this country.

We are going to see a parade of very interesting choices for the Federal judiciary come through this body, and they are going to be moved in rapid succession, as they are this week. I have been told that never before have we taken four votes on appellate nominees in a single week. Of course, that stands in contrast with the Republican Senate that refused to give even a hearing to one Supreme Court Justice over the entirety of 2016. I think it is worth noting that this body can move fast when it wants to, and yet we watched a Supreme Court seat be stolen by this Senate from a Democratic President who, by constitutional right, had the ability to make that appointment.

I bring up the lifetime membership in the NRA because it is increasingly

clear that you have to signal a level of extremism on issues like firearms in order to get your name brought before this body. That signal is wildly out of step with where the American public is on many of these issues.

I have come to the floor over the course of the last 4 years every few weeks in order to talk about the fact that there is no other country in the world where 80 to 90 people every single day die from guns. The numbers are just absolutely stunning. Some 2,800 people a month die from guns, and 33,000 a year. The majority of those are suicides, but there are record numbers of homicides and accidental shootings in this country. Americans by and large don't accept this rate of slaughter. Americans want us to change our laws, and they don't want a judiciary that is going to stand in the way of Congress's ability to follow the wishes of our constituents.

I have been coming down to the floor to tell the story of the victims. My hope is that, although the data hasn't moved this Congress—90 percent of Americans want stronger gun laws—the data incontrovertibly shows that in places that have universal background checks or laws requiring you to get local permits before you buy a gun, there are less gun crimes.

Maybe if the data doesn't move my colleagues, the story of the victims will. Deon Rodney was shot on October 14 of this year, just a few weeks ago. He was working at Just Right Cutz, where he was a barber, in Bridgeport, CT. He was the 22nd homicide victim in Bridgeport this year.

He had just finished cutting a young boy's hair in a chair when a masked gunman chased somebody else into the barbershop. Police said Deon was protecting the young boy, shielding the young boy from this intruder who came running in. He jumped out of his chair to try to get in between the boy sitting in the barber's chair and the gunman, and the gunman shot him.

The owner of the barber shop said:

Deon had just finished his haircut and the boy was getting ready to go outside when the gunman came in. He saved everyone in the barbershop.

Deon was 31 years old. He left behind his wife, his mother, plenty of other family members, and an 8-year-old daughter.

Speaking about their daughter, Deon's wife said:

He loved her endlessly, unconditionally.

His mother said:

Deon is a part of me. He was my son, but he was also my friend.

His cousin said:

I know that everyone is recognizing his heroism now, but he was always like this. Always a role model and always willing to give. Always willing to go out of his way to help a stranger. Nothing has changed all these years. I guess I'm glad that the masses can now see this.

The owner of the barbershop went on to say of Deon:

He's dead because of these people running around with guns.

There are guns everywhere you look in cities like Bridgeport, New Haven, Hartford, New York or Chicago. People say: Why is that? Why are there all these guns—many of them, if not most of them, illegal guns—if you have strong gun laws in places like New York, Illinois, and Connecticut? The reason is that gun trafficking doesn't recognize State boundaries, and the guns used to commit crimes in places like Connecticut come from outside of Connecticut.

A comprehensive, groundbreaking survey of gun crimes in New York City found that 75 percent of the guns that are used to commit crimes in New York City come from outside of New York State. They come from States with looser gun laws, where you as a criminal can easily buy a gun without having to prove you are a responsible gun owner.

How do all these illegal guns get into Bridgeport such that somebody can turn a corner and walk into a barber shop with a weapon in their hand? It is because criminals with criminal records go into gun shows in States that don't require background checks at those forums, buy up dozens of weapons, load them into their cars, and then drive up to States with tougher gun laws and sell them on the black market.

Congress willingly allows this to happen because we have not moved our mandatory system of background checks to the places in which gun purchases are made today. Data is a little bit hard to pin down, but anywhere from 25 to 40 percent of gun sales today don't involve a background check. You can understand why. Sales have migrated to online. They have migrated to gun shows. They have gone to places where background checks aren't required.

I mentioned what the data tells us when it comes to background checks. The data tells us background checks save lives. Here is one slice of the data. In States that have universal background check laws, 47 percent fewer women get shot by an intimate partner than States without universal background check laws. That is because, in the heat of passion, domestic abusers often go to get a weapon and use it to perpetuate a domestic violence crime. You can't do that if you have a domestic violence history in a State with a universal background check law because wherever you go, you are going to be prohibited from buying that weapon.

Since November of 1998, more than 2.4 million gun sales to prohibited purchasers have been prevented because of background checks; 2½ million people who were criminals or who were addicts or who were seriously mentally ill were stopped from buying guns because of our background check laws. Because we now have at least one-quarter of all sales happening without background checks, that means there are hundreds of thousands of criminals,

hundreds of thousands of people with serious mental illness who are able to buy guns. It is not surprising that 90 percent of Americans, 90 percent of gun owners, 90 percent of Democrats, and 90 percent of Republicans support expanded background checks.

I would argue there is not another issue out there in American politics today that enjoys 90 percent support amongst Republicans and Democrats. Senator DURBIN corrected me the other day and said the latest survey states that the number is actually 94 percent support from Republicans and Democrats. The only slice of the American electorate that you can get under 90 percent support of background checks is NRA members. NRA members support universal background checks at a 75-percent clip. Background checks save lives, they are supported by the vast majority of the American public, and yet we can't get it done.

This month, I, along with a couple dozen cosponsors, introduced a new version of legislation allowing for background checks to occur in every commercial sale that is conducted in this country, with commonsense exceptions, making sure that when you are gifting a firearm to a family member or you are loaning a gun to a friend who wants to take it to go hunting, you don't have to conduct a background check under those circumstances, but if it is a traditional arm's-length sale, then you have to go through a process, which normally takes 10 minutes in order to prove you are not a criminal. Again, this proposal is supported by 90 percent of Americans. It is time we recognize that it is directly connected to this epidemic of gun violence that plagues the country.

Let me close by making another argument to you. I know a lot of my Republican friends talk a lot on this floor and on the cable news shows about the threat of terrorism to this country. When the terrorists decided to use planes as their weapon of choice to attack our country, we changed the way our law protects us from attacks by airplanes. We made sure we screened individuals before they got on these planes to make sure they don't have weapons or bomb-making material that could ultimately threaten the rest of us. We now all take off our shoes every time we get on an airplane because we recognized that we needed to change our laws to understand that these planes were being used to attack American citizens.

These terrorist groups have recognized that it is now pretty hard to get somebody with a weapon or an explosive device on a plane so they are now directing would-be attackers to a different forum. An issue of Rumiya, which is Isis's propaganda magazine, encouraged recruits in the United States to take advantage of our loose gun laws. It specifically told people to go to gun shows where you will not have to present identification or submit to background checks in order to buy

military-style weapons that you can use to kill dozens of Americans. ISIS and al-Qaida are telling their potential recruits in the United States to go to gun shows so they don't have to submit themselves to a background check and so there is no paper trail of the gun they are buying in order to kill Americans.

Why wouldn't we adjust our laws to recognize that the new weapon of choice of terrorists is not an airplane, but it is today a tactical weapon bought outside of the background check system. I have a million more reasons why we should do what 90 percent of the American people want, and someday maybe we will get there.

So 33,000 people a year, 2,800 a month, 93 a day—that is a rate of gun violence that is not twice that of other industrialized nations. It is not 5 times, it is not 10 times, it is 20 times higher than the rate of gun violence in other industrialized countries in this world. It is not because we have more people who are mentally ill, and it is not because we spend less money on law enforcement. It is, by and large, because we have a set of gun laws that allow for illegal guns, dangerous weapons to flow into the hands of very dangerous people.

I hope my Republican colleagues will take a look at the new background checks legislation I have introduced with many of my colleagues, and we can finally get to a place that 90 percent of our constituents want us to be.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Ms. WARREN. Mr. President, just last week, the Republican-controlled Congress rammed through a budget with the sole purpose of allowing Republicans to enact a tax plan that would take money from working Americans and put it into the pockets of giant corporations and wealthy individuals. The following week they killed an important rule that would have made it easier for Americans to hold big banks and corporations accountable when they lie, cheat, and steal from working families.

There have been countless stories of the Trump administration in disarray—juicy rumors of distrust and division between and among congressional Republicans and the White House, reports of Republicans' inability to advance key parts of their agenda, but that is only half the story. The other terrifying half is this. Since day one of this administration, President Trump and congressional Republicans have been working hard to make government work better and better for the rich and the powerful. While they have fumbled on their legislative agenda, they have been quietly working to help powerful interests capture our courts.

That shouldn't come as a surprise. For decades, those powerful interests have poured eye-popping amounts of cash into electing politicians who will promote their interests in Washington.

They have hand-picked politicians who will enact laws that will make it easier for corporations to abuse their workers or cheat their customers or make an extra buck and make it harder for agencies to hold them accountable for wrongdoing. They have executed a well-funded campaign to rig the rules of the game so the powerful always come out on top and the people come out on the bottom, and they know the courts are the place where they can shape the law for decades to come.

Most Americans already know that while we have one set of laws on the books, we really have two different judicial systems. One justice system is for the rich and the powerful. In that system, government officials fret about being too tough on white-collar crime so wealthy individuals or giant corporations that break the law walk away with a small fine and a pinkie promise not to do it again, and when those executives break that promise, they get 2nd, 3rd, and 23rd chances. Every time they get caught, the cycle repeats. The corporation pays the fine, says some magic words, and everyone goes right back to breaking the law.

The second justice system is for everyone else. In that system, tough on crime is the name of the game. People are locked up long before they go to trial because they don't have the money for bail. Individuals who commit minor, nonviolent offenses are slapped with long prison sentences, and even after they serve those sentences and are released, they are branded with a scarlet letter that creates barriers to employment, to housing, and to opportunity. That second justice system even traps families, children, and elderly parents whose families are blown apart and whose communities are destroyed.

That second justice system has earned America the dubious title of holding the world's highest incarceration rate. Despite having less than 5 percent of the world's population, the United States holds more than 20 percent of the world's incarcerated population. Russia, China, and North Korea don't even come close—not only in raw numbers but in the percentage of their population behind bars. America's legal system is great at locking people up but terrible at doing what it is supposed to do, dispensing equal justice under law.

Those words—"Equal Justice Under Law"—are etched into the front of the Supreme Court. If we truly believe those words, we need to start making some changes, and in recent years, we have seen some progress. Some State and local governments have made real efforts to reduce crime and lower incarceration rates. Massachusetts is one of the States leading the way with elected officials in both parties debating transformative changes to the judicial system aimed at replacing this tough-on-crime policy with smart-on-crime policies. The call for reform also extends to corporate crime. Public outrage at corporate greed has created

pressure to hold the rich and the powerful a little more accountable, but President Trump is committed to reversing that trend. He is working hand in hand with this Republican Congress to ensure that the rich get to play by their own set of rules while everyone else gets crushed under the awesome power of law enforcement.

This week will be a big step forward for the two-part justice system as this Senate prepares to hand lifetime appointments to four judges whose careers make it clear that they have no interest at all in fixing our broken justice system.

Let's take a look at their records.

#### NOMINATION OF ALLISON EID

Colorado Supreme Court Justice Allison Eid, who was nominated to serve on the Tenth Circuit Court of Appeals, has used her power as a State Supreme Court Justice to shield corporations from accountability. She has voted to make it harder for individuals to bring class action lawsuits against huge corporations that break the law. Sound familiar? Ms. Eid would fit right in with the Senate Republicans, who just voted to make it easier for big banks and financial institutions to cheat people and walk away scot-free.

Ms. Eid also voted to deny workers' compensation to an employee who was injured at work and knocked unconscious because—get this—he couldn't remember the details of what happened. So Ms. Eid said that meant that there was going to be no liability there.

This kind of blocking and tackling for powerful companies that hurt consumers and workers should be embarrassing. With this President and this White House, though, it buys a lifetime appointment to the Federal bench in order to shield corporations from the law on an even bigger stage.

#### NOMINATION OF JOAN LARSEN

Ms. Eid is not the only nominee up for consideration who would leave working Americans out in the cold. Michigan Supreme Court Justice Joan Larsen, who has been nominated to serve on the Sixth Circuit Court of Appeals, voted again and again to block injured plaintiffs from having their cases heard. Giant companies and millionaires liked her so much that they spent over half a million dollars to get her elected to the Michigan Supreme Court. And why wouldn't they? Now she is going to be elevated to a lifetime appointment on the Federal bench, and that is a pretty good return on their investment.

Yes, these judicial nominees have bent over backward to help the wealthy and the well-connected escape accountability, but that is only half of the story. Trump nominees have a very different view of what justice means for individuals who lack the money or the resources to pay high-powered legal teams or to pay political campaigns to influence judge decisions and judge selection.

#### NOMINATION OF STEPHANOS BIBAS

This week, the Senate will also vote on the nomination of Stephanos Bibas to sit on the Third Circuit Court of Appeals. Mr. Bibas worked as a Federal prosecutor in Manhattan. You would think that there would be plenty of work for a Federal prosecutor with oversight of Wall Street and all of the other corporate executives in New York City. You would think that, but you would be wrong. Mr. Bibas's most famous case involved prosecuting a 51-year-old woman who was accused of stealing \$7 from the cash register at her cafeteria job. That is right. While going to work every day in the shadow of Wall Street, Mr. Bibas decided that it was the best use of his time and Federal Government resources to pursue a \$7 case. He eventually lost the case but not before the woman lost her job.

Then there is Amy Coney Barrett, President Trump's nominee for the Seventh Circuit Court of Appeals. She has also taken a throw-the-book-at-them approach to crime—at least to not-white-collar crime. She believes that the Miranda doctrine, which protects criminal defendants from coercive police tactics, is not required by the Constitution, and she has criticized efforts to reverse the damage that has been done by the sentencing disparity between powder and crack cocaine—a disparity that has been rightly criticized by Republicans, Democrats, religious leaders, and civic leaders across this country as rooted in our long history of racial disparities in law enforcement.

We have two justice systems in America—one for the rich and powerful and one for everyone else. Part of the way we fix that problem is by making sure that we put judges on the Federal bench who are fair, impartial, and committed to dispensing equal justice under the law. Fair and impartial judges are supposed to stand up for justice when prosecutors try to ruin someone's life over allegedly grabbing seven bucks from the cash register. They are supposed to stand up for justice when consumers and workers seek a day in court against giant companies that have injured them. But the judges before the Senate this week do not stand up for justice; instead, they stand up for the powerful against the people who desperately need someone who will be fair even to those who do not have money. These nominees are right at home in Washington's rigged system. They are judges who will continue to apply one set of rules to the rich and powerful and an entirely different set of rules to everyone else.

It is no wonder that Americans are so angry with Washington. They have had it up to their eyeballs with bought-and-paid-for politicians who spend more time catering to their wealthy benefactors than promoting the interests of constituents who are back home. They are tired of giant corporations getting a slap on the wrist for massive wrongdoing while people from their home-

towns linger in prison for minor crimes. They know the legal system is deeply unjust and badly broken.

It is up to us—to every Member of this Chamber—to fix that broken system. Rejecting judicial nominees who will make it worse is a really good first step. It is not just the right thing to do, it is what the American people sent us here to do.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LANKFORD. 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. LANKFORD. Mr. President, I have the opportunity to speak to this body today about Amy Barrett. Her nomination is currently pending to be a circuit court judge. There is a pretty high standard for those individuals because they handle some incredibly difficult constitutional cases. What is good about this is that Amy Barrett meets the high standard for those qualifications.

Professor Barrett received her B.A. in English literature magna cum laude from Rhodes College and her J.D. summa cum laude from Notre Dame University Law School, where she served as executive editor of the Notre Dame Law Review.

She currently serves as a research professor of law at Notre Dame University Law School. Professor Barrett teaches and researches in the areas of Federal courts, constitutional law, and statutory interpretation, publishing scholarship in leading legal journals, such as the Columbia, Virginia, and Texas Law Reviews. Those aren't easy areas to be able to publish in or an easy professorship to be able to land.

Before joining Notre Dame, Professor Barrett clerked for Justice Scalia of the Supreme Court of the United States and for Judge Silberman of the U.S. Court of Appeals for the DC Circuit. Following her clerkships, she was an associate, where she litigated constitutional, criminal, and commercial cases both in trial and appellate courts. Professor Barrett also served as a visiting associate professor at George Washington University Law School.

She seems to be eminently qualified. Then what seems to be the issue? Interestingly enough, she faced a very odd set of questions during her confirmation process—questions not about her legal scholarship, not about her qualifications, but, oddly enough, about her Catholic faith. It wasn't about her temperament. It wasn't about her fairness. It wasn't about scholarship. It was whether her Catholic faith would get in the way of her being a good judge. Quite frankly, it wasn't about whether she had chosen a faith; it was the problem that she actually seemed to live her faith that became a big challenge during the questioning time period.

It is odd for us as Americans because this seems to be an issue we resolved 200-plus years ago. We resolved it in article VI of the Constitution, which says that there is no religious test for any officer of the United States. There is no requirement to be of a certain faith or, if you are of a certain faith, to take that faith off if you are going to serve in the United States. We have in our Constitution a protection not of freedom of worship, which I hear some people say—they are free to worship as they choose—that is not our constitutional protection. Our constitutional protection is the free exercise of your religion—not just that you can have a faith, but you can both have a faith and live your faith according to your own principles. That is consistent with who we are as Americans, that we allow any individual to have a faith and to live their faith both in their private and public life or to have no faith at all if they choose to have no faith at all. That is a decision for each American.

But we don't ask individuals—as has been asked of this individual—whether faith will be the big issue and whether faith becomes a question in whether they are capable to serve other fellow Americans.

What is so dangerous, quite frankly, about her Catholic faith and her Christian beliefs as far as her being a judge? Are people afraid that she will actually live out what the Book of Proverbs says—to speak up for those who cannot speak for themselves, speak for the rights of all who are destitute, speak up and judge fairly, defend the rights of the poor and the needy? Is that what everyone is afraid of, that she will actually live out that Biblical principle?

I am a little confused why comments, such as “The dogma lives loudly within you,” were said during her questioning in the committee, and there were other questions to challenge her Catholic faith. Faith is a choice that each individual has, and it is an extremely personal but also extremely important choice.

Some individuals in America—myself included—choose to look past the mundane, day-to-day events and to think there is someone and something higher than us. We don't just look at the creation around us; we wonder about the Creator who made it. We don't just wonder about cosmic dust smashing into each other; we ask a logical question: If cosmic dust were to smash into each other in space and create all there is, who made space and who made the cosmic dust that smashed into each other, and how did that happen? Faith drives us to ask harder questions and to look a little longer at things that other people just see as plain in front of them. We ask what is behind it. A lot of Americans do. It is not irrational; it is a part of who we are and a part of how we are made.

It is a challenge to us as Americans to be able to challenge an individual and to say: That person is so radical

that they believe in things like do not murder, do not steal, do not covet, honor your father and mother, or even things as radical as, in whatever you do, do unto others as you would have them do unto you.

It doesn't seem that radical of a belief that we would have to challenge and wonder whether one was able to be a judge if they believe in those things. We dare to believe in something beyond us, as do millions of other Americans.

I really thought that our Nation was past this, that our Nation that speaks so much of diversity and of being open to other ideas is somehow closing to people of faith. People who say they want to demand that everyone be included are afraid of people who have faith and live their faith. Why would that be? If we are going to be an open society, is it not open as well to people of faith to not only have a faith but to live their faith?

We hit a moment like this in the 1960s, and I thought we had moved past it. There was a Senator at that time who was running to be President of the United States. We know him as John Kennedy.

Senator Kennedy was speaking to a group of ministers in Houston, TX, in the 1960s, and he had to stand before them and explain his Catholic faith because, quite frankly, there was this buzz: Could someone be a Catholic and be President? What would that mean? Would you have difficulties with that?

The questions that were asked of Professor Barrett were strikingly similar to the questions that were asked of Senator Kennedy when he was running to be President of the United States. Here is how Senator Kennedy responded:

For while this year it may be a Catholic against whom the finger of suspicion is pointed, in other years it has been, and may some day be again, a Jew—or a Quaker or a Unitarian or a Baptist. It was Virginia's harassment of Baptist preachers, for example, that helped lead to Jefferson's statute of religious freedom. Today I may be the victim, but tomorrow it may be you—until the whole fabric of our harmonious society is ripped at a time of great national peril. . . . And in fact, this is the kind of America for which our forefathers died, when they fled here to escape religious test oaths that denied office to members of less favored churches; when they fought for the Constitution, the Bill of Rights, and the Virginia Statute of Religious Freedom; and when they fought at the shrine I visited today, the Alamo.

JFK had visited the Alamo that day.

For side by side with Bowie and Crockett died McCafferty and Bailey and Carey. But no one knows whether they were Catholic or not, for there was no religious test at the Alamo.

Then he made this closing statement:

If I should lose on the real issues [of the Presidential race], I shall return to my seat in the Senate, satisfied that I had tried my best and was fairly judged. But if this election is decided on the basis that 40 million Americans lost their chance of being president on the day they were baptized, then it

is the whole nation that will be the loser, in the eyes of Catholics and non-Catholics around the world, in the eyes of history, and in the eyes of our own people.

This should be a settled issue for us, not a divisive one. We are a diverse nation—diverse in backgrounds, perspectives, attitudes, and yes, diverse in faith.

I look forward to supporting Professor Barrett in this position, and I look forward to seeing her decisions as they come out of that court, consistent with the law—as she is well trained to be able to do—and consistent with our convictions as Americans.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

AUTHORIZATION FOR USE OF MILITARY FORCE

Mr. Kaine. Mr. President, I rise to speak on a topic I have often spoken about on the floor.

We have been at continuous war since September 14, 2001, when Congress passed an Authorization for Use of Military Force to go after the perpetrators of the 9/11 attacks. That was 16 years, 1 month, and 18 days ago as of today.

The war in Afghanistan is the longest armed conflict in America's history, and it shows no signs of abating, even 6 years after the death of Osama bin Laden. The conflict has been going on for so long that many are somewhat immune to it. I heard a high schooler recently say: War is all I have ever known. It is the status quo. It is the background music to daily life.

Yet only 0.4 percent of the population of the United States serves in the military. That is down from 1.8 percent in 1968 and 8.7 percent in 1945, so it is increasingly unlikely that many of us even know those who are deployed and fighting in this ever-expanding global conflict.

Sadly, last week, for tragic reasons, these issues were brought to the forefront with the death of four brave American servicemembers in Niger: Army SGT La David Johnson, SGT Bryan Black, SGT Jeremiah Johnson, and SGT Dustin Wright.

Two of those killed—the two Sergeants Johnson—were part of a 12-man patrol whose mission is not clear. We know that their trained military occupational specialties—vehicle mechanic and chemical-biological specialist—were outside traditional combat roles.

In a June war powers letter, the Department of Defense described the mission of over 645 military personnel in Niger as “advise and assist,” but none of the varying accounts of what took place in early October seem to support that seemingly benign summary of what occurred.

Frustration over this lack of understanding of that mission and the events that transpired were shared by everyone from Secretary Mattis to all the Members here. I can't imagine what the servicemembers on duty and their families must be feeling. We see the strain that an ever-expanding operational commitment is having on our

military, from our servicemembers relying upon foreign countries or contractors to provide critical air support where servicemen are stranded on the battlefield for over a day, to our warships, for which schedules have been so strained that their crews are unable to safely navigate international waters.

Being a Senator from Virginia, a State with one of the largest military presences that is home to tens of thousands of servicemembers and their families, I have a personal responsibility to ensure that these strains don't lead to any more tragic mistakes.

The attack in Niger has also laid bare other issues: how little information is provided to Congress about U.S. troops deployed abroad equipped for combat; how little Congress exercises the authority and oversight of these issues and demands information to debate before the public; and the possible "mission creep" and growth of military forces in Africa—an increase by a factor of 17 over the past decade—in which hundreds of missions are being run daily in over 20 countries where there is no specific authorization for use of military force provided by Congress. The Niger operation really identified a gray area between advising and assisting in combat operations, which keeps some deployments just beyond the tripwire of requiring congressional notification.

SASC held a briefing last week with the Department of Defense to try to understand the scope of the Niger mission, the reason for the escalation of our footprint, and why this surprising attack left our troops without support for so long.

But beyond the immediate tactical answers, we need a strategic and fundamental understanding of how and where this country engages in military operations and if the war on terror has become the "forever war" with ever-changing objectives and no end in sight, absolving the need for Congress to weigh in and speak.

Yesterday, in Foreign Relations, we held a much overdue hearing on legal authorization for military force. We heard solid testimony and straightforward answers by Secretaries of State Tillerson and Mattis. I am encouraged that we had the hearing, and I am encouraged that our chair, at the end of the hearing, expressed the desire to move forward to finally, after 16-plus years, engage in a debate and a congressional vote on war authorization.

I was disappointed that the two Secretaries, who were being candid, took the position that the Trump administration needs no more legal authority to do what they are doing. But I have to acknowledge the position they take is actually the position that the Obama administration took, and it is exactly the position that the Bush administration took, so I was not completely surprised. In fact, we shouldn't be surprised when the administration says: We don't need any more authority. But

of course, we are not playing "Mother May I" on this question. It is Congress's role, pursuant to article I, to declare war.

I disagree with the legal analyses offered by all three administrations. I was tough on President Obama about this, as well, that the 60-word authorization from 2001 covers military action all over the globe. But there is some legal dispute about the question, still.

Beyond the legal question, there are also questions of moral authority, political authority, and the abdication of responsibility in this body. Seventy-five percent of the Members of Congress today were not even here when the 2001 authorization was passed and, thus, have never had to cast a vote on it, even as our men and women risk their lives and, in some instances, are killed in action.

Simply put, the 2001 AUMF has become a golden ticket that justifies U.S. military action against terrorist groups all over the globe without the need for additional congressional approval. I am not surprised the Executive wants to keep it that way. Who wouldn't prefer such flexibility? But we have a job to do.

Here is what we need to do. This is what I think needs to happen. We need to end the legal gymnastics with the 2001 AUMF—a 60-word authorization against the perpetrators of 9/11. Applying that now to the fight against ISIL, Boko Haram, and others is a stretch. The AUMF outlines the focus of military action as follows: "Nations, organizations, or persons [the President] determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons."

There were 19 hijackers for the 9/11 attacks, and we have now used the 2001 AUMF in 37 instances to send forces prepared for combat and engaged in combat to 14 nations, including Libya, Turkey, Georgia, Syria, Iraq, Afghanistan, Yemen, Eritrea, Ethiopia, Djibouti, Somalia, Kenya, the Philippines, and Cuba.

Were all of these instances and nations and places really associated with planning or support of the attacks of 9/11? These legal interpretations are in addition to now countless "train and advise" missions around the world, to include those that took the lives of the four servicemembers in Niger.

This was not an unforeseen combat environment. I found this interesting. In April of 2014, the U.S. Government—the Department of the Navy—solicited contractual bids for "Personnel Recovery, Casualty Evacuation, and Search and Rescue," aviation support in "at risk" environments in the following 14 countries: Algeria, Burkina Faso, Chad, Libya, Mali, Morocco, Niger, Nigeria, Cameroon, Cote D'Ivoire, Ghana, Benin, Togo, Tunisia and as directed by operational requirements. Only 5 of those 14 countries have ever been noti-

fied to Congress, pursuant to war powers letters, but we are planning to engage in casualty evacuation in connection with high-risk activities in all of these countries in Africa.

I would like to have a process that informs Congress—and informs the public—that is equal in transparency to what we put in contracting documents to inform military contractors. So Senator FLAKE and I have introduced an authorization for military force intended to keep the Congress and the American people not only informed of our military operations but also engaged in carrying out our constitutional duty. The intent is to recognize the fluid environment in which our military must operate to implement the counterterrorism campaign.

Terrorist organizations don't necessarily operate in just one country. They don't follow Geneva Conventions. It is a different kind of military action, but the requirement for congressional approval is no less important. We need to make our legal authorities, which are now dated, current and appropriately scoped.

I applaud my Foreign Relations chair, Senator CORKER, who, after the hearing yesterday, said that we would move to a markup and clearly, I suspect, an amendment of the proposal Senator FLAKE and I have put on the table. We have done a lot of work on it. A war authorization should be bipartisan. If anything in this body should be bipartisan, I think a war authorization should be. We don't pretend that we have thought of everything; we don't pretend that the bill cannot be improved.

In conclusion, I want to make a few comments. This week, the New York Times reported that President Trump has approved—without providing Members of Congress any information on why these changes are necessary—changes giving the Department of Defense and the CIA more latitude in pursuing "counterterrorism drone strikes and commando raids" against Islamic terrorist groups scattered across the world, all while using the 2001 AUMF as its legal justification. This expansion of war will only continue to magnify and mutate and will do so without public scrutiny, unless and until Congress steps up to provide the oversight and legal authority we are required to do.

I have come to the floor of the Senate since I came here in 2013 to speak about war powers, to speak about a need to revise the War Powers Resolution of 1974, to critique and challenge President Obama around the Libya mission, which had no vote from Congress, and to critique President Obama—who is a personal friend—over the offensive campaign against ISIL without requiring a congressional vote. Since I was clear and repetitive in my critiques of President Obama for using war powers without Congress being involved, I am going to do the same with respect to President Trump.

At the end of the day, my critique is more about this body. An Executive will overreach. An Executive will act, but that does not excuse inaction in this body.

I do worry about a progressive loosening of the rules from the Bush administration to the Obama administration to the Trump administration, which eventually has turned the 2001 AUMF into a golden ticket that allows for action against nonstate terrorist groups anywhere in the world on a Presidential say-so.

We shouldn't take our institutions and, frankly, the fairly radical rebalancing of powers in the Constitution for granted. When Madison and the other drafters put the declaration of war authority in the hands of Congress, they knew they were doing something pretty radical. They knew the world of the day—1787, 230 years ago last month—was a world of Kings, Emperors, Monarchs, Sultans, and Popes. War was primarily for the Executive, but they decided they wanted to do something different. Ten years after the Constitution was done, Thomas Jefferson, as President, was grappling with a nonstate terrorist group in Northern Africa—the Barbary Coast pirates—and what could be done about them? He wrote a letter to James Madison and asked what was behind the war-making powers in the Constitution's article I. Madison described it very well. He said: Our constitution supposes what the history of all governments demonstrates, that it is the Executive most interested in war and, thus, most prone to war. For this reason, we, with studied care, granted the question of war in the legislature.

They were trying to change human history. They were trying to say that we shouldn't be at war unless there was a legislative, collective judgment—not 116 years ago by 25 percent of the people who were there then, but a legislative, collective judgment expressed in an authorization that we should be in war. We are lacking that now.

It is not hard to imagine a future President, whether it is President Trump in the remainder of his term or Presidents in the future, using the expanding war authorities to increasingly justify initiating war without the permission of Congress.

We asked President Trump for the legal authority justifying the Syrian missile strike on Syria that he made in March, and they have not yet provided an answer about their legal authority. What Congress has done is basically told Presidents: You can do whatever you want. That has a way of creeping and growing, and I think it already has. I think the American people deserve better, but, especially, our troops deserve better.

I have said it before; I will say it again. I can't think of anything more publicly immoral—public, civic immorality—than ordering troops to risk their lives and be killed, as the four were in Niger, while Congress is unwilling

to cast a vote because this would be a politically difficult vote: I would rather not vote; I would rather make the President do it and blame the President if it works out badly. A political calculation has caused Congress to abdicate a responsibility while others are shouldering the burdens of responsibility—and even losing their lives in the process.

Finally, Senator Jacob Javits wrote a book in 1973 entitled "Who Makes War" after Congress passed the War Powers Resolution during the Vietnam war. He offered a very prescient commentary. I will close here:

Many advocates of presidential prerogative in the field of war and foreign policy seem to be arguing that the President's powers as Commander in Chief are what the President alone defines them to be. The implication that the Presidency is beyond the range of congressional authority to check in the exercise of the war powers raises a serious constitutional danger. If we accept such a view we accept a situation in which the American people are dependent solely on the benign intent and good judgment of the incumbent President. We may not always be fortunate enough to see a person with such qualities in the White House.

With that, 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.

Mr. THUNE. I ask unanimous consent that I be able to speak until such time as my remarks are concluded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TAX REFORM

Mr. THUNE. Mr. President, the House and the Senate are moving forward on a final draft of our tax reform bill, and I am excited about the progress we are making. We have one goal in mind with tax reform. It is to provide real relief to ordinary Americans—to the parents who are questioning whether they can afford the car they need to fit their growing family, to the single mom who is wondering how she is going to pay the bills this month, and to the middle-age couple worrying about a secure retirement. Everything in our tax reform framework is centered on providing relief to these Americans.

To start with, we are going to provide them with a substantial amount of direct relief by lowering their tax rates and doubling the standard deduction so that they are keeping more of their paycheck every month.

We are also going to significantly expand the child tax credit.

And we are going to simplify and streamline the Tax Code so that it is easier for Americans to figure out what benefits they qualify for and so they don't have to spend a lot of time and money filing their taxes.

All of these reforms mean more money in Americans' pockets. But we are not stopping there. We are also going to focus on reforming the business side of the Tax Code so that we can give Americans access to the kind 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. They increase wages and invest in their workers, and they invest in new equipment, facilities, and product lines to innovate and expand their businesses.

Right now, though, our Tax Code is not helping businesses thrive. Instead, it is strangling both large and small businesses with high tax rates.

Our Nation has the highest corporate tax rate in the industrialized world—at least 10 percentage points higher than the majority of our international competitors. That is a problem for American workers because high tax rates leave businesses with less money to invest in their workers, to increase wages, or to create new 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 U.S. businesses 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 down to 20 percent would increase average household income by \$4,000 annually.

A second study shows a similar pay increase. Boston University professor and public finance expert Larry Kotlikoff found that lowering the corporate tax rate to 20 percent would increase household income by \$3,500 per year on average. That is a significant pay raise for hard-working Americans.

In addition to lowering the corporate tax rate, there is another important thing we can do to increase the availability of jobs here at home; that is, reforming our outdated, worldwide tax system. Under our worldwide tax system, American companies pay U.S. taxes on the profit they make here at home, as well as on part of the profit they make abroad, once they bring that money 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.

Most American companies' foreign competitors have been operating under a territorial tax system for years. So 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 their products or services. When foreign companies beat out American companies for new business, it is not just American companies that suffer. It is American workers. It is the American workers employed by these companies who live and work in literally every State in the Union, and it is the American workers who work for the small and medium-sized companies that form the supply chain here in the United States.

For every American company that operates in countries around the world, there are countless companies here at home that supply the raw material for the products that are sold abroad—businesses that handle the packaging and shipping of those product and enterprises that supply support services like accounting, legal, and payroll services.

America's global companies rely on a web of supporting businesses that spans the country, and when these global companies struggle, so do these supporting businesses and their workers.

By transitioning from a worldwide tax system to a territorial tax system, we will not be just boosting wages, jobs, and opportunities for American workers employed by these global companies, but we will also be increasing wages, jobs, and opportunities for workers at the countless small and medium-sized businesses throughout our country that make up the supply chain for America's global companies.

Finally, our tax plan will tackle the other key part of improving the playing field for American workers; that is, lowering the tax rates on small businesses.

Small businesses are incredibly important for new job creation, but like big companies, right now small businesses are being strangled by high tax rates. That can make it difficult for small businesses to even survive, much less thrive and expand their operations. Lowering small business tax rates and making it easier for small businesses to recover their invested capital more quickly will free up the money that small business owners need to expand their businesses to add workers or to give employees a raise.

Together, these aspects of tax reform are essential to reversing the lackluster economy of the last 8 years. Americans deserve better, and tax reform can be the key to putting this country back on the path to solid, sustainable economic growth.

Mr. President, before I close today, I wish to switch gears for a minute and talk about judicial nominations. We have had the chance to confirm some excellent nominees so far this year, many of whom Democrats have ultimately supported. But despite this

fact, Democrats have insisted on delaying the process of almost every single nomination to a district or circuit court. That is pretty much the definition of partisanship—when you obstruct nominees based not on any disagreement you have with them but simply because you don't like the person who is doing the nominating.

Democrats' delays are ultimately pretty pointless. We are not going to stop confirming nominees just because Democrats are dragging out the process, but these delays are a disservice to the American people. There are a lot of important issues that the Senate needs to be debating, from spending bills to tax reform, and the time that we waste on pointless partisan exercises is time taken from those important issues.

While Democrats' partisanship is frustrating, there is a much more serious issue that has come up during these judicial confirmations; that is, the anti-religious sentiment displayed by some of my colleagues on the other side of the aisle during the hearing on judicial nominee Amy Barrett's nomination, which we will be voting on this week.

Ms. Barrett's qualifications are well known. The American Bar Association, which rates judicial nominees, has given her its highest rating of "well qualified."

As my colleague the minority leader has said, the American Bar Association's evaluation is the "gold standard by which judicial candidates are judged."

Despite her judicial qualifications, it became clear in the hearing on her nomination that some of my colleagues think she should be disqualified because she is a practicing Catholic. That is right. Apparently, practicing your religion is now grounds for declaring you unfit to be a judge.

Here is what the Constitution has to say about that. This is from article VI: "No religious Test shall ever be required as a Qualification to any Office or public Trust under the United States."

Let me repeat that: "No religious Test shall ever be required as a Qualification to any Office or public Trust under the United States."

In other words, in the United States, you can't be disqualified from serving as a judge because you are a believing Catholic or a believing member of any faith. The only qualification the Constitution imposes is a commitment to uphold the Constitution.

Yet the second-ranking Democrat in the Senate apparently thought it was appropriate to ask Ms. Barrett if she was a practicing member of her religion, with the implication that if she was, it might jeopardize her fitness for being a judge.

Democrats' questioning is not going to stop Ms. Barrett's nomination, but it is simply disturbing, nonetheless. It is a scary thing when leaders of a major political party imply that there is no role for religious people in public life.

I don't need to tell anybody that that is contrary to everything our Founders stood for. The right to be able to practice religion freely—yes, in public, too—was so fundamental to the Founders' understanding of liberty that they made it the very first freedom mentioned in the Bill of Rights.

People of faith have made incalculable contributions to our country, and faith has driven some of the greatest movements in American history, from the abolitionist movement to the civil rights movement.

I hope the Democratic Party doesn't move further down the path of excluding religious people from public life. If they ever succeed in excluding people of faith from government, they will have destroyed one of the freedoms on which our country rests.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I ask unanimous consent for an appropriate amount of time to finish my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRIBUTE TO CHRIS APASSINGOK

Mr. SULLIVAN. Mr. President, one of the privileges of being in the Senate is actually being able to preside, as the Presiding Officer is doing right now—to sit at the Chair and listen and watch my colleagues talk about issues that matter to them, and a lot of times issues that matter to their States. In this amazing country of ours we have so many great States, great stories, and great traditions. When I am presiding, some relate to Texas, where the current Presiding Officer is from, celebrating our unique traditions, while still appreciating that at our best we share values as Americans together—opportunity, liberty, justice, and fairness. It really is one of the things that makes the Senate a great body and what makes us strong as a nation.

One of the things I like to do is to come to the Senate floor and talk about some of the traditions in my State—some of the things that I think make Alaska the greatest State in the Nation. I know some of my colleagues will not fully agree with that, but we all get to brag about our State. When I do that, I like to talk about an individual whom we recognize as the Alaskan of the Week. Often, it is somebody who is doing something in a remote part of Alaska whom not a lot of people know about. It is very important to share that with my colleagues in the Senate and other colleagues watching on TV.

Today, I would like to recognize a young Alaskan from Gambell, AK, named Chris Apassingok, a young whaler who is helping to keep the tradition that we have in Alaska—Native whaling—alive and well. He is our Alaskan of the Week.

This year, Chris was a keynote speaker at the Elders and Youth Conference, which is a precursor to the

Alaska Federation of Natives conference held each year in one of our cities. It is the largest annual gathering in the United States of any Native peoples, and there is nothing like it in all the country. AFN, as we call it in Alaska, is certainly a highlight of my year. My wife and I and our kids always try to get there.

Let me spend a few minutes talking about why Chris's speech about whaling was so important and what happened after he landed a huge bowhead whale in Alaska and why that was so inspiring for so many in my great State and, really, around the country.

Gamble, AK, is where Chris comes from, a Yupik village of about 700 people on St. Lawrence Island, on the northwest edge of Alaska. It is 1 of 11 Alaska communities that participate in two whaling seasons, recognized and authorized by the International Whaling Commission. These are subsistence communities. What does that mean? They are subsistence communities because whale meat is actually a necessity in feeding these communities.

I should point out that we have no road systems at all in Northern Alaska. Most of Alaska has no roads connected from community to community, and certainly not in Gambell. The Presiding Officer and I have had the opportunity to travel around Alaska. He has seen our great State. He knows that many communities are only accessible by air or seasonal barge. Some areas can only be reached at certain times of the year because of the weather. These communities need food. They need whales.

The annual bowhead whale migration provides the largest subsistence resource available in these remote areas of our great State. Even so, when a whale is taken, the sharing does not stop with the residents of the community. Each whale produces between 6 and 25 tons of food, on average. This meat is shared with other subsistence communities in our State and with family members and elders throughout the State. That is a hugely important part of Alaskan Native culture. This is another example of the resourcefulness of the Alaskan Native peoples, which has enabled them to survive in the Arctic—with some of the toughest weather and conditions anywhere in the world for millennia—and which has shaped the culture of Alaska and the character of our State today.

Back to Chris, he is an extraordinary hunter, even by the standards of Gambell, a community of extraordinary hunters. He could aim and shoot a rifle at the age of 5. By 11, he had trained himself to strike whales, as one writer put it, "standing steady in the front of the skiff with the gun, riding Bering Sea swells like a snowboarder."

This past April, Chris and his father set out on a boat in the Bering Sea to do what their ancestors have been doing for thousands of years.

After they got a bearded seal, they spotted a spouting bowhead. Chris took

the first shot, it was accurate, and it was a huge whale, 57 feet 11 inches. It took 2 hours to tow it to shore and 4 days for the community to carve it up. As always, when a whale is landed, it is time for celebration in the community, and this time was no different, but shortly after this, things unfortunately went sour for Chris and the community.

A radical special interest activist, with a large online following, read the story about Chris and the whale and he began to attack Chris and so did many of his followers, from all across the globe—hundreds of people, most of them adults, cyber bullying and attacking a 16-year-old boy from Gambell, AK, who had, at that point, only left his village once in his life.

They were shameful, no respect, no civility, and I mean vicious attacks. I will not repeat them here. It is enough to say they were greatly upset. In the community, Chris, his family, and his mother cried all night. Chris was angry that he and his family were being attacked for partaking in this necessary tradition that his community and his ancestors have been doing for thousands of years—thousands of years.

However, this young man, despite the hateful messages from adults, from adults who live a world away, despite the names they were calling him, Chris, now 17, cut through the noise, stood strong, and gave a great speech at AFN, that he will continue to hunt and feed his family and his community the way his ancestors have done for millennia.

At his speech last week at AFN, he asked: "Will you stand with me as I continue my hunting [traditions of my family]?" The crowd applauded, all of whom rose when he asked this: "Will you stand with me" as we continue our subsistence activities that we have undertaken for thousands of years?

I hope everyone across the country stands with this extraordinary young man—truly brave and courageous—as he continues his tradition and his right to hunt and feed his community.

This afternoon, I will be holding a hearing in the Commerce Committee about whaling in Alaska and how necessary it is for subsistence and the survival of these important cultures. I hope all Americans also stand with so many other proud Alaska whalers, protecting their rights to hunt the way their ancestors have hunted.

Thank you, Chris—a young man in Alaska, 17 years old—for standing tall for your people, for all of Alaska. I also want to thank his parents Susan and Daniel for raising such a fine hunter.

Congratulations, Chris, for being our Alaskan of the Week.

#### ECONOMIC GROWTH

Mr. President, I want to follow on with regard to what my colleague and good friend from South Dakota talked about in terms of tax reform. We are debating tax reform now. We are marking up a bill. The Finance Committee has not marked up the bill yet. It is

working on the bill, but as Senator THUNE just mentioned, we have to have one common goal in this body, which tax reform should be driving, and that is the issue of economic growth—the issue of economic growth.

We would think this should not be a partisan issue, but one of the things I am struck by, in my little under 3 years in the Senate, is how little we have talked about economic growth.

I have tried to come down to the Senate floor and speak about this issue a lot. In my view, with the exception of national defense, this is the most important issue Congress can be focused on right here, this issue of growth. How is the U.S. economy doing? Is it strong? Is it weak? Are we healthy or are we sick? By any measure over the last 10 years, we are sick.

I bring this chart to the floor a lot to talk about what has gone on in the last several decades in terms of economic growth. This has the growth rates of every administration dating back to President Eisenhower. If you look at the numbers, this red line is the important line. This is 3 percent GDP growth. It is not great. It is not bad. Since the founding of the Republic, the average since World War II is closer to 4 percent, but 3 percent is OK. It is certainly what we should be focused on in terms of hitting.

If we look at this chart, in certain years, Eisenhower, Kennedy—by the way very bipartisan—we have had very strong growth. When people talk about what makes America great, this is what makes America great: strong economic growth. This is what has driven our country for decades.

We see some of the numbers, Kennedy, Johnson, 5, 6, 7 percent; Reagan, Clinton, 5, 6, 7 percent. Then we look at the last decade—boom, a giant dropoff. We haven't hit 3 percent GDP growth in well over 10 years—well over 10 years. As a matter of fact, President Obama was the first President ever to not hit it.

What happened? Did anyone talk about it? Did the last administration talk about it? They never talked about it. As a matter of fact, what they did is they started telling Americans: Don't worry. We are going to dumb down expectations. We are going to tell you—despite this chart, despite what this really means—this represents the American dream. Despite the fact that all previous administrations were focused on 3 percent, we are not going to talk about that. We will dumb it down and call this anemic growth back here—1 percent, 1½—the new normal.

What does that mean? That means we are going to surrender. We are going to say, well, this is really America hitting on all cylinders. This is what you as Americans should expect in the future.

I think this idea of the new normal, which a lot of people in DC talk about, is probably one of the most dangerous concepts in Washington, DC, right now. The new normal means that despite

this history of 3 percent or higher for decades, we are going to surrender because our policies have smothered growth, have smothered the American dream.

Here is the good news. I think we finally have a White House that is starting to focus on this issue. Certainly, the Congress is starting to focus on this issue, and the Senate is starting to focus on this issue with policies like tax reform, with policies like regulatory streamlining, with policies like infrastructure, with policies like energy. As the Presiding Officer knows, our two great States are part of the energy renaissance that can drive economic growth well above 3 percent.

As we focus on tax reform, as this body focuses on tax reform, I am hopeful my colleagues, on both sides of the aisle, can all agree that one of the key elements of what we are doing with regard to tax reform, and every other policy in this body, is to get us back to traditional levels of U.S. economic growth, to get us back to where people say: Wow. I have great opportunities. Look at this economy—not the doldrums and the anemic growth and the sub-3 percent new normal that we have been told by other Federal officials to accept as our fate.

That shouldn't be our fate. We should have policies, particularly tax reform, that are focused on getting back above that red line, and I am certainly hopeful that all my colleagues—all 100 U.S. Senators—can agree on that goal, strong economic growth for American families and reigniting the American dream with strong GDP growth that is much higher than what we have seen in the last 10 years.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I ask unanimous consent that I be allowed to speak despite the order for recess.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### HURRICANE IRMA RECOVERY EFFORT

Mr. NELSON. Mr. President, it has been 2 months since Hurricane Irma hit Florida and basically covered up the State, and our people are still hurting because they don't have sufficient housing.

If you lived in a mobile home, if you lived in a low-lying area, your home was destroyed. It is uninhabitable. The ceiling is collapsing. The mold and the mildew, because of all the water which has now accumulated, makes it an uninhabitable home.

FEMA, through individual assistance, is supposed to provide temporary housing. This is the law. That is what the people of Florida are entitled to—just like the people of Texas are entitled to in the Presiding Officer's State—but it is not happening in Florida. Why? Because they get on the telephone, and they have to wait up to—documented—4 hours to get somebody on the phone from FEMA or, for home inspections, it takes 45 days before

they can get an inspector to come out and see the home so they can be declared eligible for individual assistance. That is just unacceptable.

If they don't have the means—especially if they don't have a job as a result of the jobs being destroyed in the hurricane—where are they going to be able to get temporary assistance for housing? It is a fact that this is happening in the State of Florida, and it has to be changed.

Thus, you see the bipartisan effort of my colleague from Florida MARCO RUBIO and me writing to the head of FEMA today to say: Look, what happened? Years ago, during the debacle of Hurricane Katrina in New Orleans, they experienced an average wait time of 10 minutes before they could get FEMA on the line to help them. Now we have people waiting as much as 4 hours. I wanted to bring this to the attention of the Senate.

After a hurricane, 2 months later, we cannot have an aftermath where our people are hurting, they are suffering. They can't live in a healthy condition in the homes that have been destroyed in the hurricane.

I yield the floor.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:59 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

#### EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent that I be recognized to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator is recognized.

#### RECOGNIZING THE MAYO CLINIC

Mr. MCCAIN. Mr. President, I rise today to express my deepest gratitude to my friends at the Mayo Clinic's Arizona campus, where I was recently treated for cancer. This is not my first obligation to the Arizona branch of this landmark medical institution, which has been a synonym for medical excellence for more than 100 years. I received outstanding care for a prior, unrelated tumor in the year 2000.

In July of this year, I found myself at Mayo once again. It is no exaggeration to say that the team of doctors, nurses, and technicians who looked after me were my salvation. They located and removed a brain tumor—a glioblastoma—that threatened my life. I will always be indebted for their timely and skillful intervention and for the outstanding support provided to my family by the entire Mayo community. Their professionalism is unmatched, as is their compassion. Thanks to my

physicians, I was able to return to the Senate after only 10 days of recuperation. Following my surgery, I received radiation and chemotherapy at Mayo in one of the most modern facilities in the world.

I mention this to draw attention to Mayo's renown as a center of excellence not only in the treatment of cancer but in virtually every field of medicine. A nonprofit institution, Mayo has large hospitals in Rochester, Minnesota, Phoenix, and Jacksonville, FL, which employ almost 50,000 people. Mayo also operates a network of more than 70 affiliated hospitals and clinics, to which more than 1.3 million persons turned for treatment this year, patients from all 50 States and 137 different countries. Moreover, the Mayo system operates several premier colleges of medicine and is a world leader in medical research. This breadth of activity, outstanding in each facet, is remarkable. It is no exaggeration to claim that the Mayo Clinic is central to the astonishing success of American medicine.

I have made my own career in public service, but as I reflect on my experience as a cancer patient, I am humbled by the example of service to mankind provided by the entire Mayo family. I am and will always remain deeply grateful to everyone involved in my care.

#### RECOGNIZING THE NATIONAL CANCER INSTITUTE

Mr. President, I come to the floor today to recognize a remarkable group of physicians, people to whom I and many others owe a profound debt. I refer to the team that has led my treatment at the National Cancer Institute of the National Institutes of Health in Bethesda, MD.

Every year, cancer claims the lives of hundreds of thousands of Americans and millions of others across the globe. It is a relentless and complex disease. It comes in many forms that demand varied and specialized treatments.

There are many centers of excellence in the struggle against cancer, but NCI plays a special role. The physicians assembled there are recruited from the most outstanding medical institutions of the world to lead the fight. Yes, NCI conducts its own research and treatment programs, and I am among its many patients, but more importantly, it oversees and funds our national effort against cancer, awarding grants and supporting a nationwide network of 69 NCI-designated cancer centers. NCI's role in the development of anti-cancer drugs has been especially noteworthy: Roughly two-thirds of cancer medications approved by the FDA have emerged from NCI-sponsored trials.

Despite the special tenacity of this disease, we have made enormous strides. To the lives of cancer patients, NCI has added decades where once there were only years and years where once there were only months. They are closing in on the enemy, in all its forms, giving hope to millions of families and offering a real prospect of

someday comprehensively eliminating this dreaded illness.

NCI is a large and expert team of scientists, doctors, nurses, technicians, and administrators, and all of them deserve our thanks. I would like to single out for special mention a few who have won my particular gratitude and that of my family, but NCI has requested that I not do so. Instead, I will say this: All too often in American culture, we associate heroism with physical manifestations of courage—the toughness of the athlete, the daring of the soldier or sailor. My friends, we would do well to remind ourselves of and to teach our children the more patient forms of bravery exemplified by our doctors and nurses and research scientists who wage the war against cancer day after day, year after year. Through their tireless effort, the physicians and researchers of NCI remind us of the heroes of the medical art, showing it to be, as Samuel Johnson called it, “the greatest benefit to mankind.” It has certainly been a great benefit to me, and I am deeply, deeply grateful.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, today the Senate will vote on the nomination of Notre Dame Law Professor Amy Barrett to serve on the Seventh Circuit Court of Appeals. She is an eminently qualified and exceptionally bright nominee who has received praise and support across the legal profession. She clerked for Judge Silberman on the DC Circuit Court of Appeals and for Justice Scalia on the Supreme Court. She has experience in private practice and many years as a law professor teaching classes on constitutional law, Federal courts, statutory interpretation, among others. She was appointed by Chief Justice John Roberts to sit on the Advisory Committee on Federal Rules of Appellate Procedure, where she served for 6 years.

Her nomination has also received wide support. For example, in a letter to the Judiciary Committee, a bipartisan group of law professors encouraged the committee to confirm her nomination, saying that Professor Barrett “enjoys wide respect for her careful work, fair-minded disposition, and personal integrity.” Her colleagues at Notre Dame described her “as a model of the fair, impartial, and sympathetic judge.”

Despite this, all the Democratic members of the Judiciary Committee voted against her nomination in committee, and I suspect most of the minority will vote against her confirmation later today. This, of course, is a shame, and it does not speak well of our institution, the U.S. Senate, and I would like to explain why.

When the Judiciary Committee voted on Professor Barrett’s nomination, I listened to the reasons my colleagues gave for voting against her. Some said that she didn’t have enough experience to be a circuit court judge. Well, the American Bar Association rated Professor Barrett as “well qualified.”

The Democrats have said that the ABA’s ratings are very important to them when considering a nominee, once even calling it the “gold standard.” Their votes certainly don’t reflect that. I suspect the ratings don’t actually matter to them since they have voted against most of the “well qualified” nominees this Congress. The minority has even requested that I not hold hearings on nominees when the committee hasn’t received the ABA ratings for that nominee, as if the ABA—an outside group—can and should dictate the committee’s schedule. But even when we have “well qualified” or “qualified” ratings from the ABA, the minority still votes against these nominees, so the actual significance of the rating to the minority doesn’t make a lot of sense.

Furthermore, lack of appellate experience hasn’t mattered before. When President Clinton nominated Justice Kagan to the DC Circuit Court of Appeals, she had no appellate experience. But I remember my friend from Vermont saying that the Senate should vote on her nomination because she was an “outstanding woman.” Her lack of appellate experience didn’t appear to be of concern to my friends in the minority at the time of Kagan’s nomination coming before the committee, so I don’t understand why the standard is different now.

Another reason some of my colleagues gave when voting against her is that they say she will disregard judicial precedent. Of course, if that is true, that would be a very serious consideration, but looking at all of Professor Barrett’s writings and listening to the testimony she gave, not once did she say that circuit or district court judges could disregard precedent. In fact, during her hearing, she told the committee that she understood “circuit judges to be absolutely bound by the precedent of the Supreme Court” and that “circuit courts are bound to follow the precedent of their own circuit.” That doesn’t sound like a nominee who will not respect precedent. In fact, she understands exactly the role of precedent and the limitations and restrictions placed on lower court judges.

Another Senator argued that she has written provocative things like “A judge will often entertain an ideological bias that makes him lean one way or the other. In fact, we might safely say that every judge has such an inclination.” I am not sure why this statement is provocative. I think everyone here knows that every person has their own biases and policy preferences, whether or not they are a judge. In writing this, Professor Barrett shows the awareness to recognize that every person comes to their job with personal biases and views. This is especially important for judges to recognize about themselves. In fact, she is so self-aware that this is a potential problem for judges that she cowrote an article arguing that if a judge cannot set

aside a personal preference in a particular matter before that judge, she shouldn’t hear the case in the first place.

These comments come from an article about potential issues Catholic judges may face that Professor Barrett wrote in law school. The article was about Catholic judges but could have been written about the biases of judges of any religion or of no religion at all. My friends in the minority have looked at a few of her comments from this article and seem to have concluded that she will base her judicial decisions off of what her religion teaches.

During her hearing, one Senator even implied that Professor Barrett could not separate her religion from her judicial decision making, but Professor Barrett had said and argued quite the opposite and had done it several times. She believes that it is highly inappropriate for a judge to use his own religious beliefs in legal reasoning. In fact, she concludes the very article the Democrats are concerned with this way: “Judges cannot—nor should they try to—align our legal system with the church’s moral teachings whenever the two diverge.”

I think opposition to her nomination ultimately comes down to the fact that her personal views about abortion do not line up with the minority’s views about abortion. I knew the minority would ask her about her views on abortion, so during her nomination hearing, I took advantage of being the first to ask her if she would allow her religious views to dictate her legal decisions. She said that she would not. I also asked her if she would follow Supreme Court precedent involving abortion, and she simply and succinctly answered: “Absolutely, I would.”

At her hearing, the statement was made—now, can you believe this?—“You are controversial because many of us that have lived our lives as women really recognize the value of finally being able to control our reproductive systems.”

This statement alone is stunning to me for two reasons—first, that a nominee is controversial because she might share the views of over half the country, which is that abortion is wrong; second, that this statement amounts to a religious test. In response, Professor Barrett said over and over that she has no power to overrule *Roe* or any other abortion-related Supreme Court case nor does she have interest in challenging that specific precedent.

A further statement was made:

[R]eligion . . . has its own dogma. The law is totally different. And I think in your case, professor, when you read your speeches, the conclusion one draws is that the dogma lives loudly within you, and that’s of concern when you come to big issues that large numbers of people have fought for years in this country.

So the Democrats are saying that women who have personal beliefs that are consistent with their religions are not eligible to be Federal judges even

when they have assured the committee, as she did over and over again, that they strongly believe in following binding Supreme Court precedent. If that is the case—if the minority is enforcing a religious litmus test on our nominees—this is an unfortunate day for the Senate and for the country.

Others have spoken on the issue of a religious test, but I will remind my colleagues that the Constitution specifically provides that “no religious test shall ever be required as a qualification to any office under the United States.” It is one of the most important founding principles. I do not think an evaluation of how religious a person is or how religious she might not be should ever be a part of that evaluation.

We have received many letters on this topic, including one from Princeton University’s president, who is a former law clerk to Justice Stevens and happens to be a constitutional scholar. He writes that the questions the Democrats posed to Professor Barrett about her faith were “not consistent with the principle set forth in the Constitution’s ‘no religious test’ clause” and that the views expressed in her law review article on Catholic judges are “fully consistent with a judge’s obligation to uphold the law and the Constitution.”

Finally, this morning, my friend from Illinois justified the Democrats’ questions to Professor Barrett in committee by noting that I also asked questions in the committee about her article, but there is a difference in simply asking a nominee if her religious views will influence her judicial decision making and trying to ascertain just how religious a nominee is by asking, “Do you consider yourself an orthodox Catholic?” or by saying, “The dogma lives within you.”

My questions gave Professor Barrett a chance to explain her law review article, which was an article I knew the Democrats would question her over. The other side’s questions and comments went to figure out just how strongly she would hold to her faith, which was the inappropriate line of questioning.

I will make one more related comment. I mentioned this in the Judiciary Committee, but I think that it bears repeating on the floor because the issue will continue to come up.

Professor Barrett and a few other nominees have a relationship with or ties to the Alliance Defending Freedom group, which, as several Senators have recently pointed out, has been labeled as a hate group by the Southern Poverty Law Center. When the nominees have been asked about this, they have pointed out that the Southern Poverty Law Center’s designation is, in itself, highly controversial. I would say that it is completely unfounded. The ADF, Alliance Defending Freedom, is an advocacy organization that litigates religious liberty cases. It has won six cases in front of the Supreme Court in the past 6 years, including cases that are

related to free speech and children’s playgrounds. They are not outside the mainstream.

Any difference in viewpoint that folks may have with them boils down to, simply, policy differences, but dissent and a difference of opinion do not equal hate, and it is wrong to compare an organization like the ADF to that of the Ku Klux Klan or the Nazi Party and, by extension, imply that the nominees before us sympathize with such actual hate groups.

Finally, I would note that the Southern Poverty Law Center designates the American College of Pediatricians and the Jewish Defense League as hate groups. So some of the Southern Poverty Law Center’s designations appear to be discriminatory in and of themselves.

Professor Barrett is a very accomplished, impressive nominee, and we know that her personal story is compelling. She has seven children, several who were adopted from Haiti and one who has special needs. She is an accomplished attorney and a well-respected law professor. I will be strongly supporting her nomination today, and I urge every one of my colleagues to do the same.

I yield the floor.

Ms. KLOBUCHAR. Mr. President, I wish to explain my vote today in opposition to the nomination of Amy Coney Barrett to serve as a U.S. Circuit Judge for the Seventh Circuit. In Professor Barrett’s hearing before the Judiciary Committee, I focused my questions on Professor Barrett’s views and previous writings on the circumstances under which judges must adhere to precedent and on the doctrine of originalism. It was on the basis of her responses to those questions that I have concluded that I am unable to support her nomination.

The PRESIDING OFFICER. The Senator from New York.

PUERTO RICO AND U.S. VIRGIN ISLANDS  
RECOVERY EFFORT

Mrs. GILLIBRAND. Mr. President, I rise to speak about the disaster supplemental that the Trump administration is expected to send to Congress as early as tomorrow. While Congress has passed two supplemental aid bills since this year’s hurricanes, I want to make it very clear that what we have already passed is not even close to what we will need to help Puerto Rico and the U.S. Virgin Islands fully recover and rebuild.

Hurricane Maria destroyed their power grids and has significantly damaged their water infrastructure so as to make clean drinking water dangerously scarce. Three of Puerto Rico’s biggest industries—manufacturing, finance, and tourism, which drive their already struggling economy—remain severely damaged because the hurricane wiped out so many factories, buildings, and hotels. Many Puerto Ricans who had jobs the day before Maria struck no longer have anywhere to go to work. In other words, in Puer-

to Rico and the U.S. Virgin Islands, this is not just a natural disaster; it is also an economic disaster that these local governments cannot dig out of on their own. Our fellow citizens desperately need our help.

Listen to what one New Yorker told me about how dangerous things are right now, especially for the sick and elderly.

My constituent was trying to help someone in Puerto Rico who was autistic and bedridden and under the care of his 93-year-old father. He needed surgery. He was taken to at least three separate medical facilities, and he spent countless hours in an ambulance with his elderly father. He was transported from one location to the next, but the medical facilities were finding it extremely difficult to communicate with each other. After all of that, his doctor could not find any facility on the island that would accept him into its care. He was finally able to get his treatment, but how many more people are still waiting for help?

Another of my constituents is struggling to help her father, who is in a rural area of Puerto Rico. She has only been able to speak to him briefly and exchange limited text messages. Her father suffers from heart issues and glaucoma, and he may need a prescription refill very soon if not right now. There are countless more stories just like these throughout my State and, no doubt, in many of my colleagues’ States as well.

The \$36 billion that is for all of Texas, Florida, Puerto Rico, and the U.S. Virgin Islands is just not enough. After Hurricanes Katrina and Rita, it cost the Federal Government \$120 billion to rebuild the Gulf Coast. That is the amount of funding that we need to be thinking about for Puerto Rico and the U.S. Virgin Islands right now.

It will take at least \$5 billion just to rebuild Puerto Rico’s power grid, and that will not even cover improvements to make the system more resilient and more efficient than it was before the storm. Right now, two-thirds of Puerto Rico still does not have power. That means no refrigeration so that people can have food to eat or can keep medicine from spoiling. It means no electricity for oxygen tanks in nursing homes and no lights at night to keep people safe. It will take additional funding to restore roads so that whatever supplies do make it to Puerto Rico can actually be delivered, and people can get to their loved ones in need.

The Small Business Administration will need billions of dollars to help people rebuild their businesses, which are vital to their basic economic recovery. The Army Corps of Engineers will need funding and the authority to rebuild the dams and the ports that were damaged so that commerce can actually go on, and FEMA will likely need \$8 billion more just to respond to all of the households that have requested assistance to repair and rebuild their homes through its Individual Assistance Program.

In other words, the recovery effort must be massive. There is no way around it, because we can never turn our backs on fellow citizens, whether they are in New York or Texas or Florida or the U.S. Virgin Islands or Puerto Rico. What we need right now is a Marshall Plan. That is the only way that Puerto Rico and the U.S. Virgin Islands are ever going to really fully recover. A new Marshall Plan would help Puerto Rico greatly reduce its crushing debt owned by hedge funds, and a new Marshall plan would also completely modernize infrastructure in Puerto Rico and the U.S. Virgin Islands, by rebuilding their energy grid, hospitals, roads and bridges, reservoirs, schools, dams, and the thousands of buildings and homes that were destroyed by these hurricanes.

I urge all of my colleagues to join me in this effort. We must never stop fighting for Puerto Rico and the U.S. Virgin Islands to get the funding they need to fully recover and fully rebuild.

I yield the floor.

The PRESIDING OFFICER. The President pro tempore, the Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that I be permitted to finish my full speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, the Senate will consider this week four nominations for the U.S. courts of appeals. Two are well regarded professors at prestigious law schools, and two are highly respected State supreme court justices. Each of them has received the highest rating from the American Bar Association, "well qualified," which my Democratic colleagues have said is the gold standard for evaluating nominees.

I applaud the majority leader for committing to do what it takes to confirm these nominees, including, if necessary, working through the weekend to get it done.

I want to address the state of the confirmation process by focusing on one of these nominees, as well as attempts to change the process itself.

Later today we will confirm Amy Coney Barrett to the Seventh Circuit. She has taught at the Notre Dame Law School for 15 years in fields that are especially relevant to the work of a Federal appellate judge. A distinguished and diverse group of more than 70 law professors at schools from Massachusetts to California and from Minnesota to Florida wrote that her scholarship is "rigorous, fair-minded, respectful and constructive."

I ask unanimous consent to have printed in the RECORD that letter.

There being no objection, the material was ordered to be printed in the Record, as follows:

MAY 19, 2017.

Re Nomination of Amy Coney Barrett to the United States Court of Appeals for the Seventh Circuit.

Hon. CHARLES GRASSLEY,  
*Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.*

Hon. DIANNE FEINSTEIN,  
*Ranking Member, Committee on the Judiciary, U.S. Senate, Washington, DC.*

DEAR CHAIRMAN GRASSLEY AND RANKING MEMBER FEINSTEIN: We are writing to express our strong support for the nomination of Professor Amy Coney Barrett to the U.S. Court of Appeals for the Seventh Circuit. We are a diverse group of law professors who represent a broad range of fields and perspectives. We share the belief, however, that Professor Barrett is exceptionally well qualified to serve on the U.S. Court of Appeals, and we urge the Senate to confirm her as a judge of that court.

Professor Barrett has stellar credentials for this position. She received her undergraduate degree magna cum laude from Rhodes College and her law degree summa cum laude from the University of Notre Dame, where she finished first in her law school class. She served as a law clerk to Judge Laurence H. Silberman of the U.S. Court of Appeals for the D.C. Circuit and to Justice Antonin Scalia of the Supreme Court. After her clerkships, she practiced law in both trial and appellate litigation in Washington, D.C. at Miller, Cassidy, Larroca, & Lewin, and at Baker Botts. She has served as a law professor at the University of Notre Dame since 2002.

As a law professor, Professor Barrett has distinguished herself as an expert in procedure, interpretation, federal courts, and constitutional law. She has published several important and influential law review articles on these topics in leading journals. Although we have differing perspectives on the methods and conclusions in her work, we all agree that Professor Barrett's contributions to legal scholarship are rigorous, fair-minded, respectful, and constructive. Her work demonstrates a thorough understanding of the issues and challenges that federal courts confront in their daily work. In addition, we admire Professor Barrett's strong commitment to public service, including her work as a member of the Advisory Committee on the Federal Rules of Appellate Procedure from 2010–2016.

In short, Professor Barrett's qualifications for a seat on the U.S. Court of Appeals for the Seventh Circuit are first-rate. She is a distinguished scholar in areas of law that matter most for federal courts, and she enjoys wide respect for her careful work, fair-minded disposition, and personal integrity. We strongly urge her confirmation by the Senate.

Sincerely,

Jonathan H. Adler, Case Western Reserve University School of Law, Johan Verheij Memorial Professor of Law; Richard Albert, Boston College Law School, Professor of Law; William Baude, University of Chicago Law School, Neubauer Family Assistant Professor; Anthony J. Bellia Jr., Notre Dame Law School, O'Toole Professor of Constitutional Law; Patricia L. Bellia, Notre Dame Law School, William J. and Dorothy K. O'Neill Professor of Law; Mitchell Berman, University of Pennsylvania Law School, Leon Meltzer Professor of Law and Professor of Philosophy; Samuel L. Bray, UCLA School of Law, Professor of Law; Steven G. Calabresi, Northwestern University Pritzker School of Law, Clayton J. and Henry R. Barber Professor of Law; Nathan Chapman, University of Georgia School of Law, Assistant Professor of Law; Guy-Uriel Charles, Duke

Law School, Charles S. Rhyne Professor of Law; Donald Earl Childress III, Pepperdine School of Law, Professor of Law; G. Marcus Cole, Stanford Law School, William F. Baxter-Visa International Professor of Law; Barry Cushman, Notre Dame Law School, John P. Murphy Foundation Professor of Law; Nestor M. Davidson, Fordham Law School, Professor of Law; Marc O. DeGirolami, St. John's University School of Law, Professor of Law; Erin F. Delaney, Northwestern University Pritzker School of Law, Associate Professor of Law and Political Science; John F. Duffy, University of Virginia School of Law, Samuel H. McCoy II Professor of Law; Brian T. Fitzpatrick, Vanderbilt Law School, Professor of Law; Nicole Stelle Garnett, Notre Dame Law School, John P. Murphy Foundation Professor of Law; Richard W. Garnett, Notre Dame Law School, Paul J. Schierl/Port Howard Corporation Professor of Law; Mary Ann Glendon, Harvard Law School, Learned Hand Professor of Law; Michael Heise, Cornell Law School, Professor of Law; F. Andrew Hessick, University of North Carolina School of Law, Professor of Law; Kristin Hickman, University of Minnesota Law School, Distinguished McKnight University Professor, Harlan Albert Rogers Professor in Law; Roderick M. Hills, NYU Law School, William T. Comfort, III Professor of Law; Clare Huntington, Fordham Law School, Professor of Law; John Inazu, Washington University Law School, Sally D. Danforth Distinguished Professor of Law & Religion; Neal Kumar Katyal, Georgetown University Law Center, Paul Saunders Professor; William K. Kelley, Notre Dame Law School, Associate Professor of Law; Daniel B. Kelly, Notre Dame Law School, Professor of Law; Cecelia M. Klingele, University of Wisconsin Law School, Assistant Professor of Law; Randy J. Kozel, Notre Dame Law School, Professor of Law; Kurt T. Lash, University of Illinois College of Law, Guy Raymond Jones Chair in Law; Renée Lettow Lerner, George Washington University Law School, Professor of Law; Gregory E. Maggs, George Washington University Law School, Professor of Law; Jenny S. Martinez, Stanford Law School, Professor of Law & Warren Christopher Professor in the Practice of International Law and Diplomacy; Michael W. McConnell, Stanford Law School, Richard and Frances Mallery Professor of Law; Alan J. Meese, William and Mary Law School, Ball Professor of Law and Tazewell Taylor Research Professor of Law; Thomas Merrill, Columbia Law School, Charles Evan Hughes Professor of Law; Robert A. Mikos, Vanderbilt University Law School, Professor of Law.

David H. Moore, BYU Law School, Wayne M. and Connie C. Hancock Professor of Law; Michael P. Moreland, Villanova Law School, University Professor of Law and Religion; Derek T. Muller, Pepperdine University School of Law, Associate Professor of Law; John Copeland Nagle, Notre Dame Law School, John N. Matthews Professor of Law, Caleb E. Nelson, University of Virginia School of Law; Emerson G. Spies Distinguished Professor of Law; Grant S. Nelson, William H. Rehnquist Professor of Law, Pepperdine University, Professor of Law Emeritus, University of California, Los Angeles; Nell Jessup Newton, Notre Dame Law School, Joseph A. Matson Dean and Professor of Law; Michael Stokes Paulsen, University of St. Thomas, Minnesota, School of Law, Distinguished University Chair and Professor; James E. Pfander, Northwestern University Pritzker School of Law, Owen L. Coon Professor of Law; Jeffrey A. Pojanowski, Notre Dame Law School, Professor of Law; Saikrishna Bangalore Prakash, University of Virginia School of Law, James Monroe Distinguished Professor

of Law; Robert J. Pushaw, Pepperdine University School of Law, James Wilson Endowed Professor of Law; Michael D. Ramsey, University of San Diego School of Law, Hugh and Hazel Darling Foundation Professor of Law; Richard M. Re, UCLA School of Law, Assistant Professor of Law; Cassandra Burke Robertson, Case Western Reserve Law School, Professor of Law and Laura B. Chisolm Distinguished Research Scholar; Nicholas Quinn Rosenkranz, Georgetown University Law Center, Professor of Law; Stephen E. Sachs, Duke Law School, Professor of Law; Sean B. Seymore, Vanderbilt Law School, Professor of Law; David Arthur Skeel, University of Pennsylvania Professor of Law, S. Samuel Arshat Professor of Corporate Law; Steven D. Smith, University of San Diego School of Law, Warren Distinguished Professor of Law; Lawrence Solan, Brooklyn Law School, Don Forchelli Professor of Law; Kevin M. Stack, Vanderbilt Law School, Professor of Law; John F. Stinneford, University of Florida Levin College of Law, University Term Professor; Kate Stith, Yale Law School, Lafayette S. Foster Professor of Law; Catherine T. Struve, University of Pennsylvania Law School, Professor of Law; Lisa Grow Sun, BYU Law School, Associate Professor of Law; Jay Tidmarsh, Notre Dame Law School, Judge James J. Clynes, Jr., Professor of Law; Amanda Tyler, University of California, Berkeley School of Law, Professor of Law; Adrian Vermeule, Harvard Law School, Ralph S. Tyler, Jr. Professor of Constitutional Law; Christopher J. Walker, Ohio State University Moritz College of Law, Associate Professor of Law; Kevin C. Walsh, University of Richmond School of Law, Professor of Law; Jay D. Wexler, Boston University, Professor of Law; Ernest A. Young, Duke Law School, Alston & Bird Professor of Law.

Mr. HATCH. Mr. President, the criticisms of Professor Barrett are laughable and ridiculous. One leftwing group, for example, objects because she has no judicial experience. I don't recall this group being concerned about the nearly 60 appeals court judges appointed by recent Democratic Presidents who had no prior judicial experience. In fact, President Clinton appointed a judge with a profile strikingly similar to Professor Barrett's—a woman who clerked on both the U.S. court of appeals and the U.S. Supreme Court and who, after a few years in private practice, taught at a well-known Midwestern law school for 15 years and then received the ABA's highest rating to serve on this very same court. Leftwing groups supported the Democratic President's nominee but opposed the Republican President's nominee.

It appears that Professor Barrett has one big strike against her, and that is her religious faith—an important part of her life, by the way. That is all it takes for her critics to say that she has no place on the Federal bench, that women or men with such personal religious faith cannot be impartial judges who respect the rule of law. That is bunk. It is ridiculous, it is despicable, it is stupid, and it is beneath the dignity of this body. I strongly reject that view. I find it appalling.

These critics apparently believe that judges decide cases based on their personal beliefs. They may believe that, but Professor Barrett certainly does

not. In her hearings she pledged to unflinchingly follow all Supreme Court precedents. She said: "It is never appropriate for a judge to apply their personal convictions whether derived from faith or personal conviction." This has been her view for nearly two decades.

In a 1998 law journal article she coauthored, she explored the real-world situation of how a judge should approach the death penalty when her religious beliefs counsel against capital punishment. Professor Barrett wrote that "judges cannot, nor should they, try to align our legal system with the church's moral teaching whenever the two diverge."

In her hearing, I asked Professor Barrett about this article and about what should happen when a judge faces a conflict between her personal views and the law. I wanted the record to be crystal clear so that her views would not be distorted or misrepresented. Here is what she said, as shown on this chart:

I believe that the law wins . . . if a judge ever felt that for any reason she could not apply the law, her obligation is to recuse. I totally reject and I have rejected throughout my entire career the proposition that a judge should decide cases based on a desire to reach a certain outcome.

Her critics appear, to put it most charitably, to have read a different article by a different Professor Barrett. My Democratic colleagues observed that religious dogma and the law are different—so far, so good, as far as I am concerned. But then there is this: "The dogma lives loudly within you, and that is of concern." Can you imagine, in this day and age, one of our colleagues asking a question like that?

Professor Barrett, as I described, has consistently argued for nearly 20 years that judges may not decide cases based on their personal religious beliefs. So what is the problem? It appears that the problem for some critics is not Professor Barrett's religious faith in general but the particular religious faith she has. Now this sounds disturbingly like a religious test for public office. In fact, it is a religious test by some of our colleagues, who ought to be ashamed of themselves.

I thought America's Founders put that to rest when they wrote article VI of the U.S. Constitution, prohibiting a religious test for public office. I thought we had grown past periods in our history when suspicion was leveled against someone running for public office simply because of the church to which he or she belonged. I thought the free exercise of religion protected by the First Amendment included being free from that kind of suspicion and prejudice.

Earlier today, the assistant Democratic leader tried to distract attention from the clearly inappropriate examination of Professor Barrett's religious beliefs. He suggested that by asking Professor Barrett whether a judge's personal beliefs should take precedence over the law is no different than ex-

pressing concern that "the dogma lives loudly within you."

Let me be clear. Inquiring whether a nominee will have her judicial priorities straight regarding the law and her personal views is one thing. Inquiring about her religious beliefs themselves is something very different, and I believe it should be off limits.

I enthusiastically support Professor Barrett's nomination precisely because she knows the difference between her personal beliefs and the law and she is completely committed to maintaining that distinction when she becomes a judge.

Let me now take a step back from this nominee and focus on the confirmation process itself.

The Constitution gives the power to nominate and appoint judges to the President and it gives the power of advice and consent to the Senate as a check on the President. The latest dispute about the Senate's part in this process concerns a practice used in the Judiciary Committee to highlight the views of Senators regarding judicial nominees who would serve in their States. Judiciary Committee chairmen have come to use a blue piece of paper to inquire about a home State Senator's views on a particular nominee. We call it the blue slip.

Today Democrats and their grassroots and media allies are demanding that the blue-slip process be used as a single-Senator veto, even though the vote is for a court of appeals judge who will represent a wide variety of States if not the whole country. They demand that a single home-State Senator be able, at any time and for any reason, to stop a nomination dead in its tracks without any Judiciary Committee consideration at all. That is ridiculous.

I can understand why they want to weaponize the blue slip like this. After all, they once used the filibuster to prevent confirmation of Republican judges but then abolished nomination filibusters so that no one else could use them. Today, Democrats are trying to turn the blue-slip process into a de facto filibuster. They want a single Senator to be able to do in the Judiciary Committee what it once took 41 Senators to do on the Senate floor.

Shortly after Democrats abolished nomination filibusters, Judiciary Committee Chairman PATRICK LEAHY warned: "As long as the blue-slip process is not being abused by home-state Senators, then I will see no reason to change that tradition." He was right. The key is to know when that line has been crossed, and Senator LEAHY made that point.

I have served on the Judiciary Committee for more than 40 years. That experience leads me to suggest two things that can help us prevent abuse of this part of the confirmation process. The first thing to keep in mind is the history of the blue-slip process.

Now, 19 Senators have chaired the Judiciary Committee, including me, since this practice began in 1917—10

Democrats and 9 Republicans. Only 2 of those 19 chairmen have treated the blue slip as a single-Senator veto. According to the Congressional Research Service, until the 1950s, no Judiciary Committee chairman treated a negative blue slip as a single-Senator veto. Home-State Senators could express their objections in confirmation hearings, and the Judiciary Committee might report a nomination to the Senate with a negative recommendation, but in each case the process moved forward.

Senator James Eastland, who was chairman when I first joined the Judiciary Committee—a Democrat—was the first chairman to treat a negative blue slip more like a veto. Since then, according to CRS, the blue-slip policy has been modified to “prevent a home-state Senator from having such absolute power over the fate of a nominee from their state.”

Under Chairman Ted Kennedy, for example, a negative blue slip did not stop consideration of a nominee. Chairman Joe Biden actually put his policy in writing in a letter to President George H.W. Bush in early 1989. A negative blue slip, wrote Chairman Biden, would not be a veto if the administration had consulted with home-State Senators. When I became chairman of the Judiciary Committee in 1995 and again in 1997, I wrote the White House Counsel that I would continue the Biden policy.

The second thing to remember is the purpose of the blue-slip process. As I wrote in both 1995 and 1997, it is “a courtesy the Committee has established to ensure that the prerogative of home state Senators to advise the committee of their views is protected.” Nearly two decades later, in the 2014 op-ed I wrote for *The Hill*, I said the same thing—that highlighting the views of home-State Senators encourages genuine consultation with the Senate when the President chooses judicial nominees.

The history and purpose of the blue-slip process will help identify when it is being used properly and when it is being abused, and, believe me, confirmation abuses have occurred. Before 2001, for instance, only 1 percent of judicial nominees with no opposition were confirmed by a time-consuming rollcall vote. Under President George W. Bush that figure jumped to 56 percent.

Before 2001, there had been four filibusters of judicial nominees and no majority-supported judicial nominee had ever been defeated by a filibuster. Under President George W. Bush, Democrats conducted 20 filibusters and ultimately kept multiple appeals court nominees from being confirmed.

In July, we held another unnecessary cloture vote on a district court nominee.

After voting 97 to 0 to end the debate that no one apparently wanted in the first place, Democrats forced us to delay the confirmation vote by 2 more days. This was the first time in history

that a unanimous cloture vote was not followed immediately by a confirmation vote.

What is going on here? What is wrong with our colleagues on the other side? Why are they doing this? They could have taken a few hours but instead took 2 weeks from the filing of the cloture motion to the final unanimous confirmation vote that took place here.

Now, this is not the only time Democrats forced cloture votes to slow consideration of nominees they end up supporting. What was the point of all that? It is simple. Democrats want to make confirming President Trump’s judicial nominees as cumbersome and time-consuming as possible.

At this point in President Obama’s first year, when Republicans were in the minority, the Senate took cloture votes on less than 1 percent of the executive and judicial branches—1 percent of all the nominees that we confirmed. This year, with Democrats in the minority playing confirmation spoiler, the Senate has been forced to take cloture votes on more than 27 percent of the nominees we confirmed. In fact, including those we take this week, Democrats have forced us to take 51 cloture votes on President Trump’s nominees so far this year. That is seven times as many as during the combined first years of all nine Presidents since the cloture rule has applied to nominations.

These were the nominations under Obama and this is President Trump. What is going on here? That is seven times as many as during the combined first years of all nine Presidents since the cloture rule applied to nominations.

In 2013, Democrats abolished the ability of 41 Senators to prevent confirmation. Today, they are demanding the ability of just one Senator to prevent confirmation. If that is not an abuse of the confirmation ground rules, I don’t know what is.

It would be a mistake to do to the blue-slip process what has been done to other elements of the Senate’s advice and consent role. This can be prevented by following the less partisan guidance of history and purpose to chart our way forward.

The blue-slip process exists to highlight the views of home State Senators and of course to encourage the executive branch in this country—whoever is the President—to be open to the feelings of the home State Senators and to consult with them when choosing judicial nominees. If it is serving those purposes, the blue-slip process should not become yet another tactic for hijacking the President’s power to appoint judges.

What we have going on here today with President Trump’s nominees is hypocritical, and it is wrong. It is debilitating to the courts, and it is unconstitutional. It bothers me that my colleagues on the other side are doing this when they, themselves, were treated much more fairly by our side—not

just much more fairly but absolutely more fairly. This is really pathetic. I hope we can somehow or other bring ourselves to treat each other on both sides better.

With regard to judges, whoever is President ought to be given great consideration for the choices. That is what we do when we elect a President. I know it is tough on the other side that President Trump is the President, but he is the President, and he is picking really excellent people for these judicial nominations. I hope we start changing this process and get it back to being a reasonable, effective, honest, and good process.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, that at 3:30 p.m. today, there be 30 minutes of postcloture time remaining on the Barrett nomination, equally divided between the leaders or their designees; that following the use or yielding back of that time, the Senate vote on the confirmation of the Barrett nomination; and that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate’s action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Arizona.

Mr. FLAKE. Mr. President, I rise to discuss a matter of religious liberty. In particular, I urge this body to respect our constitutional values and avoid any hint of applying religious tests to those who heed the call of government service.

Freedom of religion is as foundational a principle as we have in this country. Yet some in this Chamber want to take a cabined view of it. If you are a judicial nominee, it is fine to attend the occasional worship service, but don’t let on that you take it too seriously. That seems to be unacceptable.

From the inception of our Republic, religious believers have chosen to serve the country in countless ways. Whether through the Armed Forces, holding elected office, or sitting on the courts, Americans of faith always answered the call. We should welcome this service, and we should not sit idly by while others question the propriety of their service by suggesting a *de facto* religious test.

The Framers of the Constitution were fearful of this very thinking. They understood the importance of religious participation and foresaw the benefits religious believers of all backgrounds would contribute to the common good. They also knew, from centuries of war and suffering in Europe, the high cost of religious intolerance.

That is why they made it clear in article VI of the Constitution that no public officers could be subject to a religious test. This edict was entirely unambiguous in its language and its intent. This country is to be served by



people of all faiths, committed to the Constitution and the common good. It is up to us to question the qualifications and jurisprudence of nominees, not their religious views.

Unfortunately, that is not what is happening to Professor Barrett. I was at the confirmation hearing, where she faced inappropriate questions and objections based on her religious views. I witnessed a citizen heeding the call to serve her country, only to face inquiries into her religious beliefs that bordered on ridicule. My friends on the other side of the aisle defended their questions and their conduct, and I don't doubt their sincerity, but there is little comfort in the defense that it doesn't matter that Professor Barrett is a Catholic, but somehow it matters what sort of Catholic she is. These are unconstitutional distinctions without differences.

In addition, otherwise respectable news outlets have provided sensational reports of Professor Barrett's personal charismatic religious practices. As a Member of the Senate, I find this troubling, as a person of faith, I find this objectionable, and above all, as an American, I find this abhorrent.

It is religious liberty—enshrined in constitutional provisions like article VI and the First Amendment—that has allowed my faith and so many others to flourish in the United States. It is also religious liberty that is threatened when we seek to evaluate the fitness of nominees for high office based on religious orthodoxy.

I have endeavored to be consistent on this issue during my time in public service. When the Presidential nominee of my party—the party of Lincoln—called for a Muslim ban, it was wrong, and I said so. That is not what we stand for. When a judge expressed his personal belief that a practicing Muslim shouldn't be a Member of Congress because of his religious faith, it was wrong; that this same judge is now my party's nominee for the Senate from Alabama should concern us all. Religious tests have no place in Congress.

Standing up for people of faith—whether Muslim or Catholic—who are facing unfair prejudice should be an act of basic conscience. It should be expected of all of us, regardless of party. It is no better for Democrats to evaluate the judicial nominee based on how many books are in the Bible on which she swears her oath, than it is for Republicans to judge a Congressman who swears his oath on the Koran.

To suggest that somehow a Roman Catholic judge would discard the Constitution in favor of Church doctrine—which she has emphatically and repeatedly said she would not—is as wrong as suggesting that a Muslim judge would be somehow forced to follow sharia law over the Constitution.

Religious liberty must not depend on the religion in question. So I ask, in light of these circumstances, who will stand today against all cases of religious bigotry? Are there true liberals

who will stand up for the liberal values of religious tolerance? Some have, like Professors Larry Tribe, Noah Feldman, and Chris Eisgruber. They have said: Enough. Who here will join them?

This very body is made up of individuals from around 15 different faiths. Each of us has sworn an oath to uphold the Constitution. Each of us here feels we can competently carry out our duties, as do those in the judicial branch who swear a similar oath to uphold the Constitution.

Let us stand together today without equivocation and say no to religious intolerance in all its forms by examining the jurisprudential views and professional qualifications of judicial nominees, not their relationship with the Almighty.

I yield back.  
The PRESIDING OFFICER (Mr. HOEVEN). The assistant majority leader.

Mr. CORNYN. Mr. President, last night we held a cloture vote on the nomination of Amy Coney Barrett, who has been nominated to the U.S. Court of Appeals for the Seventh Circuit.

Thanks to a unanimous consent request by the majority leader just moments ago, we will be voting on that nomination at around 4 p.m. That appeals court covers cases from Indiana, Illinois, and Wisconsin.

By all accounts, Professor Barrett is a devoted wife and the mother of seven children. She is also an exemplary scholar whose research focuses on Federal courts, constitutional law, and statutory interpretation. By all accounts, she is a consummate professional, a beloved teacher, a gifted writer, and a generous person. There is no doubt in my mind she would make an excellent addition to one of our Nation's highest courts.

We know, based on what we have observed in the Senate since President Trump was sworn in on January 20—and some of the comments made by the distinguished former chairman of the Senate Judiciary Committee from Utah, Senator HATCH—we know that our Democratic colleagues are deliberately slow-walking judicial and other nominations, but it makes absolutely no sense to slow-walk the nomination of Professor Barrett.

They should remember some of their own previous statements. For example, the senior Senator from Vermont said in 2013: “We need more women in our Federal courts,” emphasizing that “women are grossly underrepresented” there. Well, Professor Barrett would help solve what the Senator from Vermont claimed he saw as a problem.

The junior Senator from Washington that same year said that having more females on the court is “incredibly important.” I agree. That is all the more reason for this body to expedite Professor Barrett's confirmation instead of dragging our heels because, as I said yesterday, thanks to the former Democratic majority leader, Harry Reid, the Democratic's delay tactics will not change the outcome.

In the Judiciary Committee, some Democrats attempted to argue against Professor Barrett's nomination because of the Law Review article she coauthored almost 20 years ago. I don't have time to discuss the article in depth, but suffice it to say that Professor Barrett has been attacked for, in effect, professing her Catholic faith.

Her article, however, makes clear that any line of criticism that she would somehow subjugate the rule of law and the Constitution to her religious views is baseless. That same Law Review article said: “Judges cannot—nor should they try to—align our legal system with the Church's moral teaching whenever the two diverge.” In other words, Professor Barrett is a strong proponent of upholding the rule of law over privately held desires for what it should say, whether they are based on one's religious convictions or some other reason.

Former Chief Justice William Rehnquist once said that no judicial nominee is a *tabula rasa*—a blank slate. That is also true of Ms. Barrett. She is a person of faith who doesn't hide it, and she certainly need not apologize for it either, nor is it a disqualification for her serving as a judge on the circuit court of appeals.

The article she coauthored 20 years ago stated that judges should not shy away from honoring and upholding core tenets of their religious faith and recusing or disqualifying themselves when—in very rare cases—judicial decision making may constitute cooperation with evil. In other words, if there were a conflict between her religious beliefs and the law in a way that she could not reconcile, clearly she would make that choice, in an individual and rare case, by recusing herself from deciding that case rather than imposing her religious views or other deeply held personal views in place of the Constitution and the law. That is commendable. It is not controversial—or it shouldn't be. To attempt to faithfully honor both the law and one's deeply held moral convictions is what we all do every day. It is not an either/or situation.

Some liberal interest groups have engaged in smear tactics against Professor Barrett. They are trying to discredit her by making spurious claims about organizations that she has given presentations to and by distorting the text of the very article I just mentioned. We all remember, for example, questions during the Judiciary Committee hearing about “orthodox Catholics.” One of my colleagues admitted to having an “uncomfortable feeling” about the nominee and stated with mild disdain that “the dogma lives loudly within” Professor Barrett—whatever that means. This sort of backhanded way of painting the professor as somehow radical or out of the mainstream, insinuating that because her moral views may be unfashionable in some of the circles in which some of the Senators operate—the idea that they are somehow disqualifying should

be completely out of bounds in the United States of America because our Constitution prohibits religious tests for public service.

In the strongest of terms, I reject this line of questioning or the insinuation that follows from it. If we tolerate this sort of commentary and these religious tests, I fear that even worse, more openly hostile religious discrimination will result down the road. We should not start down this path.

I join my colleague, the senior Senator from Utah, who questioned quite legitimately whether certain of our colleagues were beginning to impose an inappropriate, unconstitutional, and highly disconcerting religious litmus test for public office. Of course, there should never be such a test, not in the United States of America under this Constitution.

In Professor Barrett's case, she passes with flying colors the only tests that are appropriate. Let's talk for a moment about her impeccable credentials, which show not only that she is highly intelligent but also that she is widely respected by a diverse array of students, scholars, and practitioners.

She received her undergraduate degree magna cum laude from Rhodes College and her law degree summa cum laude from the University of Notre Dame, where she finished first in her law school class. She has been twice selected as the Distinguished Professor of the Year at Notre Dame, where she has taught since the year 2002.

It is clear that her students love her. They seek out her classes and are inspired by her formidable presence and her piercing analysis. All of her fellow faculty members have endorsed her. Every full-time member of the Notre Dame law faculty has supported her nomination. As on any law school faculty, that presumably includes scholars who self-identify as liberal.

In a separate letter, 70 law professors from across the country, representing a broad range of political perspectives and areas of expertise, called the professor's qualifications "first-rate." They strongly urged her confirmation by the Senate and explained that Ms. Barrett "enjoys wide respect for her careful work, her fair-minded disposition, and her personal integrity." That is exactly the type of person we need on the Federal bench.

Finally, Professor Barrett's legal experience is not just as an academic; she clerked for two highly respected judges—Judge Laurence Silberman of the DC Circuit and the late Justice Antonin Scalia of the U.S. Supreme Court. She followed those clerkships by practicing appellate law at the prestigious Houston-based law firm of Baker Botts. These and other qualifications show that Professor Barrett would serve the cause of justice skillfully and impartially.

I will close by saying to my colleagues, let's send Amy Barrett to the Seventh Circuit, where she belongs.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. YOUNG. 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. YOUNG. Mr. President, I rise today to speak in support of a fellow Hoosier, Amy Coney Barrett, who has been nominated by President Trump to serve on the U.S. Circuit Court of Appeals for the Seventh Circuit.

Professor Barrett's credentials are well known. She is a mother of seven children, a distinguished legal scholar at the University of Notre Dame Law School, where she herself graduated with high honors and served as editor of the Notre Dame Law Review. She clerked for Justice Antonin Scalia on the Supreme Court of the United States and Judge Silberman on the Circuit Court for the District of Columbia, and she is an expert on the Federal courts.

Unfortunately, some of my colleagues on the left have made an issue of Professor Barrett's Catholic faith. Echoing what Leader MCCONNELL has said, we do not have religious tests for office in the United States of America, period.

I applaud all of those who have spoken up as the Senate weighs Professor Barrett's confirmation. That includes Notre Dame president, Rev. John Jenkins. He expressed deep concern at the questioning of Professor Barrett's faith. Following Professor Barrett's hearing in the Senate Judiciary Committee, Reverend Jenkins wrote: "It is chilling to hear from the United States Senator that this might now disqualify someone from service as a federal judge."

The president of Princeton University has also asked the Senate to avoid a religious test in judicial appointments. In a letter to the Senate Judiciary Committee, President Eisgruber wrote that Professor Barrett and all nominees "should be evaluated on the basis of their professional ability and jurisprudential philosophy, not their religion." He wrote: "Every Senator and every American should cherish and safeguard vigorously the freedom guaranteed by the inspiring principle set forth in Article VI of the United States Constitution."

Despite the rhetoric surrounding Professor Barrett's nomination, I have yet to hear any significant doubts about her legal qualifications.

Professor Barrett has made clear that her personal views will have no bearing on her rulings as a judge. She brings the skill set and the temperament needed for the job. She will rule according to the law and according to controlling precedents, and she will be faithful to the Constitution. There is no question that Professor Barrett will make an outstanding appellate judge.

Also, 450 former students signed a letter to the Judiciary Committee in support of Professor Barrett's nomination. They wrote: "Our support is driven not by politics but by a belief that Professor Barrett is supremely qualified."

All 49 of her fellow faculty members at Notre Dame Law School did the same. They said:

We have a wide range of political views, as well as commitments to different approaches to judicial methodology and judicial craft. We are united, however, in our judgment about Amy.

Their endorsement comes as no surprise since Professor Barrett has served on committees dedicated to bettering the lives of students, faculty, and employees of the University of Notre Dame.

In particular, she has dedicated her time to the professional development of women. She serves on the University of Notre Dame's Committee on Women Faculty and Students. As the faculty adviser for Notre Dame Law School's Women's Legal Forum, she has twice been recognized by her students with the Distinguished Teaching Award, which is selected by the graduating class to honor a faculty member. She was selected twice to receive that award.

One former student, Conor Dugan, shared his story about her willingness to help him navigate the next steps of his career right after law school. He said that despite not having Professor Barrett for a big class, she wrote him back right away and took time out of her busy schedule to help someone who was no longer at the school.

Conor says Professor Barrett has always been very responsive and a generous mentor over the years. Most importantly, he said, she tries to help people keep their perspective about the most important things in life.

Judge Silberman, for whom Professor Barrett clerked on the Circuit Court for the District of Columbia, had the following to say about why she will make an outstanding Federal judge:

She is an honorable and straight as an arrow woman. She looks at the law without preconceived notions, and she's brilliant. She is the only law clerk I ever had from Notre Dame, and she is as smart as any law clerk I have ever had. She is compassionate, and she has a lively sense of humor.

Judges, former law students, fellow law professors, and even the American Bar Association, who rates Professor Barrett as "well qualified," all seem to agree that she is well suited for the job.

Now, being nominated to serve in a lifetime appointment for a U.S. circuit court of appeals is a privilege few in the legal profession will ever attain. This is a historic opportunity, as Professor Barrett would be the first Hoosier woman to have a seat on the Seventh Circuit Court.

I offer my strong support for Professor Barrett's nomination, and I look forward to the Senate's confirming her today.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. Under the previous order, there are now 30 minutes of postcloture time remaining, equally divided between the two leaders or their designees, prior to a vote on the confirmation of the Barrett nomination.

The Senator from Missouri.

Mr. BLUNT. Mr. President, I am here today to join my colleague from Indiana in support of the nomination of Amy Coney Barrett to be on the U.S. Court of Appeals for the Seventh Circuit. As we all know, that is the highest court you can serve on, except for the Supreme Court. The circuit court is the court that often makes the final determination of what the law says if the Supreme Court chooses not to act or isn't asked to act. These are important jobs to be filled and carry great responsibility.

This week, Amy Coney Barrett, two other women, and one man will come before this Senate to be confirmed to various circuit courts around the country. As others have come to the floor to point out, she is extremely qualified. She should be confirmed by the Senate this week.

In letters to the Senate Judiciary Committee, 73 law professors agreed that "Professor Barrett's qualifications for a seat on the U.S. Court of Appeals for the Seventh Circuit are first rate."

Her former law school students wrote that they would like to see her on the court.

She is a distinguished scholar in areas of law that matter most to the Federal courts. She respects the Constitution. She understands that the job of a judge is to see what the Constitution and the law say, rather than what she thinks they should say. She is known for her careful work, for her fairminded disposition, and for her personal integrity.

Similar things have been noted by people who served with her as Supreme Court law clerks. Law clerks, her former students, and lots of other groups that have had reason to know her and evaluate her work over the years have been universal in one thing; that is, that she would be a great addition to a circuit court in the United States and particularly to this court.

It is discouraging that during her confirmation hearings, several of my colleagues felt it appropriate to question Professor Barrett's faith. She is not the only one of President Trump's nominees who have been subject to this line of questioning. In fact, in June, one Senator held out the idea that a person who was going to be in the Office of Management and Budget might not be well suited or able to serve in that job not because he didn't have the background, not because he didn't have the preparation, not because he didn't know what the job was all about but because of his answers to questions about his personal view of faith.

Even when the United States, in its earlier times, may have quietly discriminated against people of faith, it was never publicly stated. Sometimes it took a long time for the first Jew to serve on the Court and a little time for the first Catholic to serve on the Supreme Court, but there was never a stated question like there has been in this Senate about those topics. It is shocking, in many ways, that it would be something we would be talking about in the United States of America today.

The idea that a qualification for public office would require a religious test, in fact, was specifically prohibited not just in the Bill of Rights, in the protections for religion there, but in the Constitution itself. The people who wrote the Constitution did so at a time when a religious test was often the test for service and of fealty to a specific religion or the tradition of fealty to the monarch, who was the head of the church in that country. Many countries had a church where the monarch was clearly understood to be the principal representative of the church in that country. Even in a time when that was still the case and fresh in their minds and when there may have been religious tests in some of the colonies—even then—in the Constitution, article VI says: "No religious Test shall ever be required as a Qualification to any Office or public Trust under the United States."

So is it even appropriate to ask a religious question? Most questions in America you are free to ask, but are you free to ask that under the determination of the Constitution, as if it matters? In response to this line of questioning, some members of the Senate Judiciary Committee made it clear that it is never appropriate for those questions to be asked, while others asked them. But Professor Barrett, in her own writings, has said that if a person's religious faith or their faith principles ever become an obstacle to determining what the law says, then they should step back and not be a part of that case. They should not, according to her, impose their personal convictions on the law but read what the law says. If they can't do that, they should make way for a judge who can. I think, maybe, that is one of the differences in a judicial nominee who believes that their job is to determine what the law says as opposed to determining what the law should say.

So we have somebody here who is well prepared, well written, and who has clearly made the case that her job as a judge—or any judge's job—would not be to determine what the law should say based on their view of faith or their view in the world but to look at the law and say: What does the law say?

The Constitution guides the Congress. The Congress passes the law. As long as that law meets constitutional principles based on what the Constitution says—not what it should say, but

what it says—then, the judge looks at what the law says—not what it should say, in his or her opinion, but what the law does say. So there is no real room for a faith determination there. The only job of the judge is to decide what the law says. The second job, if there is a second job, would be to ensure that it also conforms to what the Constitution says the Congress and the President are allowed to do.

One thing the Congress and the Constitution are not allowed to do is to establish a religious test for public office. Whether Americans have any faith or no faith at all, they should be concerned if we begin to talk about this differently. Even though it was already in the Constitution, the Founders listed freedom of religion as the first freedom in the First Amendment. No other country has ever set out as one of its foundational principles freedom of religion.

President Jefferson—not known to be the most religious of all of our Presidents and maybe to be the most questioning of religion generally—said in a letter in the last year of his Presidency that of all of the rights that we have, the one we should hold most dear is what we called the right of conscience—the right to believe what your conscience leads you to believe is the right thing to believe. Jefferson said that is the right we should hold most dear. Whether you are Muslim or Jewish or Catholic or Buddhist or any other faith or no faith at all, there is no religious test. For any individual and for all individuals of any faith or all faiths or no faith, religious freedom includes the right of an individual to live, to work, to associate, and, if they choose, to worship in accordance with their beliefs.

The belief that a person's religion would in some way disqualify that person from public service has to be strongly and fully rejected.

There is no other legitimate question raised about this nominee today. So certainly I am pleased to see many of my colleagues come to the floor to talk about this topic. Professor Barrett did receive some bipartisan support on the cloture vote yesterday. One way to demonstrate that there is clearly no objection to a person of faith, who says that faith should never get in the way of the job they do as a judge, is simply to vote for the judge.

I intend to do that today. I urge my colleagues to do that as well. A lifetime appointment to the circuit court of the United States of America is no small obligation. It is no small trust in an individual's capacity to do the job that you ask them to do. All of the nominees—the four circuit nominees whom we will have before us this week—are prepared for these jobs. I wish them happy service and a long and healthy life as they set out on the task that they have agreed to accept, if and when they are confirmed, and this week the Senate will confirm them to these jobs.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HOEVEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. STRANGE). Without objection, it is so ordered.

#### VOTE ON BARRETT NOMINATION

The question is, Will the Senate advise and consent to the Barrett nomination?

Mr. INHOFE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

The PRESIDING OFFICER (Mr. JOHNSON). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 43, as follows:

[Rollcall Vote No. 255 Ex.]

#### YEAS—55

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Burr	Hatch	Roberts
Capito	Heller	Rounds
Cassidy	Hoeven	Rubio
Cochran	Inhofe	Sasse
Collins	Isakson	Scott
Corker	Johnson	Shelby
Cornyn	Kaine	Strange
Cotton	Kennedy	Sullivan
Crapo	Lankford	Sullivan
Cruz	Lee	Thune
Daines	Manchin	Tillis
Donnelly	McCain	Toomey
Enzi	McConnell	Wicker
Ernst	Moran	Young
Fischer	Murkowski	

#### NAYS—43

Baldwin	Gillibrand	Reed
Bennet	Harris	Sanders
Blumenthal	Hassan	Schatz
Booker	Heinrich	Schumer
Brown	Heitkamp	Shaheen
Cantwell	Hirono	Stabenow
Cardin	King	Tester
Carper	Klobuchar	Udall
Casey	Leahy	Van Hollen
Coons	Markey	Warner
Cortez Masto	Merkley	Warren
Duckworth	Murphy	Whitehouse
Durbin	Murray	Wyden
Feinstein	Nelson	
Franken	Peters	

#### NOT VOTING—2

McCaskill Menendez

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately be notified of the Senate's action.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the

Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Joan Louise Larsen, of Michigan, to be United States Circuit Judge for the Sixth Circuit.

Mitch McConnell, Steve Daines, Tom Cotton, Pat Roberts, John Boozman, Mike Rounds, Patrick J. Toomey, John Barrasso, Cory Gardner, Richard Burr, Thom Tillis, Roger F. Wicker, James E. Risch, John Cornyn, Lamar Alexander, Dan Sullivan, Chuck Grassley.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Joan Louise Larsen, of Michigan, to be United States Circuit Judge for the Sixth Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 60, nays 38, as follows:

[Rollcall Vote No. 256 Ex.]

#### YEAS—60

Alexander	Flake	Paul
Barrasso	Gardner	Perdue
Blunt	Graham	Peters
Boozman	Grassley	Portman
Burr	Hatch	Risch
Capito	Heitkamp	Roberts
Carper	Heller	Rounds
Cassidy	Hoeven	Rubio
Cochran	Inhofe	Sasse
Collins	Isakson	Scott
Corker	Johnson	Shelby
Cornyn	Kennedy	Stabenow
Cotton	Lankford	Strange
Crapo	Lee	Sullivan
Cruz	Manchin	Thune
Daines	McCain	Tillis
Donnelly	McConnell	Toomey
Enzi	Moran	Warner
Ernst	Murkowski	Wicker
Fischer	Nelson	Young

#### NAYS—38

Baldwin	Franken	Murray
Bennet	Gillibrand	Reed
Blumenthal	Harris	Sanders
Booker	Hassan	Schatz
Brown	Heinrich	Schumer
Cantwell	Hirono	Shaheen
Cardin	Kaine	Tester
Casey	King	Udall
Coons	Klobuchar	Van Hollen
Cortez Masto	Leahy	Warren
Duckworth	Markey	Whitehouse
Durbin	Merkley	Wyden
Feinstein	Murphy	

#### NOT VOTING—2

McCaskill Menendez

The PRESIDING OFFICER. On this vote, the yeas 60, the nays 38.

The motion is agreed to.

#### EXECUTIVE CALENDAR

##### WASTEFUL GOVERNMENT SPENDING AND ECONOMIC GROWTH

Mr. PERDUE. Mr. President, since 2001, the Federal Government has exploded in constant dollars from \$2.4 trillion in 2000 to last year almost \$3.9 trillion in costs. Those are constant dollars. In September of this year, just a few weeks ago, our national debt surpassed \$20 trillion for the first time, and no one in Washington blinked an eye. If that is not enough of a wakeup call, this debt is projected to increase over the next 10 years, according to the budget we are operating under now, by another \$11 trillion. If that is not enough, over the next 30 years alone, it is projected that over \$100 trillion of future unfunded liabilities—Social Security, Medicare, Medicaid, pension benefits for Federal employees, and the interest-only debt—are coming at us like a freight train. These are unfunded liabilities.

Today, with \$20 trillion in debt, we are only paying about \$270 billion every year in interest only. I say that because just in the last year, we have seen four increases in the Federal funds rate, which fundamentally increases our interest by 100 basis points. That 100 basis points over the next few years will grow our interest on the debt by more than \$200 billion on top of the \$270 billion. By the way, today that is almost 25 percent of our discretionary budget, already, just at the \$270 billion. If it doubles, it will be almost half of our discretionary budget. If interest rates just go back to their 30-year norm—between 4 percent and 5 percent—we could be paying as much as \$1 trillion on our Federal debt. That is almost equal to today's discretionary budget.

It is going to take a long-term fix. We can't tax our way out of this problem. We can't cut our way out of this problem, and we can't just simply grow our way out. It is going to take a multifaceted approach. There are five interwoven imperatives that are at work in solving this problem. It is one thing to call the crisis, but it is another to call out the ways to fix it, and they are all within our grasp today.

No. 1, we need to fix Washington's broken budget process.

No. 2, we need to root out all the wasteful spending in the Federal Government today.

No. 3, we have to grow the economy by repealing and pulling back on a lot of regulations that are unnecessary, by revamping our tax structure and by unleashing our energy potential.

No. 4, we have to save Social Security and Medicare, of which both trust funds go to zero in 14 short years.

Lastly, we finally have to get after the real drivers of spiraling healthcare costs.

As we are working to change our archaic tax system to become competitive with the rest of the world and to get our economy rolling again, I want to talk about two things today. One is

this wasteful spending, and two is economic growth. These are two of the five imperatives that I just outlined.

According to the General Accountability Office, today and also every single year, this Federal Government wastes hundreds of billions of dollars. It is estimated today—and this bipartisan organization has identified this—that we are overspending about \$700 billion a year.

Let's put that in perspective. As I just said, we spent \$3.9 trillion running the entire Federal Government. That is about \$1 trillion for discretionary spending and about \$3 trillion for mandatory spending—so almost \$4 trillion. Of that, over \$700 billion has been identified as wasteful spending. I will describe those in a second, but to put it in perspective, that is almost 20 percent of everything we spend as a Federal Government. It is a larger number than what we spend on the national security of our country. Let me say that again. The number identified by the General Accountability Office of wasteful spending is larger than what we spend on our military.

There are three facets to this as they outlined. No. 1 is redundant agencies. These are agencies targeted to do exactly the same thing that one administration or another has come in and added and that basically do the same things. That costs about \$135 billion every year.

Just since 2003, we spent \$1.2 trillion in improper payments. That is about \$144 billion every year. These are overpayments—improper payments. This is not fraud. This is not anything like that. It is basically an administrative error, where the Federal Government has made a mistake and made improper payments—Social Security Disability, SNAP overpayments, unemployment insurance, and others. This is outrageous.

The third item is that it is estimated that we have a net tax gap of \$406 billion. This is a 17-percent error rate in the IRS Tax Code. That means that people are underpaying or not paying what is calculated, according to the General Accountability Office. The Federal Government last year took in almost \$3.5 trillion of taxes. Yet we had this \$400 billion. That is a 17-percent error rate. I don't know what else to say. Those three things add up to about \$700 billion of wasted spending. We have to get to the bottom of this. Let me also put it in perspective another way. That \$700 billion every year is \$7 trillion over the next 10 years.

This tax package we are talking about has an initial cost of about \$1.5 trillion, as identified by both sides, before you get to the economic growth that more than pays for it. A 0.4 percent of growth pays for this tax package that we are working on. But this \$7 trillion of wasted spending is overspending by the Federal Government, unnecessarily. Nobody in this body—no Democrat, Republican, or Independent—has voted on this spending.

This is spending in error. These are just common mistakes made by an oversized bureaucracy. It is not a partisan talking point. Both sides bear responsibility in this debacle.

Again, these are numbers from the nonpartisan Government Accountability Office. I am apoplectic that I even have to be here bringing this to the attention of my colleagues. Washington knows about these problems and has known for years—decades. Yet nothing is done. A former Member, Senator Tom Coburn, actually worked hard on this. There are others who are beginning to pick up this mantle here, as I am.

But as we talk about the tax package changes—the tax changes that will get this economy growing again—I wanted us to reflect on the opportunity we have right here that can more than pay for what we need to do to give the middle class a tax break and get our economy growing again. There are things identified in this report by the Government Accountability Office. There are recommendations that can get at most of this \$700 billion of wasted spending.

Let me give you a couple of examples. If the Department of Defense just manages commissaries more effectively, there is a \$2 billion opportunity there over the next 5 years. If the Department of Defense weapon acquisition programs were more effective, it is estimated that tens of billions of dollars over the next 10 years could be saved in terms of purchasing the same level of equipment and machinery. If the Department of Defense simply completed an audit, we believe it would identify further opportunities for wise spending of our taxpayers' money.

But since coming to the United States Senate, I was shocked to understand that the largest line item on our budget has never been audited. It is high time that we complete that audit. By the way, there is a law that was passed in this body in 1991 requiring the Department of Defense to submit an audit. Here we are in 2017, and we still don't have that audit.

In my opinion, as hard as it is for the American people to earn their salaries and to pay their taxes, it is unconscionable that I am standing before the U.S. Senate tonight reminding us all that there is \$700 billion a year that we spend in error—just bureaucratic error. Because of that and because of this financial intransigence, we have built up a debt that has created a crisis in our country. Because of these years of fiscal intransigence, we are losing the ability to fund our government the way it should be funded.

We are losing the right to do the right thing when it comes to funding things like emergencies and disaster relief efforts. Just a couple of weeks ago, we passed a \$15 billion relief package for two hurricanes. Last week, we passed a \$36 billion supplemental, as if nothing had happened. Every time we do that, it is borrowed money. We can wait no longer to solve this debt crisis.

It is going to take tough decisions to solve the debt crisis, and we are going to have to be making these very quickly, but eliminating redundant spending, improper payments, and eliminating this tax gap are at the top of the list.

Along with reducing our spending by almost 20 percent each year, we need to grow the economy to solve this debt crisis. The single most important thing that we can do to grow the economy this next year is to change this Tax Code.

Let me remind this body that so far this year, under this President's guidance, we eliminated over 860 rules. These were rules made by the Federal Government that were choking the very life out of our free enterprise system. The result of that this year alone is that in the third quarter we have now achieved a 3-percent growth again. This is not the Holy Grail.

Who knows what this economy should be growing at right now if we just get Washington out of the way? Part of the way to do that is to correct this archaic tax policy. Changing the Tax Code will mean more jobs and higher wages for the American worker. For example, if we eliminate the repatriation tax on our corporations—again, we are the last country in the world to have a double tax on U.S. profits made overseas—it is estimated by independent, nonpartisan groups, that this would mean \$4,000 to \$9,000 of annual income for the average worker in the United States.

I don't know what else to tell you, except that we are not competitive today. We have to become more competitive. What we are talking about here should not be partisan issues. America needs to be competitive. We all know that.

The idea that bigger government will create more jobs has been proven not to work. Look at the last 8 years. We have had the lowest economic growth in the history of the United States.

As we debate how to fix this archaic tax system and become competitive with the rest of the world, I am reminding us tonight that we also need to get serious about cutting this wasteful spending. This spending is not benefiting anybody. It is not providing for national security. It is not taking care of people who need help. These are just simply overpayments, mispayments, and they are creating problems that should not have been created. Changing the Tax Code, as I said, is a historic opportunity to generate growth and make us more competitive. Eliminating this spending, which amounts to 20 percent of what we spend as a Federal Government, is absolutely mandatory. People back home should be demanding that.

There is a lot of heavy lifting to dig out of this debt crisis, but these two things I am reminding us of tonight should be at the top of the list. We simply cannot fail the American people to get this done. I am committed to that.

I urge my colleagues to take seriously this opportunity we have of changing our Tax Code. It is historic. At the same time, we have to get serious about eliminating our redundant, outrageous, and unnecessary spending.

I yield the floor.

The PRESIDING OFFICER. The clerk will report the pending nomination.

The senior assistant legislative clerk read the nomination of Joan Louise Larsen, of Michigan, to be United States Circuit Judge for the Sixth Circuit.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I agree with my colleague from Georgia that we need to simplify our Tax Code. We need real tax reform. We have seen a lot of junk built up in the Tax Code over many years, put there by special interests that seek special deals for themselves—deals that are not enjoyed by the American public. We should do tax reform.

What we should not do is increase our national debt and our national deficits, and we all know that the budget plan that passed this Senate—and just recently passed the House—has written right into it an increase in the national debt of \$1.5 trillion over the next 10 years. In other words, it is engineered right into that bill. So I hope our colleagues who really do care about reducing our national debt will make sure that, as we discuss this tax proposal, we do not increase our national debt.

We should, of course, eliminate unnecessary and wasteful expenditures, but we should not have a tax proposal that increases our debt by \$1.5 trillion and possibly more. As it appears now, that would primarily be done to provide big tax breaks to very wealthy people and big corporations, at the expense of everybody and everything else in the country.

But we will have a fuller debate starting tomorrow when the House Ways and Means Committee unveils its proposal.

#### TEMPORARY PROTECTED STATUS IMMIGRANTS

Mr. President, we have also had a pretty vigorous discussion in this body and around the country about the Dreamers. These are young people who were brought to the United States as kids. They have grown up knowing only America as their home. They pledge allegiance to our flag, and it is really important that in the coming months, we ensure that they have a secure home and place in the country. It is imperative that we address that issue soon because, of course, President Trump has started the clock ticking on their deportation early next year.

But I come to the floor today to talk about another group of people who have not gotten much news coverage but really demand the attention of the country. That is the future of about 300,000 immigrants who came to the United States legally.

They came here escaping horrific conditions in their home country—conditions brought about by war, by earthquakes, and by other natural disasters. They came to the United States under a program called Temporary Protected Status or TPS. It is a humanitarian program that says, if you are fleeing a country because of one of these horrific conditions, during that short period of time, you can legally come to the United States.

For example, Liberia was granted TPS status because of the Ebola crisis. Some Liberians came to the United States to seek refuge and were granted legal status here under that humanitarian program. Haiti was granted TPS status after the 2010 earthquake, which killed over 300,000 Haitians. El Salvador was also granted TPS status because of a devastating earthquake that took place in El Salvador. So these are individuals who came to the country legally under this program to grant protection to people who are fleeing devastating situations. Many of these TPS individuals have been in the United States for over 20 years now. They are small business men and women. They are homeowners. They are contributing to our communities and to our economy.

The reason I am raising this issue today is that 5 days from now, next week, the Department of Homeland Security will announce whether they will continue to allow these individuals to stay in this country, individuals who came here with this protected status, individuals who came here legally, individuals who, in many cases, have been here 20 years or more. In 5 days the Department of Homeland Security will decide whether individuals who came here from El Salvador and Honduras and then made their home here—whether they can stay or whether they will be subject to deportation early next year. The decision by DHS on Haitians who came here under the protected status program is due on November 23.

I think we can all see that while this matter has not hit the headlines yet, it will soon be grabbing more attention around the country.

I come to the floor today to call upon President Trump and to call upon Acting Secretary Duke to make the right call and to make the humane call to allow these individuals to stay in the United States. They are hard-working people who have been playing by the rules.

Let me share the story of Norma Herrera and Miguel Espinal, who fled Honduras back in 1998. Seeking a better life, they fled after Hurricane Mitch. The United States decided that the hurricane was so severe and that it had such catastrophic humanitarian consequences that we should create that little window of time when people could come here legally. They applied, and they were granted protected status. They have worked very hard to build and create the American dream

in Riverdale, MD. They have a 14-year-old son, Miguel Junior. He is a freshman at Don Bosco Cristo Rey High School in Takoma Park. Unfortunately, their son now lives in fear that if the Trump administration doesn't extend that protected status next month, his parents could be deported to Honduras early next year. In other words, if TPS is not extended for Hondurans and others from those other countries, they will be in the same position.

Jose Ramos is a TPS resident who owns his own freight company and has his own home. He is actually a job creator. He employs other people in our community. The question is whether he will be allowed to stay.

I want to emphasize that in order to continue under the TPS status, these individuals have to be vetted every 6 to 18 months to make sure that they are here working and that they are law-abiding. The statistics overwhelmingly show that these are exactly the kinds of people we want to have in the United States helping in our communities and helping build jobs. For example, 94 percent of the men and 82 percent of the women are working, and they have provided community services as well. In fact, many of these individuals are helping provide hurricane relief down in Texas.

So I come to the floor today simply to urge our colleagues to call upon the President and the Trump administration to make the right decision with respect to these individuals who, No. 1, came to the United States legally, under a humanitarian program; No. 2, go through a periodic vetting process to ensure that they are playing by all the rules; and No. 3, in many cases they have been here as long as 20 years, have built small businesses, are living in our communities, and have children who are American citizens.

I call upon all of us to ask the administration to make the right decision next week so that these people who have contributed to our communities and to our country are allowed to stay and not be subject to deportation early next year.

Let's do the right thing for our country. Let's make sure that we continue to allow these individuals who have played by the rules and who have come here legally to stay and continue to contribute to our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. RUBIO. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TAX REFORM

Mr. RUBIO. Mr. President, tomorrow the House will announce its plan for tax reform as a starting point. I doubt everybody here will agree with everything that is in it, but I imagine we will find a lot of good in it, and it will be a good starting point for this debate. But it actually is about a broader

topic that I hope will be a part of our conversation about tax reform because it hasn't been enough of a part of our national discourse over the last 20 years.

When we think about the history of this country, one of the things that truly distinguishes us is not that we have rich people. Every country in the world has rich people. We have an extraordinary amount of success. We have earned success in this country, and we celebrate it; we don't criticize it. But every society in the world has rich people.

Sadly, we are also not the only country that has people who are poor, who are struggling. That is something that challenges our principles, as a nation founded on the idea of equal opportunity to life, liberty, and the pursuit of happiness. But the one thing that really distinguishes America is that, by and large, the overwhelming number of Americans do not consider themselves to be either rich or poor; they consider themselves to be hard-working people. We can come up with any term we want, whether it is middle class or working class, but these are basically people who work hard every single day to provide not just a better life for themselves—to be able to retire with dignity and leave their children better off than themselves. They take pride in that. What they value is not how much money they make or how many things they own; it isn't even the title of the job. They value the dignity that comes from the work they do, and, more importantly, they value what it allows them to do, and it is not complicated things. It allows them to own a home in a neighborhood that is safe—not a mansion, but a home. We see that every weekend. People spend countless hours to constantly keep up the home that they take great pride in, and they take great pride in their children and their churches and their synagogues and their religious organizations and the voluntary groups that they belong to. This has been the fundamental core of our country.

That does not mean that others who do not fit that profile are not important to the country, as well, but it is what distinguishes us because most countries in the world don't really have that. In most societies in human history, you are either rich or poor. There are a lot of poor people and a handful of people in whom all of the wealth is concentrated. That sort of dynamic is what has separated us from the rest of the nations on Earth and, to this day, in many ways still does.

This is something I talk about not because I read about it or because I saw a documentary about it last weekend, but because, in many ways, I lived it. My parents were that. Neither one had much of an advanced education. I don't know how far my dad went in school—probably not beyond third or fourth grade; my mom, perhaps not much more than that. They actually came to this country and barely spoke any

English when they arrived. They had to struggle to learn it, but they did. They ended up being a bartender and a maid. People who know me or who have heard me speak before know that story. It is one I tell not because I want you to know more about me but because I want you to understand what motivates me in public policy.

Even though my dad worked in the service sector his entire life and my mother did as well, they owned a home and they retired with dignity. All four of their kids went to college. That was possible through a combination of things: jobs that paid enough and the ability to have programs like Social Security and Medicare that allowed them to retire with dignity—programs they paid into all of the years they were working.

The reason I raise this is that people who fit that profile have been hurt more than anyone else over the last 15 to 20 years. It is not necessarily anyone's fault. The economy has changed. For example, the jobs my parents once did don't pay nearly enough to afford today what they could afford back then. As a bartender and a maid today—if my parents were doing that now, I am not sure what house they would buy in Miami-Dade County, where I live. I am not sure they would be able to buy one anywhere near where we live now, not because our neighborhood is some fancy place but because everything costs so much compared to how much those jobs paid then.

So everything costs more, the jobs aren't paying enough, and then they were hit with the recession. That is just the nature of changes in our economy. Many people lost their jobs altogether. The industry they were once in vanished. It went to another country or machines took their place or they just don't need as many people as they used to because they are able to do more with fewer employees.

Then they were hit with this recession, and it really hit them badly. Maybe it wiped out their retirement savings; it cut in half the value of their home, the most important investment they have, and to this day they haven't fully recovered.

Then you add to all of that the idea that in American politics today, we spend an extraordinary amount of time debating how we can help everyone else except for them. I don't think we do that on purpose or that people around here don't care about people like that. I don't know why it happens; I am just telling you that it has.

The result is somewhat of a little bit of resentment, but certainly there is a sense of isolation and the notion and the belief that they have been left behind. They are upset about it, and they have a right to be. It is not just about money, and it is not just about economics; it is about the values of hard work and dignity and responsibility and doing what you need to do to be a good citizen of this country and con-

tribute to its future but also doing what you need to do to raise your family and instill in them the values you think are important.

I think it would be a terrible mistake to enter into tax reform—perhaps one of the most meaningful public policy debates we will have had in this city, certainly in the time I have been here and perhaps for the better part of two to three decades in terms of our economy—without in any way talking about what tax reform means for the millions of Americans I just described. The one thing it should mean is that for those jobs that have left, some of them should be able to come back because, frankly, our own policies have forced some of those jobs to go somewhere else. When other countries are making it easier to open up factories and create jobs over there instead of over here, we are going to lose some of those jobs. I am not saying all of them were a result of that, but a lot of them were. If we have tax policies, as we do, that do not allow us to compete and create those jobs here, we have to reverse that.

Tax reform should be about that, but it also has to be about working Americans—not Americans who are rich and can hire fancy accountants and lawyers and even lobbyists to help them create special tax statuses. I am not talking about Americans who are depending on government programs. I am not talking about disability or Medicare or Social Security—programs they have paid into; I am not talking about programs that assist anti-poverty programs—a whole other topic that we should talk about one day because some of them aren't working the way we hoped they would in terms of helping people escape poverty. I am talking about people who work and they make just enough to not qualify for any of that stuff but not nearly enough to afford the cost of living. That is just them. You add to that the cost of raising those children. It is more expensive to raise kids today than ever before, and the costs keep going up, and the paychecks are not keeping pace.

There is nothing we can do in tax reform by itself that solves all of those problems, but there is no way we can do tax reform without addressing the millions of Americans who feel as though every time there is a debate in Washington, it is about helping everyone else except for them.

Take, for example, the issue of the child tax credit, which is called the child tax credit, but it really is about helping families—parents and children. Take, for example, a married couple with two children. Let's say one of them works in a warehouse and the other one is a home health aide. These are not unusual jobs to find in the economy.

Let's say, based on the Bureau of Labor Statistics, their annual income combined is going to be around \$55,000 a year. Depending on where you live—that is not a lot of money probably

anywhere in the country, and it certainly isn't a lot of money where I am standing now or where I am living now in Miami. If we do the whole framework on tax reform but do nothing on the child tax credit and leave it as it is, that couple making \$55,000 with two children—if we do nothing—they are going to have a tax increase of \$738. I cannot imagine a single person here voting for a tax reform package that does nothing on the child tax credit and thereby raises taxes on a couple making \$55,000 a year with two children by a penny, not to mention \$700 a year.

What if we do a little less, as some people are suggesting? Let's just raise the tax credit to \$500, but let's not make it refundable against payroll tax. They will get a tax cut of about \$263. When you compare that to some of the tax cuts we are going to see in other parts of this tax reform, I would say that is not nearly enough, certainly not enough to make a difference.

But what if you do this: What if we double the value of the tax credit from \$1,000 to \$2,000 and make it refundable toward payroll tax? That couple with those two children will have a tax cut of \$1,263. That doesn't solve all of their problems, but it makes a difference.

I can give other examples. Others we will get to in the weeks to come and the days to come, but let's just take a family like the one I grew up in—a bartender and a maid. The median income of the bartender and the maid is about \$42,000, \$43,000 a year. They have three children. Without anything in the child tax credit—we just leave it the way it is and do the framework—they are going to pay \$1,276 more in taxes. Can you imagine a tax reform plan that raises taxes on a bartender and a maid with three children, making \$43,000 a year, and it raises their taxes by almost \$1,300 a year? Who here is going to vote for that? I dare you. You won't. Actually, I don't dare you. I don't want you to vote for that. That is not what we are going to do.

So let's just do this symbolic thing: Raise it by \$500 and make it nonrefundable. They will get a tax cut of about the same—\$233. You might as well keep it because it won't make any difference. But what if we doubled the value of the child tax credit and made it refundable toward payroll tax. Then, their tax cut is \$1,733. That is a tax cut. That is the direction we have to go.

I have heard some people say we shouldn't make it refundable to payroll tax because that is just more people who aren't paying anything in taxes. They are talking about the income tax. That is the way people here talk and think. That is the way economists think and the way accountants might think. But for the people who work and get a paycheck every week or every two weeks, when they get that paycheck, it shows that money came out of their paycheck. It doesn't matter if that money went into income tax or payroll tax; that is money they earned

that you took away, using the power of government. They are paying taxes. Whether they are paying income tax or payroll tax, they are paying taxes. If you want to help people who are working but who don't make enough, then the only way—and they are trying to raise a family—the child tax credit is the best way to do it.

So as we move forward, I truly hope that some of these voices I hear, treating the child tax credit as some sort of welfare program or giveaway or gimmick, well, reconsider that attitude. Reconsider that attitude because the child tax credit applies only to families who are working, who make less than a certain amount of money, and who are raising children, our future taxpayers.

I am going to ask this: If our Tax Code does not help working families, given all the other challenges they face, how—that is inexcusable. How can we pass tax reform that is loaded up on how we are going to help the business sector—and it should, because it creates jobs and it will have higher pay down the road and billions upon billions of dollars to help the poor—but do nothing for the backbone of our economy, the one thing we all say that we take extraordinary pride in, the working class, the working people of this country? There is no way we can have a tax plan that doesn't do those things—no way. If we do head in that direction, that will convince millions of Americans that they were right all along, that the people in charge of this country, in both parties, and the people who advise them don't care about, look down on, and have no idea about what life is like for people like them, who work hard every day, who seek nothing from the government other than a fair chance. That is all they want.

All I am advocating for is that we allow them to keep more of their own money so that they can provide for their families and a better future and rebuild those working-class values and that working-class backbone that I believe are what has made America so great.

I look forward to continuing to work in this direction. We better do something real, and we better do it right; otherwise, I don't know how we pass tax reform. I am hopeful that is where we are headed. I know we still have some work to do, and I know tomorrow is only a starting point. But I will repeat, once again, any tax plan that doesn't cut taxes for working families with children is not one worth supporting. I hope that is the direction in which we will move.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Ms. HIRONO. Mr. President, the American people depend on the Federal judiciary to be fair and unbiased. A judge should decide a case based on the facts at hand and the law, not in service of a particular ideology.

Over the past 9 months, I have been deeply concerned that President Trump

is nominating judges to lifetime appointments on the Federal bench, people who share his ideology rather than judges who apply the law fairly and follow precedent. President Trump has made his ideology very clear during his first months in office: He is anti-immigrant, anti-union, anti-worker, and anti-woman. He prioritizes the interests of corporations over the rights of individuals. I am not often given to hyperbole, but in this case I am so alarmed by Donald Trump's nominees to the Federal bench that calling them extreme is not extreme.

Congress has a constitutional obligation, through advice and consent, to fight back against these types of appointments. This is particularly important for circuit court judges, but under Republican leadership, the Senate is shirking its responsibilities. Too often, we are forced to consider too many judges at one hearing.

The Judiciary Committee has already had nearly as many hearings with two circuit court nominees on the hearing agenda in 9 months as the Obama administration had in 8 years. Sometimes they even add district court and Department of Justice nominees to an already crammed hearing agenda. That is not right. Each circuit court nominee should be considered in a separate hearing.

There was a time when there was consensus that controversial nominees needed more scrutiny. Apparently, this President is sending us who he deems the best and the greatest nominees, and we are supposed to trust him that they will safeguard our rights and treat all Americans fairly. In short, this I cannot do.

The Senate Judiciary Committee has an obligation to vigorously vet and question these nominees, and we expect them to be honest, candid, and complete in their replies. We have had a number of very frustrating exchanges so far at these nomination hearings.

On several occasions, nominees have disavowed direct quotes of their past writings and comments, even when members of the committee repeat them word-for-word and follow up with specifics to the contrary. Sometimes the nominees will acknowledge their past statements, but they think we are naive enough to believe them when they say that, if confirmed, they will "follow precedent."

Give me a break. As circuit court judges, they will be involved in setting or rewriting precedent if the judge goes in that direction—which a judge could very well do. Some have even written that they think that is what lower court judges are permitted to do. I am talking about district court judges.

CONFIRMATION OF AMY BARRETT

Just a short time ago, the Senate narrowly voted to confirm a nominee who would apply her own ideology to the decisions she makes rather than the law or precedent, and this nominee is Amy Coney Barrett.

As a professor at the University of Notre Dame Law School, Ms. Barrett's



scholarly writings reveal a nominee who questions the need to follow precedent and who outlines specific conditions under which a judge does not have an obligation to follow precedent.

In a Texas Law Review article entitled “Precedent and Jurisprudential Disagreement” she wrote: “I tend to agree with those who say that a justice’s duty is to the Constitution and that it is thus more legitimate for her to enforce her best understanding of the Constitution rather than a precedent she thinks clearly in conflict with it.”

In a University of Colorado Law Review article, “Stare Decisis and Due Process,” she wrote that the “rigid application” of stare decisis “unconstitutionally deprives the litigant of the right to a hearing on the merits of her claim.”

In a third piece, “Statutory Stare Decisis” in the Courts of Appeal, published in the George Washington Law Review, she goes further, saying: “Whatever the merits of statutory stare decisis in the Supreme Court, the inferior courts have no sound basis for following the Supreme Court’s practice.”

Her lack of respect for stare decisis is deeply disconcerting and raises serious concerns about her future conduct on the court, if confirmed.

Professor Barrett has also expressed a number of highly controversial political positions that could influence her ability to fairly hear and decide the cases that come before her.

In criticizing the Supreme Court’s ruling upholding the Affordable Care Act, for example, she wrote that Chief Justice Roberts had “pushed the Affordable Care Act beyond its plausible meaning to save the statute.”

Her views on the rights of detainees are similarly disconcerting. In 2008, the Supreme Court held that non-U.S. citizens held at Guantanamo Bay were entitled to file habeas corpus petitions to challenge their detentions. She argued in turn that the Court’s decision in that case was “contrary to precedent and unsupported by the Constitution’s text” and that the dissenters “had the better of the argument.”

During her confirmation hearing, Professor Barrett ignored or deflected with nonanswers the concerns I and my colleagues raised about her past statements, beliefs, and judicial philosophy. Instead of addressing what she wrote head-on, Professor Barrett denied she was trying to overturn precedent and insisted she would follow the law. Her writings raise serious concerns to the contrary.

Unfortunately, Professor Barrett’s nomination is not the only one we will consider this week.

Before I vote in favor of a lifetime appointment to a Federal court, I should be able to conclude that the nominee in question would rule without bias or obvious ideology. Amy Barrett’s answers and record made it impossible for me to draw such a conclusion regarding her nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

BUILDING AND SUSTAINING A LARGER NAVY

Mr. WICKER. Mr. President, over the past year, our Navy has had four serious mishaps at sea, including fatal collisions involving the USS Fitzgerald on one occasion and the USS John S. McCain on another. In the McCain and Fitzgerald accidents, 17 of our sailors were killed.

In response to these serious incidents, the Chief of Naval Operations, ADM John Richardson, directed the comprehensive review take place. Today, the Senate Armed Services Committee was briefed on the results of this comprehensive review. The results will be made public either tomorrow or the next day, and Americans will be able to see the serious situation we are in.

There are various reasons for these collisions and these fatalities, including, regrettably, human error and unfortunate circumstances, but, also, the review makes it clear that we are not doing right by our sailors, we are not doing right by the Navy, and we are not doing right by the taxpayers, in terms of making sure these brave men and women have what they need.

We need to work quickly with the Navy here in Congress to implement the recommendations that will be coming forward later this week. We need to enhance training and readiness, and we need to recognize—and I think the majority of this Senate does recognize—that the size of the fleet has contributed to the problems.

Simply put, we need to acknowledge that the Navy has a supply-and-demand problem. We have a demand for more naval action than the supply of our ships can produce. Our ship force has declined recently by some 20 percent. We are asking too few ships to do too many things for American security, and that needs to be rectified.

The consequences of this supply-and-demand mismatch were summed up by naval analysts Robert C. O’Brien and Jerry Hendrix in a recent National Review online article. They argue that the Navy is on the precipice of a “death spiral,” wherein more overworked and damaged ships place an increasingly greater strain on the remaining operational ships, thus eroding readiness across the fleet.

I agree with Mr. O’Brien and Mr. Hendrix that this situation will result in “more collisions, more injuries, and more deaths in the fleet.” To avoid this death spiral, we need to commit to growing the Navy and meeting its minimum requirement of 355 ships.

I have the privilege of chairing the Seapower Subcommittee, which has held a series of oversight activities, both classified and unclassified, on the Navy’s 355 ship requirement. We have examined the security environment that drives the requirement to add about 80 more ships to the fleet. We have listened to Navy leadership, out-

side experts, and industry on options, capabilities, and considerations. We received perspective from the key players behind President Reagan’s naval buildup in the 1980s.

As the Fitzgerald and McCain collisions have demonstrated, the short-term costs of “doing more with less” are simply unacceptable. The long-term implications will prove devastating to American power and the global order it underpins.

The U.S. military’s commanders have identified 18 maritime regions where the Navy must secure American interests. Our current naval strategy is designed to command the seas in those regions. The Navy needs a minimum of 355 ships to get this done.

If the Navy cannot get the bare minimum it needs, then our naval strategy must change—and, I can assure you, it would be a change for the worse. Instead of a global command of the seas, what we would get would be a new, weaker strategy.

What would this look like? In the National Review article I previously mentioned, authors O’Brien and Hendrix lay out two alternatives. Neither one of them are pretty.

First, the Navy could strategically withdraw from certain maritime regions and hope our allies and partners will pick up the slack. Let Norway, Denmark, and Canada patrol the Arctic; let the Baltic States, Poland and Germany, patrol the Baltic Sea; let Turkey, Romania, and Bulgaria patrol the Black Sea. Really? Let Taiwan, the Philippines, and Malaysia patrol the South Sea China—and hope for the best or we could return to the pre-World War II unacceptable surge and exercise model. This strategy involved consolidating a smaller fleet into a few strategic hubs, deploying occasionally for exercises, and greatly reducing the number of missions the Navy could perform in peacetime and in crisis.

In their article, O’Brien and Hendrix note that these two strategies “make the past eight years of ‘lead from behind’ look like an assertive foreign policy.” These two strategies would create dangerous power vacuums and shifting allegiances. Our adversaries would use the Navy’s absence to rewrite the rules of global commons. Our allies would accommodate challengers to the American-led order. Abandoned by America, in some cases, they would have no choice but to cut deals with Beijing, Moscow, and Tehran.

I know my colleagues in Congress want a different future. In fact, I am hopeful we can take the first steps this year toward building up the fleet. As former Navy Secretary John Lehman told our subcommittee this year, President Reagan “reaped 90 percent of the benefits of his rebuilding program . . . in the first year.” This took place in the early 1980s and made clear that President Reagan, Congress, and the Pentagon were serious about rebuilding the fleet. It sent a signal to our allies and to the Soviets that America and

our Navy was coming back in a big way, which makes 2017 and 2018 so important. I am confident Congress can establish a firm foundation in the coming months for a fleet buildup.

To that end, I would note that both the House and Senate Defense authorization bills contain the Wicker-Wittman SHIPS Act, which would establish a 355-ship requirement as our national policy. Both bills also contain multiyear procurement authority for *Virginia*-class attack submarines and *Arleigh Burke*-class destroyers. Multiyear procurement will stabilize the industrial base for those ships and generate billions in savings, which would be plowed into more shipbuilding. Both bills contain cost-control measures to protect taxpayers. Although negotiations are ongoing, the final NDAA conference report should include the SHIPS Act, multiyear procurement, and acquisition cost controls.

The Defense authorization bill is a good start, but Congress also needs to add funding for shipbuilding in upcoming appropriations legislation. We need an agreement that eliminates the Budget Control Act with regard to defense spending or at least provides relief.

The bottom line is that a buildup will require more funding. President Reagan's first defense budget included a 35-percent increase for the Navy compared to President Carter's last proposed budget, and it was well worth it. More resources are needed to accelerate shipbuilding. It is time to end the two decades of low-rate shipbuilding that has brought us to this point. Compared to its earlier planned levels, the Navy's Accelerated Fleet Plan concludes that the shipyards can produce 29 more ships over the next 7 years. Investment is needed—particularly in submarine facilities—but the yards are up to the challenge, especially those with hot production lines.

I was disappointed to hear that Acting Under Secretary Thomas Dee, an Obama holdover still in the Department of the Navy, said last week that 355 ships is probably out of reach until the 2050s. Mr. Dee's pessimism about the Navy's own requirement is perplexing, when it is incumbent on the Navy to develop fleet buildup options within budget constraints. Those current and likely future physical environments were accounted for in the Navy's 2016 Force Structure Assessment of 355 ships. So we can do it, and the leadership of the Navy, with the exception of Under Secretary Dee, knows we can do it.

CNO Richardson's white paper on the future Navy notes that we ought to achieve a 355-ship fleet in the 2020s—not the 2040s, not the 2050s, but the 2020s. Thank goodness for the foresight and positive attitude of the Chief of Naval Operations. He is right—a 355-ship fleet should be our goal for the next decade. Regrettably, Acting Under Secretary Dee must have been asleep

for the last 9 months while Congress was talking about this and while we were on the verge of enacting legislation making a 355-ship Navy the official policy of the United States of America.

Shipbuilding is indeed a long process, and a 355-ship fleet will not happen overnight. New ship construction is critical to achieve this objective, but the Navy should also examine service life extension programs for older ships and perhaps even reactivating ships in the Ready Reserve. It is irresponsible to retire ships early if they have useful life. Such ships may have to be reassigned to less stressing missions, but they should not be prematurely sold overseas or sunk as target practice. It is equally irresponsible to miss opportunities to reactivate retired ships if the benefits exceed the cost. Let's at least look at that.

The Senate Defense authorization bill includes my amendment directing the Navy to look at service life extension and reactivation. The Navy needs to go ship by ship through the inventory and provide Congress with a thorough analysis of these options, and that is what the Navy is doing.

As O'Brien and Hendrix write, "Navies and international influence go hand in hand." A smaller Navy means a smaller role for America, and we can't afford that. We must cultivate the national will to avoid this fate.

I urge my colleagues to help me, to help the Armed Services Committees in both Houses in an effort to begin rebuilding our naval power at once.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. RUBIO). The Senator from Oregon.

Mr. MERKLEY. Mr. President, there are few things we do here in the Senate that matter more or have longer lasting impacts on our Nation than confirming individuals to lifetime appointments in district courts, circuit courts, and the Supreme Court.

It is the Senate's duty, as Alexander Hamilton laid out in the *Federalist Papers*, to "prevent the appointment of unfit characters." Hamilton thought that this power would be used rarely because a President would seek to make sure that he or she sent qualified individuals to the Senate for confirmation, but we are seeing something quite different today. We are seeing the President engaged in a zeal to pack the court with extreme rightwing ideologues and to ram them through this confirmation process without due review.

Just yesterday, the American Bar Association sent a letter to the Judiciary Committee saying that Leonard Gras, President Trump's nominee to the Eighth Circuit Court of Appeals, is not qualified to serve as a Federal judge. Yet his confirmation hearing is scheduled for this week.

Putting extreme and unqualified people on the court is a disservice to America's judiciary. It will impact the protection of fundamental American

rights for generations to come. It is critical for us, therefore, to have a conversation about what is going on at this moment.

Just this week, we have four nominees for the court of appeals coming to the floor. Amy Barrett was confirmed just hours ago. There is another vote scheduled for tomorrow. These individuals, as I will go through in a moment, don't come here with the types of qualifications that really should allow them to be considered for lifetime appointments.

Time and time again, we have heard from our Republican leadership that Democrats are engaged in a massive, "often-mindless partisan obstruction," in the words of the majority leader. From where comes this evaluation? Well, he wants to move judiciary nominees faster, without due consideration. And certainly he does know something about obstructing judicial nominations since he spent the entire 8 years of the Obama administration leading the effort to obstruct consideration of nominees here in this Chamber.

Eighty percent of President Obama's nominees waited 181 days or longer. That is certainly far more than under President George Bush, President Clinton, the first President Bush, or President Reagan—obstruction taken to the maximum, 6 months or longer to work their way through the confirmation process.

Throughout President Obama's entire 8 years in office, just 55 circuit court judges were confirmed. That is the lowest number for any President. And by this point in the previous administration—in the Obama administration—just one nominee had been confirmed for a spot on the circuit court. But here we are taking a look at how in this time period just one had been confirmed for Obama, but we will have, at the end of this week—assuming each individual gets the full majority—eight circuit court nominees confirmed. That is one for Obama and eight for President Trump. That number wasn't reached substantially into President Obama's second year in office.

We can look at the average number of days that it has taken from committee report to confirmation for the first seven nominees. President Trump's first seven circuit and district court nominees waited 37 days for confirmation once they were reported out of the Judiciary Committee. Let's compare that to President Obama, where the Judiciary Committee held them up for 75 days. So once again Democrats in the minority are moving far, far faster to date than did our colleagues when President Obama was in office. Certainly by comparison, President Trump's nominees are sailing through at a rapid pace.

So let's not hear any more about the preposterous false news coming from the majority side about things being slowed down when the facts are quite the opposite. But why this emphasis on

creating this false narrative? Perhaps it is because right now there is a lot of pressure on the majority to show that they are getting something done, and not much is happening that will help anyone in this country. They tried to get something done by trying to strip healthcare from 20 to 30 million Americans in 5 different versions of the TrumpCare monster. They didn't quite get it done, thankfully. And I doubt that the American people—in fact, I know that they certainly would not have been appreciative of the bill in which my Republican colleagues said: Let's strip all this healthcare away from 20 to 30 million people so we can give massive, multitrillion-dollar tax benefits, tax giveaways to the very richest Americans.

Wow. That is certainly not a way to win the hearts and minds of Americans—attack working Americans time after time in order to deliver the National Treasury to the very richest Americans. Perhaps my colleagues will be glad they didn't succeed in that effort.

Now there is a tax plan on the floor—a tax plan being considered that will once again take \$1.5 trillion out of healthcare to deliver several trillion dollars to the richest 1 percent of Americans. We see it time and time again—attack working Americans to deliver incredible gifts from the National Treasury—really a raid on Fort Knox. Has ever such an audacious theft been considered previously in U.S. history than the theft that my colleagues are trying to perpetuate both through the healthcare strategy and now through this tax strategy?

But there is a bigger purpose at work here, and that is a goal to rewrite the vision of our Constitution. Our Constitution has this incredibly powerful, meaningful vision of government of, by, and for the people, but my colleagues don't like that vision, and they decided that the best way to change it is to put people onto the court who like a different vision—government of, by, and for the privileged and the powerful. We saw it in their healthcare bill, we see it in their tax bill, and now we are seeing it in their nomination strategy to the court—a GOP agenda that will tip the scales of justice to favor the powerful and privileged over working Americans; judges who want to legislate from the bench on behalf of the powerful; judges who want to legislate from the bench on behalf of the privileged, who want to support predatory consumer practices, who want to strip away individual rights of women to determine their own healthcare, who want to deny a fair day in court by allowing binding arbitration where the seller of the services gets to pick and pay for the judge. Judges, rather than pursuing neutrality, are pursuing government for the powerful—that is the radical rightwing agenda attack on working America.

We should do all that we can to stop it, including having opposition in this Chamber.

#### NOMINATION OF STEPHANOS BIBAS

This week, we will have Stephanos Bibas, President Trump's nominee to the Third Circuit Court of Appeals, who believes that overincarceration in our jails has nothing to do with race or with mandatory minimums despite all of the research and data that show otherwise.

He takes on and disagrees with the experts on medical care, who understand the fundamentals of addiction. He says, simply, though drug addiction is painted as a disease that requires medical intervention, all of that is unnecessary. Drug addicts can just stop using drugs. If only it were that easy. He has such a profound misunderstanding of the basic healthcare issue. Person after person after person on both sides of this aisle has come to say that opioid addiction is an addiction that needs medical treatment; yet he is a nominee who does not understand any of that.

He also believes that when it comes to legal sentences, corporal punishment should be applied that is “public, shameful, and painful.” Perhaps the understanding of rare and unusual punishment was something missing in his legal education.

Let's look at his 2 years as a prosecutor in the Southern District of New York—the notable case of *United States v. Williams*, which the *New York Times* described at the time as a “legal legend in the making.” They did not say that because of its being a wise or insightful decision. He was working as a prosecutor, and he wanted to really go after the little guy.

He used his position to marshal prosecutorial, law enforcement, and court resources to bring charges against a cashier at a veterans hospital who had been accused of stealing \$7—not \$7,000, not \$700,000, and not the \$700 million or \$1 billion being laundered by a big bank but the accusation of a cashier who had stolen \$7. Stealing is never acceptable and never appropriate, but it did not matter that the cashier maintained that she had given the seven crinkled \$1 bills that she had straightened out or that the security cameras did not show her pocketing them or that the customer who was right there saw it and stated that she was innocent. It did not matter. None of those facts mattered. He wanted to go after the little guy rather than go after the big folks who steal us blind.

The morning of the trial comes around, and a detective testifies that he found those seven \$1 bills in the cash register, just as the customer had stated. Meanwhile, this nominee saw fit to spend huge amounts of Federal resources in going after an individual who, by every form of testimony, had not committed a crime in the first place. It is easy to go after the little people, and if you believe in government by and for the powerful and the privileged, as these nominees do, then that is your mission in life—to go after the little people. Yet she lost out be-

cause, even though she was innocent, she lost her job due to her prosecution.

Then there is Joan Larsen, who is the President's nominee for the Sixth Circuit Court of Appeals, a nominee who was added at the last moment to another circuit court nominee's confirmation hearing, which was against the Senate's practices and against minority opposition. Why do you add someone at the last moment? It is to ensure that the committee does not have enough time to adequately review her record. That is always a cause for suspicion—someone is changing the procedure so that a person's record cannot be reviewed before the committee sits down to the hearing.

This is probably fitting with Ms. Larsen's long-held disdain for the legislative branch. She coauthored a law review article that stressed the importance of protecting the President from Congress, she said, “the most dangerous branch of government.”

She goes on to denigrate the use of committees in Congress. She says that Congress has maintained an extensive, costly, extra-constitutional network of committees that watch over the work of Cabinet departments because “the ambition and love of power of our Senators and Representatives caused them to lust after the patronage and media glory that a committee post could bring.”

Is there any deeper or more profound misunderstanding of the committee process here in Congress? Does she have any idea that the reason we have committees is that there are complex topics? As President Trump said: Who knew healthcare could be so complicated? So you have a committee of members that specializes in that effort, that learns the details so that it can fairly consider the ideas for legislation. It has very little to do with ambition and a love of power and a lusting after patronage. There really is not patronage on a committee. We, the members, do not hire the staff.

With her being someone with such a profound misunderstanding of the branches of government, why do my colleagues say that they want her in there? Is it because of this vision of a government that is by and for the powerful that takes on the little people, beats them up, squeezes them dry, and delivers the benefits to the richest in our society on every single issue—on healthcare, on taxes, on judicial appointments?

#### NOMINATION OF ALLISON EID

Then we have Allison Eid, President Trump's nominee for the Tenth Circuit Court of Appeals. She holds the seat that was previously held by Neil Gorsuch before a seat was stolen from one administration and delivered to the next for the first time in U.S. history—a complete denigration of the integrity of this body and the legitimacy of the Court, a mar in the record of this Chamber that knows no equal in decades. Yet there she is in that seat, adhering to an extraordinary degree of

ultraconservative, partisan, we-the-powerful-and-privileged philosophy.

She opposes the use of eminent domain to seize properties to be used for a public purpose—public parks and highways—as is the purpose of eminent domain. Yet she supports the use of eminent domain to rip away a piece of property from individuals—private property owners—in order to give it to a for-profit corporation, which is the opposite of the purpose of eminent domain—once again, an individual hating, if you will, of public purpose and a ripping away of individual rights—destroying them—on behalf of a for-profit corporation.

She has advocated for narrowing the scope of the Federal Government's legislative powers to such a degree that it would be virtually impossible to protect clean air, clean water, and civil rights. She has attacked the increasing of funding for public schools while she has supported sending public funds to private religious schools.

This path of using legislation like the healthcare bill and legislation like this tax bill to crush working America on behalf of the very wealthy is simply wrong, and it is wrong to do it by trying to pack the court, and we need to do everything that we can to stop it.

The PRESIDING OFFICER. The majority leader.

#### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Executive Calendar Nos. 443 through 454 and all nominations placed on the Secretary's desk; that the nominations be confirmed, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

#### IN THE AIR FORCE

The following named officer for appointment in the Reserve of the Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### To be lieutenant general

Lt. Gen. Stayce D. Harris

#### IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### To be lieutenant general

Maj. Gen. Paul J. LaCamera

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

#### To be brigadier general

Col. Twanda E. Young

The following named Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

#### To be brigadier general

Col. Roger D. Murdock

#### IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### To be lieutenant general

Maj. Gen. David D. Thompson

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

#### To be brigadier general

Col. Ralph L. Schwader

#### IN THE ARMY

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

#### To be brigadier general

Col. Donald B. Absher

The following named officers for appointment to the grade indicated in the United States Army under title 10, U.S.C., section 624:

#### To be brigadier general

Col. Richard E. Angle  
Col. Milford H. Beagle, Jr.

Col. Sean C. Bernabe  
Col. Maria A. Biank  
Col. James P. Bienlien  
Col. Brian R. Bisacre  
Col. William M. Boruff  
Col. Richard R. Coffman  
Col. Charles D. Costanza  
Col. Joy L. Curriera  
Col. Johnny K. Davis  
Col. Robert B. Davis  
Col. Thomas R. Drew  
Col. Michael R. Eastman  
Col. Brian S. Eifler  
Col. Christopher L. Eubank  
Col. Omuso D. George  
Col. William J. Hartman  
Col. Darien P. Helmlinger  
Col. David M. Hodne  
Col. Jonathan E. Howerton  
Col. Heidi J. Hoyle  
Col. Thomas L. James  
Col. Christopher C. Laneve  
Col. Otto K. Liller  
Col. Vincent F. Malone, II  
Col. Charles R. Miller  
Col. James S. Moore, Jr.  
Col. Michael T. Morrissey  
Col. Antonio V. Munera  
Col. Frederick M. O'Donnell  
Col. Paul E. Owen  
Col. Walter T. Rugen  
Col. Michelle A. Schmidt  
Col. Mark T. Simerly  
Col. Michael E. Sloane  
Col. William D. Taylor  
Col. William L. Thigpen  
Col. Thomas J. Tickner  
Col. Matthew J. Vanwagenen  
Col. Darren L. Werner

The following named Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

#### To be major general

Brig. Gen. Keith Y. Tamashiro

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### To be lieutenant general

Maj. Gen. Eric P. Wendt

#### IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### To be vice admiral

Vice Adm. Christopher W. Grady

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### To be vice admiral

Rear Adm. Bruce H. Lindsey

#### NOMINATIONS PLACED ON THE SECRETARY'S DESK

#### IN THE AIR FORCE

PN1125 AIR FORCE nominations (2) beginning JAMES A. FANT, and ending DUSTIN D. HARLIN, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1126 AIR FORCE nomination of Erik M. Mudrinich, which was received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1127 AIR FORCE nominations (152) beginning SCOTT M. ABBOTT, and ending KRISTINA M. ZUCCARELLI, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

#### IN THE ARMY

PN642 ARMY nomination of Adrian L. Nelson, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN654 ARMY nomination of Todd M. Chard, which was received by the Senate and appeared in the Congressional Record of June 15, 2017.

PN957 ARMY nomination of Tristan D. Harrington, which was received by the Senate and appeared in the Congressional Record of September 5, 2017.

PN1128 ARMY nomination of David S. Lyle, which was received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1129 ARMY nomination of George B. Inabinet, which was received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1130 ARMY nominations (13) beginning BENJAMIN A. BARBEAU, and ending BLAIR D. TIGHE, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1131 ARMY nominations (3) beginning GARRETT K. ANDERSON, and ending ROGER D. PLASTER, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1132 ARMY nominations (77) beginning JOSHUA A. AKERS, and ending D013005, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1133 ARMY nominations (325) beginning JONATHAN L. ABBOTT, and ending BOVEY Z. ZHU, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1134 ARMY nominations (6) beginning JANETTA R. BLACKMORE, and ending JEFFREY E. OLIVER, which nominations

were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1135 ARMY nominations (8) beginning STEVEN A. BATY, and ending ALISA R. WILMA, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1136 ARMY nominations (25) beginning WESLEY J. ANDERSON, and ending HOPE M. WILLIAMSONYOUNCE, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1137 ARMY nominations (46) beginning GINA E. ADAM, and ending DAVID R. ZINNANTE, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1138 ARMY nominations (12) beginning DAVID J. H. CHANG, and ending MATTHEW J. YANDURA, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1139 ARMY nomination of Samuel A. Redding, which was received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1140 ARMY nomination of Sativa M. Franklin, which was received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1141 ARMY nominations (2) beginning MAURICE O. BARNETT, and ending AARON C. BARTA, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1145 ARMY nomination of Grant R. Barge, which was received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1146 ARMY nomination of Michael W. Chung, which was received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1148 ARMY nominations (2) beginning CHEMITRA M. CLAY, and ending JOHN C. HUBBARD, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1149 ARMY nomination of Charles K. Bergman, which was received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1150 ARMY nomination of Robert S. Patton, Jr., which was received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1151 ARMY nominations (116) beginning JASON P. AFFOLDER, and ending D012388, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1152 ARMY nominations (151) beginning ANDRE B. ABADIE, and ending G001060, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1153 ARMY nominations (205) beginning WINFIELD A. ADKINS, and ending D013960, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

#### IN THE FOREIGN SERVICE

PN1066 FOREIGN SERVICE nominations (61) beginning Julie P. Akey, and ending Vera N. Zdravkova, which nominations were received by the Senate and appeared in the Congressional Record of October 2, 2017.

#### IN THE MARINE CORPS

PN1170 MARINE CORPS nomination of John J. Straub, which was received by the Senate and appeared in the Congressional Record of October 16, 2017.

#### IN THE NAVY

PN1155 NAVY nominations (78) beginning SUZANNE T. ALFORD, and ending LAURA

C. YOON, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1156 NAVY nominations (174) beginning ROY A. ADUNA, and ending KIRTLEY N. YEISER, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1157 NAVY nominations (6) beginning CALVIN LOPER, and ending BILLY W. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1158 NAVY nominations (4) beginning MAUREEN M. DERKS, and ending JEFFREY P. SHARP, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1159 NAVY nominations (13) beginning DANIEL T. BARNES, and ending JACQUELYN O. VERMILLOHERMAN, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1160 NAVY nominations (16) beginning SHAMIRE E. BRANCH, and ending ALANNA B. YOUNGBLOOD, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1161 NAVY nominations (19) beginning DAVID L. AGUILAR, and ending DAVID K. ZIVNUSKA, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1162 NAVY nominations (20) beginning REBECCA L. ANDERSON, and ending KENNETH R. VANHOOK, JR., which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1163 NAVY nominations (34) beginning ARTHUR D. ANDERSON, III, and ending JOHN E. WEAVER, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1164 NAVY nominations (39) beginning JOSHUA D. ALBRIGHT, and ending LISA L. SNOH, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1165 NAVY nomination of Joe F. Moralez, II, which was received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1166 NAVY nominations (8) beginning JESSICA B. ANDERSON, and ending MIRANDA V. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1167 NAVY nominations (898) beginning MARCO A. ACOSTA, and ending KEITH E. ZUMAR, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1168 NAVY nominations (2) beginning WILLIAM J. ROY, JR., and ending RAQUEL T. BUSER, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

PN1169 NAVY nominations (64) beginning GREGORY F. ALLEN, and ending CLINTON M. WOODS, which nominations were received by the Senate and appeared in the Congressional Record of October 16, 2017.

### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

### REMEMBERING TED COOK

Mr. MCCONNELL. Mr. President, today I remember the life of a great Kentuckian, Ted Cook, who passed away on October 1, 2017, at the age of 70. He was a great friend, a local businessman, and a fixture of Laurel County. Passing away after a battle with cancer, Ted's loss will be felt by many.

A veteran of the U.S. Air Force, Ted was driven by a sense of patriotism and community service. He was a generous man and a strong supporter of the Kentucky High School Athletics Association. Ted made it a priority to watch every basketball game he could, and he was an ideal role model for the next generation of Kentuckians.

Ted loved the outdoors, spending time hunting, fishing, and raising quail. He tried to instill that passion in young people, especially his children and, later, his grandchildren. Ted also helped lead local, State, and national organizations dedicated to the service of others.

Ted rarely sought any recognition for his good works, instead always caring primarily for others. Those he impacted with his love and friendship, however, will always remember him. Elaine and I send our condolences to Ted's wife, Debbie, their children, their family, and friends. I hope that their fond memories of Ted will help ease their grief.

Mr. President, the Corbin Times-Tribune recently published an article on Ted's life and career. I ask unanimous consent that a copy of the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Corbin Times-Tribune, Oct. 2, 2017]

#### TED COOK WILL BE MISSED BY MANY (By Les Dixon)

Myself and many others across the State lost a great friend on Sunday with the passing of Ted Cook. Mr. Cook—he would always correct me to call him Ted—was one of the greatest men I have ever known. He would do anything for anyone, and I do mean anyone. He was one of the biggest supporters of kids throughout the State that I have known.

We would always engage in high school sports talk any time we saw each other. It didn't matter if we were at a restaurant or if I paid him a visit at Cook Tire, high school sports was always the topic of discussion—well, sometimes politics would be as well, but only to give one of our friends a hard time.

Even though I am a writer, I find it hard to write about people I truly care about. It sounds odd doesn't it? But I just don't think anything I can write would do justice about my good friend Mr. Cook.

I know he was a joy to be around and he always made me feel like I was one of his own. Heck, he was able to do that with anyone he interacted with.

I always looked forward to seeing Mr. Cook at the Sweet Sixteen Boys Basketball Tournament. You could bank on it every Wednesday morning, I would go over to say hello

and he would always stick out his hand for a handshake and say, "Hello, young man. How have you been?" He always preceded with a big hug and then we preceded to talk about, life, sports, my daughter and then anything else that would come up. You could bank on the same routine happening every year.

The one thing that will stick out to me more than anything is how Mr. Cook always dressed in his 'Sunday's best' for the Sweet Sixteen Boys championship game. He was always in a suit and a tie and that always stood out to me. He showed respect to the event just like he showed respect to everyone he met.

I never really ventured over to Cook Tire as much as I should to see how he would be doing, but our paths always crossed, usually at least once a month and even more during high school basketball season.

I believe KHSAA Commissioner Julian Tackett said it best on his Facebook page: Ted Cook's passing means the loss of another of that great generation of men who were independent, self sustaining and hard working. In addition to being one of the biggest supporters of kids throughout the state, he was a counselor for so many people and a great friend.

I will end with this. I hope someday to be half the man Mr. Cook was, it would be an honor.

#### 100TH ANNIVERSARY OF CHICAGO'S NAVY PIER

Mr. DURBIN. Mr. President, I join my colleague and friend Senator DUCKWORTH to recognize the 100th anniversary of Chicago's Navy Pier, one of the most visited attractions in Illinois and the Midwest.

Navy Pier, originally named Municipal Pier, was the first of its kind. The pier was created to bring revenue into the city by supporting industry and tourism. The pier opened in 1916 and served as a port for commercial shipping and provided the entertainment and recreation needed to transform Chicago's lakefront into a popular tourist attraction.

During World War I and World War II, the pier was used as a naval training center for over 60,000 Navy recruits and was later named Navy Pier to honor the Navy personnel who served and contributed to the national war effort.

Throughout its history, Navy Pier was home to several Chicago institutions and traditions.

Navy Pier was also the former home to the University of Illinois at Chicago from 1946 to 1965, nicknamed "Harvard on the Rocks," and served more than 100,000 students.

Navy Pier originally held the famous Taste of Chicago in 1978 and today continues to host a variety of festivals, conferences, trade shows, and live entertainment.

Navy Pier opens its doors to locals and visitors to experience Chicago's rich historical and cultural history while enjoying activities and the city's lakefront. Its popular attractions, including the iconic ferris wheel, have attracted more than 9 million visitors a year, generated millions of dollars in revenue, and created thousands of jobs for the region.

It is no surprise that Navy Pier has been labeled a Chicago historic landmark with its significant contributions to the city of Chicago and the Nation.

Navy Pier continues to promote tourism and support economic growth in Chicago and the Midwest, while improving its facilities and core missions to better provide services to visitors. It is with great pride that I join Senator DUCKWORTH in honoring Navy Pier and its many accomplishments.

Ms. DUCKWORTH. Mr. President, today I join my close friend and colleague, Senator DICK DURBIN, to honor one of the magnificent landmarks of Illinois, Chicago's Navy Pier.

Since Chicago architect Daniel Burnham first established his vision of a public pier to transform Chicago's landscape and draw visitors to experience the lakefront, what opened as Municipal Pier in 1916 has been a gathering point for the community. In World War I and World War II, it became central to the war effort and Navy Pier got its name to honor the sailors who served and continued to serve in defense of our Nation.

Many institutions of Chicago began in Navy Pier before finding their home elsewhere in the city, like the University of Illinois' Chicago campus, the Taste of Chicago, and the trade shows that continue to come through Chicago to take advantage of the city's commercial infrastructure. Navy Pier has been a place for people to meet and experience the Great Lakes, city skyline, and various attractions that have sprung up and grown through the city.

Locals, Illinoisans, Americans, and international visitors alike experience the Midwest through the lens of the pier, and it reflects back on our city the multicultural, historical aspects of our city and this Nation. You only have to look at the iconic ferris wheel to see how it has transformed Chicago's skyline and become such an integrated, iconic part of the city.

As a public venue for culture and commerce, Navy Pier continues to revitalize so that it can be sustainable, universal, and accessible to all. I am proud to come before this body with Senator DURBIN and honor Navy Pier as it celebrates its centennial anniversary.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

#### VOTE EXPLANATION

• Mr. MENENDEZ. Mr. President, I was unavailable for rollcall vote No. 255, on the nomination of Amy Barrett to be U.S. Circuit Judge for the Seventh Circuit. Had I been present, I would have voted nay.

Mr. President, I was unavailable for rollcall vote No. 256, on the motion to invoke cloture on Joan Larsen, of Michigan, to be U.S. Circuit Judge for the Sixth Circuit. Had I been present, I would have voted nay. •

#### TRIBUTE TO JIM McCLOUGHAN

Mr. PETERS. Mr. President, today I wish to honor the distinguished service of SPC5 James McCloughan, who was recently awarded the Medal of Honor for his heroic actions as a combat medic during the Vietnam war. From May 13 to 15, 1969, then-PFC McCloughan repeatedly put himself in the line of fire to extract and treat his fellow soldiers.

Specialist 5 McCloughan was born in South Haven, MI, in 1946 and spent his childhood in Bangor, MI. He became a four-sport varsity athlete at Bangor High School and would go on to play football, baseball, and to wrestle at Olivet College. Three months after accepting a teaching and coaching position with South Haven Public Schools, McCloughan was drafted into the U.S. Army in 1968.

McCloughan's superiors took notice of his knowledge of sports medicine, and he was assigned to Fort Sam Houston, TX, to report for advanced training as a medical specialist. Upon his completion of training, McCloughan was assigned as a combat medic with Company C, 3rd Battalion, 21st Infantry Regiment, 196th Light Infantry Brigade, American Division, and was deployed to Vietnam.

On the morning of May 13, 1969, two American helicopters were shot down near Tam KY, and one crashed 100 meters from McCloughan and Charlie Company. A squad was sent to rescue the downed crew and found a wounded soldier too injured to move. McCloughan ran 100 meters through an open field, dodging crossfire between Charlie Company and the NVA, reached the wounded soldier, and carried him back to the company and successfully saved his fellow soldier from being captured or killed.

Later that same day, McCloughan displayed another act of heroism in the midst of an American airstrike against nearby NVA targets. While in a trench, he saw two U.S. soldiers huddled together without weapons in the midst of an ambush. McCloughan dropped his weapon and rushed into the ambush to check on his comrades. While inspecting them for wounds, he was hit with shrapnel when a rocket-propelled grenade exploded nearby. McCloughan pulled the two soldiers back to the trench and would go back into the ambush zone four more times to extract wounded comrades. Wounded and bleeding himself, McCloughan refused to evacuate and remained on the battlefield to treat the wounded and prepare them for extraction.

The next day, Charlie Company engaged NVA forces near Nui Yon Hill. Similar to the day before, McCloughan again went into the crossfire zone numerous times to treat and extract wounded soldiers. He was wounded again by RPG shrapnel and small arms fire. McCloughan again showed his heroism when he volunteered to hold a blinking light in the open while bullets and RPGs hit around him so his company could be resupplied.

McCloughan continued to fight throughout the night and into the morning, knocking out the RPG position and treating numerous soldiers. He kept two critically wounded soldiers alive during the night and is credited with saving the lives of 10 members of Charlie Company in the 48-hour timespan.

Upon returning home, McCloughan would resume his job as a teacher and coach at South Haven High School. He taught sociology and psychology and coached football, baseball, and wrestling until his retirement in 2008.

SPC5 James McCloughan is an American hero who consistently put his life on the line to save the lives of his fellow Americans. He has always inspired others, whether by his actions on the battlefield or for his students in the classroom. I urge my colleagues to join me today in congratulating and thanking Specialist 5 McCloughan for his continued dedication and service to our Nation.

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#### REMEMBERING JAMES "BOB" CURRIO

Mr. McCAIN. Mr. President, I come to the floor today to remember the life and legacy of one of our Nation's veterans, a longtime staffer, and a man whom I was fortunate to call my friend, James "Bob" Currieo. Following his retirement from my Tucson office in 2013, I am grateful that Bob was able to spend his final years with his beloved wife, Cecilia, before his passing on October 17, 2017. It is times like these that we must reflect on the legacy of such individuals, who chose service above self-interest, and Bob's 83-year life and service to our Nation and to the great State of Arizona cannot be understated.

By the time I met Bob in 1982, he had already begun his tenure as the national commander-in-chief for the Veterans of Foreign Wars; however, his legacy of service began long before. A decorated Korean war veteran, Bob honorably served over a 22-year career in the U.S. Army, including a fortunate assignment to the U.S. Army Combat Surveillance School at Fort Huachuca that would bring him to Arizona. Sierra Vista introduced Bob to the rugged and diverse beauty of our great State, a place that he would consider home for the remainder of his life.

I was fortunate that Bob accepted a role in my early Senate staff, but so evident was Bob's innate dedication to service that I fully understood and supported when he temporarily departed Arizona for the opportunity to continue his duties with the VFW as an executive in Washington, DC. We stayed in touch over the years, and I was most grateful when he returned to his beloved Arizona in 1996 and agreed to rejoin my Tucson office. There, he would spend the final 17 years of his well-decorated career advocating on behalf of veterans and servicemembers.

Every Senator will likely stress the importance of providing constituent

services in their home State, but Bob shared and supported my strong opinion that, when it came to veterans and servicemembers, State lines did not matter. Of the staggering number of cases that Bob worked as a constituent advocate for residents of Arizona, nearly as many more were for veterans from across the country and indeed across the world. He helped them all equally with the same quiet but steadfast commitment, and I feel there is truly no measure for how many lives he touched and how many men and women he helped by the end of his storied career.

I will forever be thankful that Bob Currieo's intrinsic desire to serve put him on a path to Arizona that fortunately crossed my own. I will fondly remember the years of friendship and wise counsel that he so selflessly gave, and I hope his dear Cecilia will find comfort in the immeasurable legacy left behind by such an honorable man.

Thank you.

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#### ADDITIONAL STATEMENTS

##### TRIBUTE TO DAMON J. KEITH

• Mr. PETERS. Mr. President today, I wish to recognize a crusader and legal titan, the Honorable Damon J. Keith of Detroit, MI, for his legendary 50-year career as a Federal judge.

Judge Keith's career in public service began during World War II, when he served in a segregated military where he faced discrimination as he served his Nation. The injustice he experienced led him to dedicate his life to equality for all Americans.

Judge Keith received his law degree from the prestigious Howard University. His professor and mentor was none other than the Honorable Thurgood Marshall, who argued the landmark case *Brown v. Board of Education* and the first African-American Justice to serve on the U.S. Supreme Court. Just like his mentor, Judge Keith would go on to make groundbreaking rulings.

While African-American citizens in the South suffered through the institutionalized practices of segregation, Michigan was not immune from racial discrimination. After his 1970 decision in *Davis v. School District of Pontiac*, allowing busing to help integrate schools, Judge Keith faced threats of violence from the Ku Klux Klan. Despite threats placed against his own life, Judge Keith stood firm. Judge Keith continued his fight for civil rights in 1971 when he found that the city of Hamtramck practiced discriminatory community development which largely displaced African American residents. He ordered the city to replace the homes that were demolished. After the civil unrest in Detroit in 1967, actions were taken to improve racial inequality in the city. African-Americans accounted for one-third of Detroit's population but were underrep-

resented in its government and police force. Judge Keith ruled to uphold the city of Detroit's affirmative action plan and its good faith effort to promote diversity in its police force.

Judge Keith heard cases that presented new questions and challenged long-held interpretations of the Constitution. In the 1971 landmark case, *United States v. United States District Court*, widely known as the Keith Case, the Supreme Court upheld Judge Keith's ruling that the Nixon administration could not wiretap citizens without a court order, even in cases involving domestic terrorism. This ruling protected Fourth Amendment rights for all Americans and enforced the boundaries of warrantless surveillance, paving the way for the U.S. Foreign Intelligence Surveillance Act, FISA, of 1978, which provides judicial and congressional oversight of the government's foreign intelligence surveillance activities.

After the tragedy of the terror attacks on September 11, 2001, and the subsequent war on terror, we once again faced circumstances that tested the balance between the power of the government and fundamental civil liberties. Judge Keith found himself ruling against another administration in the 2002 case, *Detroit Free Press v. Ashcroft*. Attorney General John Ashcroft and Chief Immigration Judge Michael Creppy directed that hearings regarding immigration and deportation cases, deemed to be of interest to the investigation of the September 11, 2001, attacks, be closed to the public. When this case came before Judge Keith, he affirmed that the directive was unconstitutional and that deportations should not be shrouded in secrecy, famously proclaiming that, "Democracies die behind closed doors."

It is my pleasure to recognize the Honorable Damon J. Keith for his incredible half century on the bench and as one of the most influential jurists in American history. Judge Keith has a heart of gold and a will of steel, showing great courage in the face of danger and injustice. In his relentless pursuit of equality and justice, he has garnered many honors and admirers. In his life, Judge Keith not only witnessed some of the most critical moments in this Nation's history, but he has also contributed immensely to making America a better and more fair place. I ask my fellow colleagues to join me in thanking the Honorable Damon J. Keith for safeguarding the bedrock of our society the U.S. Constitution.●

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##### TRIBUTE TO CHIEF ROBERT "BOB" JENKINS

• Mr. SANDERS. Mr. President, today I would like to recognize retired Fire Chief Robert "Bob" Jenkins for 55 years of exemplary service to his community and to Vermont. We are fortunate to have such a dedicated public servant as Chief Jenkins in our State,

and I sincerely thank him and his family for everything they have done for the people of Vermont.

Bob Jenkins joined the Vergennes Fire Department in 1962, following in the footsteps of his father, George Jenkins. After serving for 5 years in Vergennes, Bob helped establish the New Haven Volunteer Fire Department in 1967, which became part of the Addison County Firefighters Association Mutual Aid system the following year. For five decades, Bob continued to work with the New Haven Fire Department with training and guidance, whenever needed. On May 6, 2017, at the department's 50th anniversary, Bob was presented with an honorary membership. This follows the honorary membership he received from the Vergennes Fire Department in 1982.

Bob joined the Ferrisburgh Volunteer Fire Department in 1968, where he was soon promoted to the rank of captain. In 1970, recognizing his dedication and leadership, the department elected him chief, a position he held for 19 years. Bob remained very active after stepping down as chief, spending countless hours working with successive chiefs, passing on knowledge and expertise to help maintain a professional and highly trained department with well-maintained equipment. His service was deservedly recognized this past summer, when the Ferrisburgh Fire Department took delivery of a brand-new frontline engine and dedicated it in honor of Chief Jenkins.

Bob has been a mentor to many other chiefs and firefighters throughout Addison County, as well as the State of Vermont. He served on numerous committees of the Addison County Firefighters Association, including Sergeant at Arms at the annual business meeting and awards banquet. He was presented with life membership to the association in 1993. He also served for many years as an instructor for the annual Addison County Regional Fire School, which draws firefighters from around Vermont, New York, and Canada. In 1994, the 24th Annual Regional Fire School was dedicated to Bob for his commitment to the training program.

Bob also served as an instructor for the Vermont State Firefighters' Association and is a charter member of the Vermont Fire Academy training center in Pittsford. He is passionate about teaching young firefighters all aspects of the fire service, from today's firefighting skills to department history. His expertise in building construction has been particularly important during training and has helped keep many Vermont firefighters safe during fire calls. He also teaches respect for what firefighters do, for fellow members, for leadership, and for our communities. In return, he has gained the respect of his fellow firefighters for his willingness to share his time and knowledge.

Bob's community service does not stop with firefighting. He has served the town of Ferrisburgh in many different ways, including overseeing construction of a new firestation in 1993,

overseeing the construction of a new town highway facility in 2015 to 2016, and serving on the town select board, as well as projects for the North Ferrisburgh Methodist Church.

The bottom line is that Bob Jenkins has unselfishly protected and served his community for 55 years. He is a model for what leadership is about. We must keep in mind that Bob did not do this alone. He had the commitment and understanding of his wife of 52 years, Mary Jane; his daughter, Robin; his son, Chris; and his stepsons, Tim, Mark, and Ricky—even when Bob spent time away from home, missing family dinners, family outings, birthdays, holidays, and school events.

I will finish with some words from New Haven Assistant Chief Dean Gilmore: "If you add Bob's love for his family, his love for his community, and his love for his fellow firefighters; his family's love for him, and his fellow firefighters' love for him and his family; his community's love for him, his family, and his fellow firefighters; we have one powerful feeling in our hearts that is everlasting."●

#### VERMONT FEDERAL EXECUTIVE ASSOCIATION 2017 AWARDS

● Mr. SANDERS. Mr. President, to commemorate Public Service Recognition Week, the Vermont Federal Executive Association recognized Federal employees with Excellence in Government awards. Vermont is fortunate to have thousands of Federal employees working across the State, and I am proud of the good work they do for their fellow citizens. I would like to offer special congratulations to the 2017 award winners, who have truly exemplified the very best in government.

The recipients of the Excellence in Management and Program Support Award are the Vermont Service Center Employee Services Team, U.S. Citizenship and Immigration Services, St. Albans, including Steffan Defeo, supervisory operational support specialist; Julie Kuhn, supervisory operational support specialist; Angelina Bucio, operational support specialist; Joreen Hatin, supervisory immigration services officer; Michael Kane, supervisory immigration services officer; Forest Glodgett, operational support specialist; Ann Gratton, operational support specialist; Lee Ann Jette, operational support specialist; Lisa Kline, operational support specialist; and Sarah Sherman, operational support specialist.

The recipients of the Professional Award are the Vermont Service Center Phase 1—Strategic Plan Team, U.S. Citizenship and Immigration Services, St. Albans, including Judith Hochberg, section chief; Kyle Davis, supervisory immigration services officer; Joreen Hatin, supervisory immigration services officer; Michael Kane, supervisory immigration services officer; Michael Hoeflich, supervisory immigration services analyst; Paul Novak III, supervisory immigration services analyst;

Elizabeth Chester, management and program analyst; Forest Glodgett, operational support specialist; Miranda Baltzell, immigration services officer; Luke Fairman, immigration services officer; Lisa Labarge, immigration services officer; Janet Marantz, immigration services officer; Ryan Marlow, immigration services officer; Nathan Matusick, immigration services officer; Sara Rutanhira, immigration services officer; Susan Sheehan, immigration services officer; Danielle Spooner, immigration services officer; Shelly Walters, immigration services officer; and Brian Woods, immigration services officer.

The recipient of the Leadership Award is Michael Parascando, supervisory special agent, Homeland Security Investigations Tip Line, Office of Intelligence, U.S. Immigration and Customs Enforcement, Williston.

The recipient of the Public Safety Award is John Marquissee, Border Patrol agent, U.S. Border Patrol, U.S. Customs and Border Protection, Derby.

The recipient of the Community Service Award is Julia Hoefel, immigration services analyst, Northeast Regional Office, U.S. Citizenship and Immigration Services, South Burlington.

The recipients of the Collaboration and Partnership Award are Linette Boyse and Erin Hakey, immigration services analysts, Process Improvement and Efficiency Team, Vermont Service Center, U.S. Citizenship and Immigration Services, St. Albans.

The recipient of the Valor Award is Christopher Whipple, U.S. Customs and Border Protection officer, U.S. Customs and Border Protection, Highgate Springs.

And finally, the recipient of the Vermont Federal Employee of the Year Award is Amelia Palmer human resource specialist, Recruitment and Placement Branch, Human Resources Operations Center, U.S. Citizenship and Immigration Services, South Burlington.

Once again, I congratulate these Vermont Federal employees.●

#### MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Mr. Pate, one of his secretaries.

#### PRESIDENTIAL MESSAGE

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY RELATIVE TO THE ACTIONS AND POLICIES OF THE GOVERNMENT OF SUDAN AS DECLARED IN EXECUTIVE ORDER 13067 OF NOVEMBER 3, 1997—PM 18

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying



report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), provides for the automatic termination of a national emergency unless, within 90 days before the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Sudan declared in Executive Order 13067 of November 3, 1997, is to continue in effect beyond November 3, 2017.

Despite recent positive developments, the crisis constituted by the actions and policies of the Government of Sudan that led to the declaration of a national emergency in Executive Order 13067; the expansion of that emergency in Executive Order 13400 of April 26, 2006; and with respect to which additional steps were taken in Executive Order 13412 of October 13, 2006, Executive Order 13761 of January 13, 2017, and Executive Order 13804 of July 11, 2017, has not been resolved. These actions and policies continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. I have, therefore, determined that it is necessary to continue the national emergency declared in Executive Order 13067, as expanded by Executive Order 13400, with respect to Sudan.

DONALD J. TRUMP.  
THE WHITE HOUSE, October 31, 2017.

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-3276. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Bacillus amyloliquefaciens strain F727; Exemption from the Requirement of a Tolerance" (FRL No. 9968-40-OCSPP) received in the Office of the President of the Senate on October 25, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3277. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hexythiazox; Pesticide Tolerances" (FRL No. 9968-12-OCSPP) received in the Office of the President of the Senate on October 25, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3278. A communication from the Management Analyst, Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Scope of Sections 202(a) and (b) of the Packers and Stockyards Act" (RIN0580-AB28) received in the Office of the President of the Senate on

October 25, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3279. A communication from the Acting Administrator, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Multi-Family Housing Program Requirements to Reduce Financial Reporting Requirements" ((7 CFR Part 3560) (RIN0575-AC98)) received in the Office of the President of the Senate on October 25, 2017; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3280. A communication from the Acting Under Secretary of Defense (Intelligence), transmitting, pursuant to law, the Department of Defense's fiscal year 2015/2016 report to Congress relative to the Worldwide Nuclear, Biological, and Chemical Weapons and Ballistic and Cruise Missile Threat (OSS 2017-1119); to the Committee on Armed Services.

EC-3281. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the current and future military strategy of Iran (OSS-2017-1157); to the Committee on Armed Services.

EC-3282. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Amendments to Existing Validated End-User Authorization in the People's Republic of China: Lam Research Service Company, Ltd." (RIN0694-AH40) received in the Office of the President of the Senate on October 25, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-3283. A communication from the Assistant Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Covered Securities Pursuant to Section 18 of the Securities Act of 1933" (RIN3235-AM07) received in the Office of the President of the Senate on October 30, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-3284. A communication from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting, pursuant to law, four (4) reports relative to vacancies in the Department of Housing and Urban Development, received in the Office of the President of the Senate on October 25, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-3285. A communication from the Assistant Director for Regulatory Affairs, Office of Foreign Assets Control, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Global Terrorism Sanctions Regulations" (31 CFR Part 594) received in the Office of the President of the Senate on October 30, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC-3286. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the designation as an emergency requirement all funding (including the repurposing of funds and cancellation of debt) so designated by the Congress in the Further Continuing and Security Assistance Appropriations Act, 2017, pursuant to section 251 (b) (2) (A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, for the enclosed list of accounts; to the Committee on the Budget.

EC-3287. A communication from the Assistant Secretary for Insular Areas, Office of the Secretary, Department of the Interior, transmitting, pursuant to law, two (2) reports entitled "Second Five-Year Review of the Compact of Free Association, As Amended, Between the Governments of the United States and the Federated States of Micronesia" and

"Second Five-Year Review of the Compact of Free Association, As Amended, Between the Governments of the United States and the Republic of the Marshall Islands"; to the Committee on Energy and Natural Resources.

EC-3288. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Minnesota; State Board Requirements" (FRL No. 9970-14-Region 5) received in the Office of the President of the Senate on October 25, 2017; to the Committee on Environment and Public Works.

EC-3289. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Illinois; Volatile Organic Compounds Definition" (FRL No. 9970-17-Region 5) received in the Office of the President of the Senate on October 25, 2017; to the Committee on Environment and Public Works.

EC-3290. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Wisconsin; 2017 Revisions to NR 400 and 406" (FRL No. 9969-89-Region 5) received in the Office of the President of the Senate on October 26, 2017; to the Committee on Environment and Public Works.

EC-3291. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Pennsylvania's Adoption of Control Techniques Guidelines for Automobile and Light-Duty Truck Assembly Coatings" (FRL No. 9969-83-Region 3) received in the Office of the President of the Senate on October 26, 2017; to the Committee on Environment and Public Works.

EC-3292. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Air Quality Plans and Designated Facilities and Pollutants; City of Philadelphia; Control of Emissions from Existing Sewage Sludge Incineration Units" (FRL No. 9969-92-Region 3) received in the Office of the President of the Senate on October 26, 2017; to the Committee on Environment and Public Works.

EC-3293. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Determination of Attainment by the Attainment Date for the 2008 Ozone Standard; Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE Nonattainment Area" (FRL No. 9969-93-Region 3) received in the Office of the President of the Senate on October 26, 2017; to the Committee on Environment and Public Works.

EC-3294. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing; Flame Attenuation Lines" (FRL No. 9970-08-OAR) received in the Office of the President of the Senate on October 26, 2017; to the Committee on Environment and Public Works.

EC-3295. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants: Publicly Owned

Treatment Works Residual Risk and Technology Review” (FRL No. 9969-95-OAR) received in the Office of the President of the Senate on October 26, 2017; to the Committee on Environment and Public Works.

EC-3296. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Voluntary Consensus Standards Update; Formaldehyde Emission Standards for Composite Wood Products” (RIN2070-AK36) (FRL No. 9962-84) received in the Office of the President of the Senate on October 26, 2017; to the Committee on Environment and Public Works.

EC-3297. A communication from the Deputy Chief Counsel, Economic Development Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Elimination of Regulations Implementing Community Trade Adjustment Assistance Program” (RIN0610-AA70) received in the Office of the President of the Senate on October 25, 2017; to the Committee on Finance.

EC-3298. A communication from the Chief of the Trade and Commercial Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Removing the Prohibition on the Importation of Jadeite or Rubies Mined or Extracted from Burma, and Articles of Jewelry Containing Jadeite or Rubies Mined or Extracted from Burma” ((RIN1515-AE27) (CBP Dec. 17-15)) received in the Office of the President of the Senate on October 25, 2017; to the Committee on Finance.

EC-3299. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Medicare Program; End-State Renal Disease Prospective Payment System, Payment for Renal Dialysis Services Furnished to Individuals with Acute Kidney Injury, and End-State Renal Disease Quality Incentive Program” ((RIN0938-AT04) (CMS-1674-F)) received in the Office of the President of the Senate on October 30, 2017; to the Committee on Finance.

EC-3300. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2017-0176-2017-0187); to the Committee on Foreign Relations.

EC-3301. A communication from the Deputy Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data, and defense services to Canada to support the design, development, demonstration, qualification, assembly, manufacture, processing, analysis, test, and modification of Tube-launched, Optically-tracked, Wirelessly-guided (TOW) Launch Motor propellant for the TOW Weapon System in the amount of \$28,000,000 or more (Transmittal No. DDTC 17-051); to the Committee on Foreign Relations.

EC-3302. A communication from the Deputy Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report consistent with the Authorization for Use of Military Force Against Iraq Resolution of 2002 (P.L. 107-243) and the Authorization for the Use of Force Against Iraq Resolution (P.L. 102-1) for the June 9, 2017-August 8, 2017 reporting period; to the Committee on Foreign Relations.

EC-3303. A communication from the Bureau of Legislative Affairs, Department of

State, transmitting, pursuant to law, a report relative to the amendment of a designation of a group as a Foreign Terrorist Organization by the Secretary of State (OSS-2017-1115); to the Committee on Foreign Relations.

EC-3304. A communication from the Regulations Coordinator, Office of Strategic Operations and Regulatory Affairs, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled “Clinical Laboratory Improvement Amendments of 1988 (CLIA); Fecal Occult Blood (FOB) Testing” (RIN0938-AS04) received in the Office of the President of the Senate on October 19, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-3305. A communication from the Assistant General Counsel for Regulatory Services, Office of Postsecondary Education, Department 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-AD25) received in the Office of the President of the Senate on October 24, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-3306. A communication from the Acting Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled “Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits” (29 CFR Part 4022) received in the Office of the President of the Senate on October 25, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC-3307. A communication from the Acting Director, Retirement Services, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled “Federal Employees’ Retirement System; Government Costs” (RIN3206-AN22) received in the Office of the President of the Senate on October 25, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-3308. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled “Prevailing Rate Systems; Definition of Brown County, Wisconsin, and Forsyth and Mecklenburg Counties, North Carolina, to Nonappropriated Fund Federal Wage System Wage Areas” (RIN3206-AN50) received in the Office of the President of the Senate on October 25, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-3309. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Secretary of Homeland Security, received in the Office of the President of the Senate on October 25, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-3310. A communication from the Acting Administrator, National Aeronautics and Space Administration, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Administration’s 2016 FAIR Act Commercial Activities Inventory, the 2016 FAIR Act Inherently Governmental Activities Inventory, and the 2016 FAIR Act Executive Summary; to the Committee on Homeland Security and Governmental Affairs.

EC-3311. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, a report entitled “Federal Equal Opportunity Recruitment Program (FEORP) for Fiscal Year

2015” ; to the Committee on Homeland Security and Governmental Affairs.

EC-3312. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-150, “Access to Emergency Epinephrine in Schools Clarification Temporary Amendment Act of 2017” ; to the Committee on Homeland Security and Governmental Affairs.

EC-3313. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22-151, “Public School Nurse Assignment Temporary Amendment Act of 2017” ; to the Committee on Homeland Security and Governmental Affairs.

EC-3314. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Director, United States Citizenship and Immigration Services, Department of Homeland Security, received in the Office of the President of the Senate on October 26, 2017; to the Committee on the Judiciary.

EC-3315. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled “Revitalization of the AM Radio Service” ((MB Docket No. 13-249) (FCC 17-119)) received in the Office of the President of the Senate on October 25, 2017; to the Committee on Commerce, Science, and Transportation.

EC-3316. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Recreational Boat Flotation Standards—Update of Outboard Engine Weight Test Requirements” ((RIN1625-AC37) (Docket No. USCG-2016-1012)) received in the Office of the President of the Senate on October 25, 2017; to the Committee on Commerce, Science, and Transportation.

EC-3317. A communication from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting, pursuant to law, the report of a rule entitled “Safety Standard for Infant Bouncer Seats” ((16 CFR Part 1229) (Docket No. CPSC-2015-0028)) received in the Office of the President of the Senate on October 25, 2017; to the Committee on Commerce, Science, and Transportation.

## PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-131 A joint resolution adopted by the Legislature of the State of Texas rescinding certain applications made by the Texas Legislature to the United States Congress to call a national convention under Article V of the United States Constitution for proposing any amendment to the Constitution, to the Committee on the Judiciary.

### SENATE JOINT RESOLUTION NO. 38

Whereas, Over the years, the Texas Legislature has approved resolutions officially applying to the Congress of the United States to call a convention, under the terms of Article V of the Constitution of the United States, to offer various amendments to that Constitution; and

Whereas, While no Article V amendatory convention has yet taken place thus far in American history, nevertheless, there is a very real possibility that one, of more than one, could be triggered at some point in the future; and

Whereas, Regardless of their age, such past applications from Texas lawmakers remain alive and valid until such time as they are later formally rescinded: Now, therefore, be it

*Resolved*, That the 85th Legislature of the State of Texas, Regular Session, 2017, hereby officially rescinds, repeals, revokes, cancels, voids, and nullifies any and all applications from Texas legislators prior to the 85th Legislature, Regular Session, 2017, other than the application provided by H.C.R. No. 31, Acts of the 65th Legislature, Regular Session, 1977, that apply to the United States Congress for the calling of a convention, pursuant to Article V of the United States Constitution, regardless of how old such previous applications might be, and irrespective of what subject matters such applications pertained to; and, be it further

*Resolved*, That the 85th Legislature of the State of Texas, Regular Session, 2017, hereby declares that any application to the United States Congress for the calling of a convention under Article V of the United States Constitution that is submitted by the Texas Legislature during or after this Regular Session shall be automatically rescinded, repealed, revoked, canceled, voided, and nullified if the applicable convention is not called on or before the eighth anniversary of the date the last legislative vote is taken on the application; and, be it further

*Resolved*, That, in a manner which would furnish confirmation of delivery and tracking while en route, the Texas secretary of state shall transmit properly certified copies of this joint resolution of rescission, pursuant to the Standing Rules of the United States Senate (namely, Rule VII, paragraphs 4, 5, and 6), to the vice president of the United States (in his capacity as presiding officer of the United States Senate and addressed to him at the office which he maintains inside the United States Capitol Building); to the secretary and parliamentarian of the United States Senate; and to both United States senators representing Texas; accompanied by a cover letter to each addressee drawing attention to the fact that it is the 85th Texas Legislature's courteous, yet firm, request that the full and complete verbatim text of this joint resolution be duly published in the United States Senate's portion of the Congressional Record as an official memorial to the United States Senate, and that this joint resolution be referred to whichever committee or committees of the United States Senate that would have appropriate jurisdiction in this matter; and, be it further

*Resolved*, That, in a manner which would furnish confirmation of delivery and tracking while en route, the Texas secretary of state shall likewise transmit properly certified copies of this joint resolution of rescission, pursuant to the Rules of the United States House of Representatives (namely, Rule XII, clauses 3 and 7), to the speaker, clerk, and parliamentarian of the United States House of Representatives; and to all members of the United States House of Representatives who represent districts in Texas; likewise accompanied by a cover letter to each addressee drawing attention to the fact that it is the 85th Texas Legislature's courteous, yet firm, request that the substance of this joint resolution be accurately summarized in the United States House of Representatives' portion of the Congressional Record as an official memorial to the United States House of Representatives, and that this joint resolution be referred to whichever committee or committees of the United States House of Representatives that would have appropriate jurisdiction in this matter.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1586. A bill to require the Under Secretary for Oceans and Atmosphere to update periodically the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal area of the Great Lakes, and for other purposes (Rept. No. 115-180).

S. 1015. A bill to require the Federal Communications Commission to study the feasibility of designating a simple, easy-to-remember dialing code to be used for a national suicide prevention and mental health crisis hotline system.

## 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 Mrs. ERNST:

S. 2033. A bill to amend the Internal Revenue Code of 1986 to eliminate the deduction for living expenses incurred by members of Congress; to the Committee on Finance.

By Mr. RISCH (for himself and Mr. COONS):

S. 2034. A bill to strengthen resources for entrepreneurs by improving the SCORE program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. HEINRICH (for himself and Ms. COLLINS):

S. 2035. A bill to provide increased security for the voting systems of the United States, to protect against intrusion, theft, manipulation, and deletion of voter registration data and ballots, or votes cast, and to prevent cyberattacks from malicious computer hackers, and for other purposes; to the Committee on Rules and Administration.

By Mr. DONNELLY (for himself, Mrs. ERNST, and Mr. PORTMAN):

S. 2036. A bill to make necessary changes to the competitive need limitations provision of the Generalized System of Preferences, and for other purposes; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. REED, Mr. BLUMENTHAL, Mr. MURPHY, Ms. WARREN, and Mr. CARPER):

S. 2037. A bill to amend the Higher Education Act of 1965 regarding proprietary institutions of higher education in order to protect students and taxpayers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MORAN (for himself, Mr. TESTER, Mr. BLUMENTHAL, Mr. BROWN, Mr. WYDEN, and Ms. COLLINS):

S. 2038. A bill to amend title 38, United States Code, to provide for a presumption of herbicide exposure for certain veterans who served in Korea, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. GRASSLEY:

S. 2039. A bill to amend the Foreign Agents Registration Act of 1938 to promote greater transparency in the registration of persons serving as the agents of foreign principals, to provide the Attorney General with greater authority to investigate alleged violations of such Act and bring criminal and civil actions against persons who commit such violations, and for other purposes; to the Committee on Foreign Relations.

By Mr. ROBERTS (for himself and Mr. MORAN):

S. 2040. A bill to designate the facility of the United States Postal Service located at 621 Kansas Avenue in Atchison, Kansas, as the "Amelia Earhart Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BENNET (for himself, Mr. WYDEN, Mr. HEINRICH, and Mr. FRANKEN):

S. 2041. A bill to promote the use of resilient energy systems to rebuild infrastructure following disasters; to the Committee on Homeland Security and Governmental Affairs.

By Ms. KLOBUCHAR (for herself, Mr. GRASSLEY, Mr. DURBIN, and Mrs. SHAHEEN):

S. 2042. A bill to authorize a joint action plan and report on drug waste; to the Committee on Finance.

By Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Ms. BALDWIN, Ms. KLOBUCHAR, Mr. FRANKEN, Mrs. FEINSTEIN, Ms. HIRONO, Mr. LEAHY, and Mr. CARDIN):

S. 2043. A bill to promote the economic security and safety of survivors of domestic violence, dating violence, sexual assault, or stalking, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUMENTHAL (for himself, Mr. MURPHY, Mr. REED, Ms. HIRONO, Mr. MARKEY, Mr. DURBIN, Mrs. GILLIBRAND, Ms. BALDWIN, Mrs. MURRAY, Ms. WARREN, Ms. DUCKWORTH, Mr. BROWN, Mrs. SHAHEEN, Ms. HARRIS, Mr. BOOKER, and Mrs. FEINSTEIN):

S. 2044. A bill to amend title 18, United States Code, to protect more victims of domestic violence by preventing their abusers from possessing or receiving firearms, and for other purposes; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself, Mr. MURPHY, Mr. MARKEY, Mr. DURBIN, Mrs. GILLIBRAND, Ms. WARREN, Mr. VAN HOLLEN, Ms. DUCKWORTH, Ms. HARRIS, Mr. BOOKER, and Mrs. FEINSTEIN):

S. 2045. A bill to establish a grant program to encourage States to adopt certain policies and procedures relating to the transfer and possession of firearms; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself and Mr. SCHATZ):

S. 2046. A bill to amend titles 5 and 44, United States Code, to require Federal evaluation activities, improve Federal data management, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MURPHY (for himself, Ms. DUCKWORTH, Mr. SCHATZ, Mr. BOOKER, Mr. SANDERS, Mr. MERKLEY, Ms. WARREN, and Mr. UDALL):

S. 2047. A bill to restrict the use of funds for kinetic military operations in North Korea; to the Committee on Foreign Relations.

By Mr. WARNER (for himself, Mr. CASEY, and Ms. STABENOW):

S. 2048. A bill to amend the Internal Revenue Code of 1986 to provide a credit for employer-provided worker training; to the Committee on Finance.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HOEVEN (for himself, Mr. HEINRICH, Mr. ENZI, Mr. WHITEHOUSE, Mr.

INHOFE, Mr. UDALL, Mr. MORAN, Mr. TESTER, Mr. HATCH, Mr. DONNELLY, Mr. PORTMAN, Mr. SCHUMER, Mr. THUNE, Mr. ROUNDS, Mr. BENNET, Mr. ROBERTS, and Ms. HEITKAMP):

S. Res. 315. A resolution designating November 4, 2017, as National Bison Day; considered and agreed to.

By Mr. HOEVEN (for himself, Mr. UDALL, Mr. BARRASSO, Mr. THUNE, Ms. HEITKAMP, Mr. WYDEN, Mrs. MURRAY, Mr. DAINES, Mr. LANKFORD, Ms. HIRONO, Mr. MORAN, Mr. HELLER, Ms. KLOBUCHAR, Ms. CANTWELL, Mr. MERKLEY, Mr. TILLIS, Mr. KING, Mr. FRANKEN, Mr. ROUNDS, Mr. TESTER, Ms. STABENOW, and Mr. HEINRICH):

S. Res. 316. A resolution recognizing National Native American Heritage Month and celebrating the heritages and cultures of Native Americans and the contributions of Native Americans to the United States; considered and agreed to.

By Ms. HARRIS (for herself, Mr. BOOKER, and Mr. SCOTT):

S. Res. 317. A resolution celebrating the 40th anniversary of the Senate Black Legislative Staff Caucus and its achievements in the Senate; considered and agreed to.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. Res. 318. A resolution honoring the Portland Thorns FC as the champion of the National Women's Soccer League in 2017; to the Committee on Commerce, Science, and Transportation.

#### ADDITIONAL COSPONSORS

S. 179

At the request of Mr. GRASSLEY, the names of the Senator from Oklahoma (Mr. LANKFORD) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 179, a bill to expand the use of E-Verify, to hold employers accountable, and for other purposes.

S. 324

At the request of Mr. HATCH, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 324, a bill to amend title 38, United States Code, to improve the provision of adult day health care services for veterans.

S. 339

At the request of Mr. NELSON, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 339, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 374

At the request of Mr. BLUNT, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 374, a bill to enable concrete masonry products manufacturers to establish, finance, and carry out a coordinated program of research, education, and promotion to improve, maintain, and develop markets for concrete masonry products.

S. 382

At the request of Ms. DUCKWORTH, her name was added as a cosponsor of S. 382, a bill to require the Secretary of Health and Human Services to develop

a voluntary registry to collect data on cancer incidence among firefighters.

S. 497

At the request of Ms. CANTWELL, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 497, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 548

At the request of Ms. CANTWELL, the names of the Senator from South Carolina (Mr. SCOTT) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 548, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 646

At the request of Mr. BLUMENTHAL, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 646, a bill to amend title 38, United States Code, to improve the enforcement of employment and re-employment rights of members of the uniformed services, to amend the Servicemembers Civil Relief Act to improve the protection of members of the uniformed services, and for other purposes.

S. 778

At the request of Ms. KLOBUCHAR, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 778, a bill to require the use of prescription drug monitoring programs and to facilitate information sharing among States.

S. 793

At the request of Mr. BOOKER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 793, a bill to prohibit sale of shark fins, and for other purposes.

S. 833

At the request of Mr. TESTER, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 833, a bill to amend title 38, United States Code, to expand health care and benefits from the Department of Veterans Affairs for military sexual trauma, and for other purposes.

S. 925

At the request of Mrs. ERNST, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 925, a bill to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine, and for other purposes.

S. 967

At the request of Ms. STABENOW, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 967, a bill to amend title XVIII of the Social Security Act to increase access to ambulance services under the Medicare program and to reform payments for such services under such program, and for other purposes.

S. 1064

At the request of Mr. UDALL, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 1064, a bill to amend the Richard B. Russell National School Lunch Act to prohibit the stigmatization of children who are unable to pay for meals.

S. 1169

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1169, a bill to amend title XIX of the Social Security Act to provide States with an option to provide medical assistance to individuals between the ages of 22 and 64 for inpatient services to treat substance use disorders at certain facilities, and for other purposes.

S. 1706

At the request of Mrs. FEINSTEIN, her 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 name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor 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. 1753

At the request of Mr. HELLER, the names of the Senator from Maine (Mr. KING) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 1753, a bill to amend the S.A.F.E. Mortgage Licensing Act of 2008 to provide a temporary license for loan originators transitioning between employers, and for other purposes.

S. 1829

At the request of Mr. GRASSLEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1829, a bill to amend title V of the Social Security Act to extend the Maternal, Infant, and Early Childhood Home Visiting Program.

S. 1893

At the request of Mr. PERDUE, the name of the Senator from Alabama (Mr. STRANGE) 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. 1976

At the request of Mr. SCOTT, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1976, a bill to allow all individuals purchasing health insurance in the individual market the option to purchase a lower premium copper plan.

S. 2006

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2006, a bill to require breast density reporting to physicians

and patients by facilities that perform mammograms, and for other purposes.

S. 2009

At the request of Mr. MURPHY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2009, a bill to require a background check for every firearm sale.

S. 2011

At the request of Mr. SANDERS, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2011, a bill to amend title XVIII of the Social Security Act to provide for the negotiation of lower covered part D drug prices on behalf of Medicare beneficiaries and the establishment and application of a formula by the Secretary of Health and Human Services under Medicare part D, and for other purposes.

S. 2016

At the request of Mr. MARKEY, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2016, a bill to prevent an unconstitutional strike against North Korea.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. REED, Mr. BLUMENTHAL, Mr. MURPHY, Ms. WARREN, and Mr. CARPER):

S. 2037. A bill to amend the Higher Education Act of 1965 regarding proprietary institutions of higher education in order to protect students and taxpayers; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2037

*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 “Protecting Our Students and Taxpayers Act of 2017” or “POST Act of 2017”.

SEC. 2. 85/15 RULE.

(a) IN GENERAL.—Section 102(b) of the Higher Education Act of 1965 (20 U.S.C. 1002(b)) is amended—

- (1) in paragraph (1)—
- (A) in subparagraph (D), by striking “and” after the semicolon;
- (B) in subparagraph (E), by striking the period at the end and inserting “; and”; and
- (C) by adding at the end the following:
 

“(F) meets the requirements of paragraph (2).”;
- (2) by redesignating paragraph (2) as paragraph (3); and
- (3) by inserting after paragraph (1) the following:
 

“(2) REVENUE SOURCES.—

“(A) IN GENERAL.—In order to qualify as a proprietary institution of higher education under this subsection, an institution shall derive not less than 15 percent of the institution’s revenues from sources other than Federal funds, as calculated in accordance with subparagraphs (B) and (C).

“(B) FEDERAL FUNDS.—In this paragraph, the term ‘Federal funds’ means any Federal financial assistance provided, under this Act or any other Federal law, through a grant, contract, subsidy, loan, guarantee, insurance, or other means to a proprietary institution, including Federal financial assistance that is disbursed or delivered to an institution or on behalf of a student or to a student to be used to attend the institution, except that such term shall not include any monthly housing stipend provided under the Post-9/11 Veterans Educational Assistance Program under chapter 33 of title 38, United States Code.

“(C) IMPLEMENTATION OF NON-FEDERAL REVENUE REQUIREMENT.—In making calculations under subparagraph (A), an institution of higher education shall—

- “(i) use the cash basis of accounting;
- “(ii) consider as revenue only those funds generated by the institution from—
- “(I) tuition, fees, and other institutional charges for students enrolled in programs eligible for assistance under title IV;
- “(II) activities conducted by the institution that are necessary for the education and training of the institution’s students, if such activities are—
- “(aa) conducted on campus or at a facility under the control of the institution;
- “(bb) performed under the supervision of a member of the institution’s faculty; and
- “(cc) required to be performed by all students in a specific educational program at the institution; and
- “(III) a contractual arrangement with a Federal agency for the purpose of providing job training to low-income individuals who are in need of such training;

“(iii) presume that any Federal funds that are disbursed or delivered to an institution on behalf of a student or directly to a student will be used to pay the student’s tuition, fees, or other institutional charges, regardless of whether the institution credits such funds to the student’s account or pays such funds directly to the student, except to the extent that the student’s tuition, fees, or other institutional charges are satisfied by—

- “(I) grant funds provided by an outside source that—
- “(aa) has no affiliation with the institution; and
- “(bb) shares no employees with the institution; and
- “(II) institutional scholarships described in clause (v);
- “(iv) include no loans made by an institution of higher education as revenue to the school, except for payments made by students on such loans;
- “(v) include a scholarship provided by the institution—
- “(I) only if the scholarship is in the form of monetary aid based upon the academic achievements or financial need of students, disbursed to qualified student recipients during each fiscal year from an established restricted account; and
- “(II) only to the extent that funds in that account represent designated funds, or income earned on such funds, from an outside source that—
- “(aa) has no affiliation with the institution; and
- “(bb) shares no employees with the institution; and
- “(vi) exclude from revenues—
- “(I) the amount of funds the institution received under part C of title IV, unless the institution used those funds to pay a student’s institutional charges;
- “(II) the amount of funds the institution received under subpart 4 of part A of title IV;
- “(III) the amount of funds provided by the institution as matching funds for any Federal program;

“(IV) the amount of Federal funds provided to the institution to pay institutional charges for a student that were refunded or returned; and

“(V) the amount charged for books, supplies, and equipment, unless the institution includes that amount as tuition, fees, or other institutional charges.

“(D) REPORT TO CONGRESS.—Not later than July 1, 2018, and by July 1 of each succeeding year, the Secretary shall submit to the authorizing committees a report that contains, for each proprietary institution of higher education that receives assistance under title IV and as provided in the audited financial statements submitted to the Secretary by each institution pursuant to the requirements of section 487(c)—

- “(i) the amount and percentage of such institution’s revenues received from Federal funds; and
- “(ii) the amount and percentage of such institution’s revenues received from other sources.”.

(b) REPEAL OF EXISTING REQUIREMENTS.—Section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094) is amended—

- (1) in subsection (a)—
- (A) by striking paragraph (24);
- (B) by redesignating paragraphs (25) through (29) as paragraphs (24) through (28), respectively;
- (C) in paragraph (24)(A)(ii) (as redesignated by subparagraph (B)), by striking “subsection (e)” and inserting “subsection (d)”; and
- (D) in paragraph (26) (as redesignated by subparagraph (B)), by striking “subsection (h)” and inserting “subsection (g)”; and
- (2) by striking subsection (d);
- (3) by redesignating subsections (e) through (j) as subsections (d) through (i), respectively;
- (4) in subsection (f)(1) (as redesignated by paragraph (3)), by striking “subsection (e)(2)” and inserting “subsection (d)(2)”; and
- (5) in subsection (g)(1) (as redesignated by paragraph (3)), by striking “subsection (a)(27)” in the matter preceding subparagraph (A) and inserting “subsection (a)(26)”.

(c) CONFORMING AMENDMENTS.—The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

- (1) in section 152 (20 U.S.C. 1019a)—
- (A) in subsection (a)(1)(A), by striking “subsections (a)(27) and (h) of section 487” and inserting “subsections (a)(26) and (g) of section 487”; and
- (B) in subsection (b)(1)(B)(i)(I), by striking “section 487(e)” and inserting “section 487(d)”; and
- (2) in section 153(c)(3) (20 U.S.C. 1019b(c)(3)), by striking “section 487(a)(25)” each place the term appears and inserting “section 487(a)(24)”; and
- (3) in section 496(c)(3)(A) (20 U.S.C. 1099b(c)(3)(A)), by striking “section 487(f)” and inserting “section 487(e)”; and
- (4) in section 498(k)(1) (20 U.S.C. 1099c(k)(1)), by striking “section 487(f)” and inserting “section 487(e)”.

By Mr. GRASSLEY:

S. 2039. A bill to amend the Foreign Agents Registration Act of 1938 to promote greater transparency in the registration of persons serving as the agents of foreign principals, to provide the Attorney General with greater authority to investigate alleged violations of such Act and bring criminal and civil actions against persons who commit such violations, and for other purposes; to the Committee on Foreign Relations.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2039

*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 "Disclosing Foreign Influence Act".

#### SEC. 2. REPEALING EXEMPTION FROM REGISTRATION UNDER FOREIGN AGENTS REGISTRATION ACT OF 1938 FOR PERSONS FILING DISCLOSURE REPORTS UNDER LOBBYING DISCLOSURE ACT OF 1995.

(a) REPEAL OF EXEMPTION.—Section 3 of the Foreign Agents Registration Act of 1938 (22 U.S.C. 613) is amended by striking subsection (h).

(b) TIMING OF FILING OF REGISTRATION STATEMENTS.—Section 2 of the Foreign Agents Registration Act of 1938 (22 U.S.C. 612) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), in the fourth sentence, by striking "The registration statement shall include" and inserting "Except as provided in subsection (h), the registration statement shall include"; and

(2) by adding at the end the following:

"(h) TIMING FOR FILING OF STATEMENTS BY PERSONS REGISTERED UNDER LOBBYING DISCLOSURE ACT OF 1995.—In the case of an agent of a person described in section 1(b)(2) or an entity described in section 1(b)(3) who has registered under the Lobbying Disclosure Act of 1995 (2 U.S.C. 1601 et seq.), after the agent files the first registration required under subsection (a) in connection with the agent's representation of such person or entity, the agent shall file all subsequent statements required under this section at the same time, and in the same frequency, as the reports filed with the Clerk of the House of Representatives or the Secretary of the Senate (as the case may be) under section 5 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604) in connection with the agent's representation of such person or entity."

#### SEC. 3. PROMOTING ENFORCEMENT OF REGISTRATION REQUIREMENTS FOR FOREIGN AGENTS BY AUTHORIZING ATTORNEY GENERAL TO ISSUE CIVIL INVESTIGATIVE DEMANDS.

The Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.) is amended by adding at the end the following:

##### "SEC. 12. CIVIL INVESTIGATIVE DEMANDS.

"(a) AUTHORITY OF ATTORNEY GENERAL.—

"(1) AUTHORITY DESCRIBED.—Whenever the Attorney General or the Attorney General's designee has reason to believe that any person may be in possession, custody, or control of any documentary material, or may have any information, relevant to an investigation under this Act, the Attorney General or designee may, prior to the institution of a civil or criminal proceeding by the United States thereon, issue in writing, and cause to be served upon such person, a civil investigative demand requiring such person to produce such documentary material for inspection and copying or reproduction, to answer in writing written interrogatories with respect to such documentary material or information, to give oral testimony concerning such documentary material or information, or to furnish any combination of such material, answers, or testimony. Whenever a civil investigative demand is an express demand for any product of discovery, the Attorney General or designee shall cause to be served, in any manner authorized by this section, a

copy of such demand upon the person from whom the discovery was obtained and notify the person to whom such demand is issued of the date on which such copy was served.

"(2) LIMITING INDIVIDUALS WHO MAY SERVE AS DESIGNEES.—The Attorney General may not designate any individual other than the Assistant Attorney General for National Security or a Deputy Attorney General to carry out the authority provided under this section.

"(b) CONTENTS AND DEADLINES.—

"(1) IN GENERAL.—Each demand issued under subsection (a) shall—

"(A) state the nature of the conduct constituting the alleged violation of this Act which is under investigation and the provision of this Act alleged to be violated;

"(B) if such demand is for the production of documentary material—

"(i) describe each class of documentary material to be produced with such definiteness and certainty as to permit such material to be fairly identified;

"(ii) prescribe a return date for each such class which will provide a reasonable period of time within which the material so demanded may be assembled and made available for inspection and copying or reproduction; and

"(iii) identify the custodian to whom such material shall be made available;

"(C) if such demand is for answers to written interrogatories—

"(i) set forth with specificity the written interrogatories to be answered;

"(ii) prescribe dates at which time answers to written interrogatories shall be submitted; and

"(iii) identify the custodian to whom such answers shall be submitted; and

"(D) if such demand is for the giving of oral testimony—

"(i) prescribe a date, time, and place at which oral testimony shall be commenced;

"(ii) identify an investigator who shall conduct the examination and the custodian to whom the transcript of such examination shall be submitted;

"(iii) specify that such attendance and testimony are necessary to the conduct of the investigation;

"(iv) notify the person receiving the demand of the right to be accompanied by an attorney and any other representative; and

"(v) describe the general purpose for which the demand is being issued and the general nature of the testimony, including the primary areas of inquiry, which will be taken pursuant to the demand.

"(2) PRODUCT OF DISCOVERY.—Any civil investigative demand issued under this section which is an express demand for any product of discovery shall not be returned or returnable until 20 days after a copy of such demand has been served upon the person from whom the discovery was obtained.

"(3) DATE.—The date prescribed for the commencement of oral testimony pursuant to a civil investigative demand issued under subsection (a) shall be a date which is not less than 7 days after the date on which demand is received, unless the Attorney General or the Attorney General's designee determines that exceptional circumstances are present which warrant the commencement of such testimony within a lesser period of time.

"(4) NOTIFICATION.—The Attorney General shall not authorize the issuance under this section of more than one civil investigative demand for oral testimony by the same person unless the person requests otherwise or unless the Attorney General, after investigation, notifies that person in writing that an additional demand for oral testimony is necessary.

"(c) PROTECTED MATERIAL OR INFORMATION.—

"(1) IN GENERAL.—A civil investigative demand issued under subsection (a) may not require the production of any documentary material, the submission of any answers to written interrogatories, or the giving of any oral testimony if such material, answers, or testimony would be protected from disclosure under—

"(A) the standards applicable to subpoenas or subpoenas duces tecum issued by a court of the United States in aid of a grand jury investigation; or

"(B) the standards applicable to discovery requests under the Federal Rules of Civil Procedure, to the extent that the application of such standards to any such demand is appropriate and consistent with the provisions and purposes of this Act.

"(2) EFFECT ON OTHER ORDERS, RULES, AND LAWS.—Any such demand which is an express demand for any product of discovery supercedes any inconsistent order, rule, or provision of law (other than this Act) preventing or restraining disclosure of such product of discovery to any person. Disclosure of any product of discovery pursuant to any such express demand does not constitute a waiver of any right or privilege, including without limitation any right or privilege which may be invoked to resist discovery of trial preparation materials, to which the person making such disclosure may be entitled.

"(d) SERVICE; JURISDICTION.—

"(1) BY WHOM SERVED.—Any civil investigative demand issued under subsection (a) may be served by an appropriate investigator, or by a United States marshal or deputy marshal, at any place within the territorial jurisdiction of any court of the United States.

"(2) SERVICE IN FOREIGN COUNTRIES.—Any such demand or petition filed under subsection (k) may be served upon any person who is not to be found within the territorial jurisdiction of any court of the United States, in such manner as the Federal Rules of Civil Procedure prescribe for service in a foreign country. To the extent that the courts of the United States can assert jurisdiction over any such person consistent with due process, the United States District Court for the District of Columbia shall have the same jurisdiction to take any action respecting compliance with this Act by any such person that such court would have if such person were personally within the jurisdiction of such court.

"(e) SERVICE UPON LEGAL ENTITIES AND NATURAL PERSONS.—

"(1) LEGAL ENTITIES.—Service of any civil investigative demand issued under subsection (a) or of any petition filed under subsection (k) may be made upon a partnership, corporation, association, or other legal entity by—

"(A) delivering a duly executed copy of such demand or petition to any partner, executive officer, managing agent, or general agent of the partnership, corporation, association, or entity, or to any agent thereof authorized by appointment or by law to receive service of process on behalf of such partnership, corporation, association, or entity;

"(B) delivering a duly executed copy of such demand or petition to the principal office or place of business of the partnership, corporation, association, or entity to be served; or

"(C) depositing an executed copy of such demand or petition in the United States mails by registered or certified mail, with a return receipt requested, duly addressed to such partnership, corporation, association, or entity at its principal office or place of business.

“(2) NATURAL PERSONS.—Service of any such demand or petition may be made upon any natural person by—

“(A) delivering a duly executed copy of such demand or petition to the person to be served; or

“(B) depositing an executed copy of such demand or petition in the United States mails by registered or certified mail, with a return receipt requested, duly addressed to such person at the person’s residence or principal office or place of business.

“(f) PROOF OF SERVICE.—A verified return by the individual serving any civil investigative demand under subsection (a) or any petition filed under subsection (k) setting forth the manner of such service shall be proof of such service. In the case of service by registered or certified mail, such return shall be accompanied by the return post office receipt of delivery of such demand.

“(g) DOCUMENTARY MATERIAL.—

“(1) SWORN CERTIFICATES.—The production of documentary material in response to a civil investigative demand served pursuant to this section shall be made under a sworn certificate, in such form as the demand designates, by—

“(A) in the case of a natural person, the person to whom the demand is directed; or

“(B) in the case of a person other than a natural person, a person having knowledge of the facts and circumstances relating to such production and authorized to act on behalf of such person,

to the effect that all of the documentary material required by the demand and in the possession, custody, or control of the person to whom the demand is directed has been produced and made available to the custodian.

“(2) PRODUCTION OF MATERIALS.—Any person upon whom any civil investigative demand for the production of documentary material has been served under this section shall make such material available for inspection and copying to the investigator identified in such demand at the principal place of business of such person, or at such other place as the investigator and the person thereafter may agree and prescribe in writing, or as the court may direct under subsection (k)(1). Such material shall be made so available on the return date specified in such demand, or on such later date as the investigator may prescribe in writing. Such person may, upon written agreement between the person and the investigator, substitute copies for originals of all or any part of such material.

“(h) INTERROGATORIES.—

“(1) ANSWERS.—Each interrogatory in a civil investigative demand served pursuant to this section shall be answered separately and fully in writing under oath, and it shall be submitted under a sworn certificate, in such form as the demand designates, by—

“(A) in the case of a natural person, the person to whom the demand is directed; or

“(B) in the case of a person other than a natural person, the person or persons responsible for answering each interrogatory.

“(2) CONTENTS OF CERTIFICATES.—The certificate submitted under paragraph (1) shall state that all information required by the demand and in the possession, custody, control, or knowledge of the person to whom the demand is directed has been submitted. To the extent that any information is not furnished, the information shall be identified and reasons set forth with particularity regarding the reasons why the information was not furnished.

“(3) OBJECTIONS.—If any interrogatory is objected to, the reasons for the objection shall be stated in the certificate instead of an answer.

“(i) ORAL EXAMINATIONS.—

“(1) PROCEDURES.—The examination of any person pursuant to a civil investigative demand for oral testimony served under this section shall be taken before an officer authorized to administer oaths and affirmations by the laws of the United States or of the place where the examination is held. The officer before whom the testimony is to be taken shall put the witness on oath or affirmation and shall personally, or by someone acting under the direction of the officer and in the officer’s presence, record the testimony of the witness. The testimony shall be taken stenographically and transcribed. When the testimony is fully transcribed, the officer before whom the testimony is taken shall promptly transmit a copy of the transcript of the testimony to the custodian. This subsection shall not preclude the taking of testimony by any means authorized by, and in a manner consistent with, the Federal Rules of Civil Procedure.

“(2) PERSONS PRESENT.—The investigator conducting the examination shall exclude from the place where the examination is held all persons except the person giving the testimony, the attorney for and any other representative of the person giving the testimony, the attorney for the Government, any person who may be agreed upon by the attorney for the Government and the person giving the testimony, the officer before whom the testimony is to be taken, and any stenographer taking such testimony.

“(3) WHERE TESTIMONY TAKEN.—The oral testimony of any person taken pursuant to a civil investigative demand served under this section shall be taken in the judicial district of the United States within which such person resides, is found, or transacts business, or in such other place as may be agreed upon by the investigator conducting the examination and such person.

“(4) TRANSCRIPT OF TESTIMONY.—When the testimony is fully transcribed, the investigator or the officer before whom the testimony is taken shall afford the witness (who may be accompanied by counsel) a reasonable opportunity to examine and read the transcript, unless such examination and reading are waived by the witness. Any changes in form or substance which the witness desires to make shall be entered and identified upon the transcript by the officer or the investigator with a statement of the reasons given by the witness for making such changes. The transcript shall then be signed by the witness, unless the witness in writing waives the signing, is ill, cannot be found, or refuses to sign. If the transcript is not signed by the witness within 30 days after being afforded a reasonable opportunity to examine it, the officer or the investigator shall sign it and state on the record the fact of the waiver, illness, absence of the witness, or the refusal to sign, together with the reason, if any, given therefor.

“(5) CERTIFICATION AND DELIVERY TO CUSTODIAN.—The officer before whom the testimony is taken shall certify on the transcript that the witness was duly sworn by the officer and that the transcript is a true record of the testimony given by the witness, and the officer or investigator shall promptly deliver it or send it by registered or certified mail to the custodian.

“(6) FURNISHING OR INSPECTION OF TRANSCRIPT BY WITNESS.—Upon payment of reasonable charges therefor, the investigator shall furnish a copy of the transcript to the witness only, except that the Attorney General, or the Attorney General’s designee in accordance with this Act, may for good cause limit such witness to inspection of the official transcript of the witness’s testimony.

“(7) CONDUCT OF ORAL TESTIMONY.—

“(A) IN GENERAL.—Any person compelled to appear for oral testimony under a civil investigative demand issued under subsection (a) may be accompanied, represented, and advised by counsel. Counsel may advise such person, in confidence, with respect to any question asked of such person. Such person or counsel may object on the record to any question, in whole or in part, and shall briefly state for the record the reason for the objection. An objection may be made, received, and entered upon the record when it is claimed that such person is entitled to refuse to answer the question on the grounds of any constitutional or other legal right or privilege, including the privilege against self-incrimination. Such person may not otherwise object to or refuse to answer any question, and may not directly or through counsel otherwise interrupt the oral examination. If such person refuses to answer any question, a petition may be filed in the district court of the United States under subsection (k)(1) for an order compelling such person to answer such question.

“(B) COMPELLED TESTIMONY.—If such person refuses to answer any question on the grounds of the privilege against self-incrimination, the testimony of such person may be compelled in accordance with the provisions of part V of title 18, United States Code.

“(8) WITNESS FEES AND ALLOWANCES.—Any person appearing for oral testimony under a civil investigative demand issued under subsection (a) shall be entitled to the same fees and allowances which are paid to witnesses in the district courts of the United States.

“(j) CUSTODIANS OF DOCUMENTS, ANSWERS, AND TRANSCRIPTS.—

“(1) DESIGNATION.—The Attorney General, or designee in accordance with this Act, shall designate an investigator to serve as custodian of documentary material, answers to interrogatories, and transcripts of oral testimony received under this section, and shall designate such additional investigators as the Attorney General determines from time to time to be necessary to serve as deputies of the custodian.

“(2) RESPONSIBILITY FOR MATERIALS; DISCLOSURE.—

“(A) IN GENERAL.—An investigator who receives any documentary material, answers to interrogatories, or transcripts of oral testimony under this section shall transmit them to the custodian. The custodian shall take physical possession of such material, answers, or transcripts and shall be responsible for the use made of them and for the return of documentary material under paragraph (4).

“(B) PREPARATION.—The custodian may cause the preparation of such copies of such documentary material, answers to interrogatories, or transcripts of oral testimony as may be required for official use by any investigator, or other officer or employee of the Department of Justice. Such material, answers, and transcripts may be used by any such authorized investigator or other officer or employee in connection with the taking of oral testimony under this section.

“(C) NO EXAMINATION.—Except as otherwise provided in this subsection, no documentary material, answers to interrogatories, or transcripts of oral testimony, or copies thereof, while in the possession of the custodian, shall be available for examination by any individual other than an investigator or other officer or employee of the Department of Justice authorized under subparagraph (B). The prohibition in the preceding sentence on the availability of material, answers, or transcripts shall not apply if consent is given by the person who produced such material, answers, or transcripts, or, in the case of any product of discovery produced pursuant to an express demand for

such material, consent is given by the person from whom the discovery was obtained. Nothing in this subparagraph is intended to prevent disclosure to the Congress, including any committee or subcommittee of the Congress, or to any other agency of the United States for use by such agency in furtherance of its statutory responsibilities.

“(D) EXAMINATION BY CERTAIN PERSONS.—While in the possession of the custodian and under such reasonable terms and conditions as the Attorney General shall prescribe—

“(i) documentary material and answers to interrogatories shall be available for examination by the person who produced such material or answers, or by a representative of that person authorized by that person to examine such material and answers; and

“(ii) transcripts of oral testimony shall be available for examination by the person who produced such testimony, or by a representative of that person authorized by that person to examine such transcripts.

“(3) USE OF MATERIAL, ANSWERS, OR TRANSCRIPTS IN OTHER PROCEEDINGS.—Whenever any attorney of the Department of Justice has been designated to appear before any court, grand jury, or Federal agency in any case or proceeding, the custodian of any documentary material, answers to interrogatories, or transcripts of oral testimony received under this section may deliver to such attorney such material, answers, or transcripts for official use in connection with any such case or proceeding as such attorney determines to be required. Upon the completion of any such case or proceeding, such attorney shall return to the custodian any such material, answers, or transcripts so delivered which have not passed into the control of such court, grand jury, or agency through the introduction thereof into the record of such case or proceeding.

“(4) CONDITIONS FOR RETURN OF MATERIAL.—If any documentary material has been produced by any person in the course of any investigation pursuant to a civil investigative demand under this section, and—

“(A) any case or proceeding before the court or grand jury arising out of such investigation, or any proceeding before any Federal agency involving such material, has been completed, or

“(B) no case or proceeding in which such material may be used has been commenced within a reasonable time after completion of the examination and analysis of all documentary material and other information assembled in the course of such investigation, the custodian shall, upon written request of the person who produced such material, return to such person any such material (other than copies furnished to the investigator under subsection (g)(2) or made for the Department of Justice under paragraph (2)(B)) which has not passed into the control of any court, grand jury, or agency through introduction into the record of such case or proceeding.

“(5) APPOINTMENT OF SUCCESSOR CUSTODIANS.—

“(A) IN GENERAL.—In the event of the death, disability, or separation from service in the Department of Justice of the custodian of any documentary material, answers to interrogatories, or transcripts of oral testimony produced pursuant to a civil investigative demand under this section, or in the event of the official relief of such custodian from responsibility for the custody and control of such material, answers, or transcripts, the Attorney General or the Attorney General’s designee in accordance with this Act shall promptly—

“(i) designate another investigator to serve as custodian of such material, answers, or transcripts; and

“(ii) transmit in writing to the person who produced such material, answers, or testimony notice of the identity and address of the successor so designated.

“(B) SUCCESSOR.—Any person who is designated to be a successor under this paragraph shall have, with regard to such material, answers, or transcripts, the same duties and responsibilities as were imposed by this section upon that person’s predecessor in office, except that the successor shall not be held responsible for any default or dereliction which occurred before that designation.

“(k) JUDICIAL PROCEEDINGS.—

“(1) PETITION FOR ENFORCEMENT.—Whenever any person fails to comply with any civil investigative demand issued under subsection (a), or whenever satisfactory copying or reproduction of any material requested in such demand cannot be done and such person refuses to surrender such material, the Attorney General may file, in the district court of the United States for any judicial district in which such person resides, is found, or transacts business, and serve upon such person a petition for an order of such court for the enforcement of the civil investigative demand.

“(2) PETITION TO MODIFY OR SET ASIDE DEMAND.—

“(A) IN GENERAL.—Any person who has received a civil investigative demand issued under subsection (a) may file, in the district court of the United States for the judicial district within which such person resides, is found, or transacts business, and serve upon the investigator identified in such demand a petition for an order of the court to modify or set aside such demand. In the case of a petition addressed to an express demand for any product of discovery, a petition to modify or set aside such demand may be brought only in the district court of the United States for the judicial district in which the proceeding in which such discovery was obtained is or was last pending. Any petition under this subparagraph must be filed—

“(i) within 20 days after the date of service of the civil investigative demand, or at any time before the return date specified in the demand, whichever date is earlier, or

“(ii) within such longer period as may be prescribed in writing by any investigator identified in the demand.

“(B) GROUNDS FOR RELIEF.—The petition shall specify each ground upon which the petitioner relies in seeking relief under subparagraph (A), and may be based upon any failure of the demand to comply with the provisions of this section or upon any constitutional or other legal right or privilege of such person. During the pendency of the petition in the court, the court may stay, as it deems proper, the running of the time allowed for compliance with the demand, in whole or in part, except that the person filing the petition shall comply with any portions of the demand not sought to be modified or set aside.

“(3) PETITION TO MODIFY OR SET ASIDE DEMAND FOR PRODUCT OF DISCOVERY.—

“(A) IN GENERAL.—In the case of any civil investigative demand issued under subsection (a) which is an express demand for any product of discovery, the person from whom such discovery was obtained may file, in the district court of the United States for the judicial district in which the proceeding in which such discovery was obtained is or was last pending, and serve upon any investigator identified in the demand and upon the recipient of the demand, a petition for an order of such court to modify or set aside those portions of the demand requiring production of any such product of discovery. Any petition under this subparagraph must be filed—

“(i) within 20 days after the date of service of the civil investigative demand, or at any time before the return date specified in the demand, whichever date is earlier, or

“(ii) within such longer period as may be prescribed in writing by any investigator identified in the demand.

“(B) GROUNDS FOR RELIEF.—The petition shall specify each ground upon which the petitioner relies in seeking relief under subparagraph (A), and may be based upon any failure of the portions of the demand from which relief is sought to comply with the provisions of this section, or upon any constitutional or other legal right or privilege of the petitioner. During the pendency of the petition, the court may stay, as it deems proper, compliance with the demand and the running of the time allowed for compliance with the demand.

“(4) PETITION TO REQUIRE PERFORMANCE BY CUSTODIAN OF DUTIES.—At any time during which any custodian is in custody or control of any documentary material or answers to interrogatories produced, or transcripts of oral testimony given, by any person in compliance with any civil investigative demand issued under subsection (a), such person, and in the case of an express demand for any product of discovery, the person from whom such discovery was obtained, may file, in the district court of the United States for the judicial district within which the office of such custodian is situated, and serve upon such custodian, a petition for an order of such court to require the performance by the custodian of any duty imposed upon the custodian by this section.

“(5) JURISDICTION.—Whenever any petition is filed in any district court of the United States under this subsection, such court shall have jurisdiction to hear and determine the matter so presented, and to enter such order or orders as may be required to carry out the provisions of this section. Any final order so entered shall be subject to appeal under section 1291 of title 28, United States Code. Any disobedience of any final order entered under this section by any court shall be punished as a contempt of the court.

“(6) APPLICABILITY OF FEDERAL RULES OF CIVIL PROCEDURE.—The Federal Rules of Civil Procedure shall apply to any petition under this subsection, to the extent that such rules are not inconsistent with the provisions of this section.

“(1) DISCLOSURE EXEMPTION.—Any documentary material, answers to written interrogatories, or oral testimony provided under any civil investigative demand issued under subsection (a) shall be exempt from disclosure under section 552 of title 5, United States Code, as described in subsection (b)(3) of such section.

“(m) DEFINITIONS.—In this section—

“(1) the term ‘custodian’ means the custodian, or any deputy custodian, designated by the Attorney General under subsection (j)(1);

“(2) the term ‘documentary material’ includes the original or any copy of any book, record, report, memorandum, paper, communication, tabulation, chart, or other document, or data compilations stored in or accessible through computer or other information retrieval systems, together with instructions and all other materials necessary to use or interpret such data compilations, and any product of discovery;

“(3) the term ‘investigation’ means any inquiry conducted for the purpose of ascertaining whether any person is or has been engaged in any violation of this Act;

“(4) the term ‘investigator’ means any attorney or investigator employed by the Department of Justice who is charged with the duty of enforcing or carrying into effect this Act, or any officer or employee of the United



States acting under the direction and supervision of such attorney or investigator in connection with an investigation;

“(5) the term ‘official use’ means any use that is consistent with the law, and the regulations and policies of the Department of Justice, including use in connection with internal Department of Justice memoranda and reports; communications between the Department of Justice and a Federal, State, or local government agency, or a contractor of a Federal, State, or local government agency, undertaken in furtherance of a Department of Justice investigation or prosecution of a case; oral examinations; depositions; preparation for and response to civil discovery requests; introduction into the record of a case or proceeding; applications, motions, memoranda and briefs submitted to a court or other tribunal; and communications with Government investigators, auditors, consultants and experts, the counsel of other parties, arbitrators and mediators, concerning an investigation, case or proceeding; and

“(6) the term ‘product of discovery’ includes—

“(A) the original or duplicate of any deposition, interrogatory, document, thing, result of the inspection of land or other property, examination, or admission, which is obtained by any method of discovery in any judicial or administrative proceeding of an adversarial nature;

“(B) any digest, analysis, selection, compilation, or derivation of any item listed in subparagraph (A); and

“(C) any index or other manner of access to any item listed in subparagraph (A).

“(n) SUNSET.—The authority of the Attorney General to issue a civil investigative demand under this section shall expire upon the expiration of the 5-year period which begins on the date of the enactment of this section.”

**SEC. 4. COMPREHENSIVE STRATEGY TO IMPROVE ENFORCEMENT AND ADMINISTRATION.**

(a) DEVELOPMENT OF STRATEGY.—The Attorney General shall develop and implement a comprehensive strategy to improve the enforcement and administration of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.) that addresses the following issues:

(1) The coordination and integration of the work of the agencies that perform investigations of alleged violations of the Act and bring actions (including criminal prosecutions) to enforce the Act with the overall national security efforts of the Department of Justice.

(2) An assessment of the appropriateness of the exemptions provided under the Act that permit persons who represent the interests of foreign principals to avoid registering under the Act.

(3) A formal cost-benefit analysis of the appropriateness of the fee structure under the Act.

(4) An assessment of the value of making advisory opinions under the Act available in whole as an informational resource.

(b) REVIEW BY INSPECTOR GENERAL; REPORTS TO CONGRESS.—

(1) REVIEW.—The Inspector General of the Department of Justice shall carry out a regular, ongoing review of—

(A) the extent to which the Attorney General has developed and implemented the comprehensive strategy described in subsection (a); and

(B) the usage, effectiveness, and any potential abuse of the authority granted to the Attorney General by this Act to issue civil investigative demands.

(2) REPORTS TO CONGRESS.—The Inspector General of the Department of Justice shall submit a report to the appropriate commit-

tees of Congress on the results of the review carried out under paragraph (1) not later than 1 year after the date of enactment of this Act and annually thereafter.

**SEC. 5. ANALYSIS BY GOVERNMENT ACCOUNTABILITY OFFICE.**

Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) carry out an analysis of the effectiveness of the enforcement and administration of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.), including the extent to which the amendments made by this Act have improved the enforcement and administration of such Act, and taking into account the comprehensive strategy developed and implemented under section 4; and

(2) submit the analysis to the Attorney General, the Inspector General of the Department of Justice, and the appropriate committees of Congress.

**SEC. 6. DEFINITION.**

In this Act, the term “appropriate committees of Congress” means—

(1) the Committees on the Judiciary and Foreign Relations of the Senate; and

(2) the Committee on the Judiciary of the House of Representatives.

**SEC. 7. EFFECTIVE DATE.**

The amendments made by this Act shall take effect 180 days after the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

**SENATE RESOLUTION 315—DESIGNATING NOVEMBER 4, 2017, AS NATIONAL BISON DAY**

Mr. HOEVEN (for himself, Mr. HEINRICH, Mr. ENZI, Mr. WHITEHOUSE, Mr. INHOFE, Mr. UDALL, Mr. MORAN, Mr. TESTER, Mr. HATCH, Mr. DONNELLY, Mr. PORTMAN, Mr. SCHUMER, Mr. THUNE, Mr. ROUNDS, Mr. BENNET, Mr. ROBERTS, and Ms. HEITKAMP) submitted the following resolution; which was considered and agreed to:

S. RES. 315

Whereas on May 9, 2016, the North American bison was adopted as the national mammal of the United States;

Whereas bison are considered a historical symbol of the United States;

Whereas bison were integrally linked with the economic and spiritual lives of many Indian tribes through trade and sacred ceremonies;

Whereas there are more than 60 Indian tribes participating in the Intertribal Buffalo Council;

Whereas numerous members of Indian tribes are involved in bison restoration on tribal land;

Whereas members of Indian tribes have a combined herd on more than 1,000,000 acres of tribal land;

Whereas the Intertribal Buffalo Council is a tribal organization incorporated pursuant to section 17 of the Act of June 18, 1934 (commonly known as the “Indian Reorganization Act”) (25 U.S.C. 477);

Whereas bison can play an important role in improving the types of grasses found in landscapes to the benefit of grasslands;

Whereas a bison has been depicted on the official seal of the Department of the Interior since 1912;

Whereas bison hold significant economic value for private producers and rural communities;

Whereas, as of 2012, the Department of Agriculture estimates that 162,110 head of bison

were under the stewardship of private producers, creating jobs, and contributing to the food security of the United States by providing a sustainable and healthy meat source;

Whereas a bison is portrayed on 2 State flags;

Whereas the bison has been adopted by 3 States as the official mammal or animal of those States;

Whereas the buffalo nickel played an important role in modernizing the currency of the United States;

Whereas several sports teams have the bison as a mascot, which highlights the iconic significance of bison in the United States;

Whereas a small group of ranchers helped save bison from extinction in the late 1800s by gathering the remaining bison of the diminished herds;

Whereas on December 8, 1905, William Hornaday, Theodore Roosevelt, and others formed the American Bison Society in response to the near extinction of bison in the United States;

Whereas on October 11, 1907, the American Bison Society sent 15 captive-bred bison from the New York Zoological Park, now known as the “Bronx Zoo”, to the first big game refuge in the United States, now known as the “Wichita Mountains Wildlife Refuge”;

Whereas in 2005, the American Bison Society was reestablished, bringing together bison ranchers, managers from Indian tribes, Federal and State agencies, conservation organizations, and natural and social scientists from the United States, Canada, and Mexico to create a vision for the North American bison in the 21st century;

Whereas there are bison herds in National Wildlife Refuges, National Parks, and National Forests;

Whereas there are bison in State-managed herds across 11 States;

Whereas private, public, and tribal bison leaders are working together to continue bison restoration throughout North America;

Whereas there is a growing effort to celebrate and officially recognize the historical, cultural, and economic significance of the North American bison to the heritage of the United States; and

Whereas members of Indian tribes, bison producers, conservationists, sportsmen, educators, and other public and private partners have celebrated the annual National Bison Day since 2012 and are committed to continuing this tradition annually on the first Saturday of November: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates November 4, 2017, the first Saturday of November, as National Bison Day; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

**SENATE RESOLUTION 316—RECOGNIZING NATIONAL NATIVE AMERICAN HERITAGE MONTH AND CELEBRATING THE HERITAGES AND CULTURES OF NATIVE AMERICANS AND THE CONTRIBUTIONS OF NATIVE AMERICANS TO THE UNITED STATES**

Mr. HOEVEN (for himself, Mr. UDALL, Mr. BARRASSO, Mr. THUNE, Ms. HEITKAMP, Mr. WYDEN, Mrs. MURRAY, Mr. DAINES, Mr. LANKFORD, Ms. HIRONO, Mr. MORAN, Mr. HELLER, Ms. KLOBUCHAR, Ms. CANTWELL, Mr.

MERKLEY, Mr. TILLIS, Mr. KING, Mr. FRANKEN, Mr. ROUNDS, Mr. TESTER, Ms. STABENOW, and Mr. HEINRICH) submitted the following resolution; which was considered and agreed to:

S. RES. 316

Whereas, from November 1, 2017, through November 30, 2017, the United States celebrates National Native American Heritage Month;

Whereas National Native American Heritage Month is an opportunity to consider and recognize the contributions of Native Americans to the history of the United States;

Whereas Native Americans are descendants of the original, indigenous inhabitants of what is now the United States;

Whereas the Bureau of the Census estimated that, in 2010, there were more than 5,000,000 individuals of Native American descent in the United States;

Whereas Native Americans maintain vibrant cultures and traditions and hold a deeply rooted sense of community;

Whereas Native Americans have moving stories of tragedy, triumph, and perseverance that need to be shared with future generations;

Whereas Native Americans speak and preserve indigenous languages, which have contributed to the English language by being used as names of individuals and locations throughout the United States;

Whereas Congress has consistently reaffirmed the support of the United States of tribal self-governance and self-determination and the commitment of the United States to improving the lives of all Native Americans by—

(1) enhancing health care and law enforcement resources; and

(2) improving the housing and socioeconomic status of Native Americans;

Whereas the United States is committed to strengthening the government-to-government relationship that the United States has maintained with the various Indian tribes;

Whereas Congress has recognized the contributions of the Iroquois Confederacy and the influence of the Iroquois Confederacy on the Founding Fathers in the drafting of the Constitution of the United States with the concepts of—

(1) freedom of speech;

(2) the separation of governmental powers; and

(3) the system of checks and balances between the branches of government;

Whereas, with the enactment of the Native American Heritage Day Act of 2009 (Public Law 111-33; 123 Stat. 1922), Congress—

(1) reaffirmed the government-to-government relationship between the United States and Native American governments; and

(2) recognized the important contributions of Native Americans to the culture of the United States;

Whereas Native Americans have made distinct and important contributions to the United States and the rest of the world in many fields, including the fields of agriculture, medicine, music, language, and art;

Whereas Native Americans have distinguished themselves as inventors, entrepreneurs, spiritual leaders, and scholars;

Whereas Native Americans have served with honor and distinction in the Armed Forces and continue to serve in the Armed Forces in greater numbers per capita than any other group in the United States;

Whereas the United States has recognized the contribution of the Native American code talkers in World War I and World War II, who used indigenous languages as an unbreakable military code, saving countless lives in the United States; and

Whereas the people of the United States have reason to honor the great achievements

and contributions of Native Americans and their ancestors: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the month of November 2017 as “National Native American Heritage Month”;

(2) recognizes the Friday after Thanksgiving as “Native American Heritage Day” in accordance with section 2(10) of the Native American Heritage Day Act of 2009 (Public Law 111-33; 123 Stat. 1923); and

(3) urges the people of the United States to observe National Native American Heritage Month and Native American Heritage Day with appropriate programs and activities.

**SENATE RESOLUTION 317—CELEBRATING THE 40TH ANNIVERSARY OF THE SENATE BLACK LEGISLATIVE STAFF CAUCUS AND ITS ACHIEVEMENTS IN THE SENATE**

Ms. HARRIS (for herself, Mr. BOOKER, and Mr. SCOTT) submitted the following resolution; which was considered and agreed to:

S. RES. 317

Whereas, in 1977, Jackie Parker and Ralph Everett had the vision and courage to improve the working conditions of Black Senate staffers;

Whereas the Senate Black Legislative Staff Caucus continues to promote diversity and inclusion within the Senate;

Whereas, for the first time in its 40-year history, the Senate Black Legislative Staff Caucus celebrates 3 African-Americans serving simultaneously in the Senate;

Whereas the Senate Black Legislative Staff Caucus recognizes each of the 10 current or former Senators of African-American descent; and

Whereas, the Senate Black Legislative Staff Caucus continues to fight for the justice and equality that started during the civil rights movement of the 1960s: Now, therefore, be it

*Resolved*, That the Senate honors the Senate Black Legislative Staff Caucus for its many contributions and commitment to enrich the Senate community.

**SENATE RESOLUTION 318—HONORING THE PORTLAND THORNS FC AS THE CHAMPION OF THE NATIONAL WOMEN’S SOCCER LEAGUE IN 2017**

Mr. WYDEN (for himself and Mr. MERKLEY) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 318

Whereas the Portland Thorns FC won the National Women’s Soccer League (referred to in this preamble as the “NWSL”) Championship on October 14, 2017;

Whereas the Portland Thorns FC won the NWSL Championship, an event that has been held for 5 years, for the second time by defeating the North Carolina Courage by a score of 1 to 0;

Whereas Portland Thorns FC midfielder Lindsey Horan scored the only goal in the 2017 NWSL Championship and was named the Most Valuable Player of that Championship;

Whereas the Head Coach, Mark Parsons, and Chief Executive Officer, Merritt Paulson, of the Portland Thorns FC won the NWSL Championship for the second time;

Whereas the Rose City Riveters and the fans of the Portland Thorns FC, who provide

the Providence Park venue with spirit and pride, are the best fans in the NWSL;

Whereas the Portland Thorns FC holds the record for highest average game attendance in the NWSL in 2017 and has held that record in each year since the establishment of the NWSL in 2013;

Whereas the goalkeeper of the Portland Thorns FC, Adrianna Franch, was named the NWSL Goalkeeper of the Year for 2017;

Whereas the Portland Thorns FC adopted the official State motto of Oregon, “Alis Volat Propriis”, meaning “She Flies with Her Own Wings”, to capture the independent spirit of Oregon;

Whereas the Portland Thorns FC holds community service events to inspire and involve young women and men in the Portland community through science, technology, engineering, mathematics, and environmental education; and

Whereas the success of the Portland Thorns FC soccer team will broaden an appreciation of athletics in young people and encourage Oregonians to engage in their communities: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors the Portland Thorns FC as the 2017 champion of the National Women’s Soccer League;

(2) recognizes the outstanding achievement of the players, ownership, and staff of the Portland Thorns FC; and

(3) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) Merritt Paulson, the Chief Executive Officer of the Portland Thorns FC;

(B) Gavin Wilkinson, the General Manager of the Portland Thorns FC; and

(C) Mark Parsons, the Head Coach of the Portland Thorns FC.

**AUTHORITY FOR COMMITTEES TO MEET**

Mr. LANKFORD. Mr. President, I have 9 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

**COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION**

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, October 31, 2017, at 10 a.m., in room SR-253 to conduct a hearing on the following nominations: Leon A. Westmoreland, of Georgia, to be a Director of the Amtrak Board of Directors, Raymond Martinez, of New Jersey, to be Administrator of the Federal Motor Carrier Safety Administration, Diana Furchtgott-Roth, of Maryland, to be an Assistant Secretary of Transportation, and Bruce Landsberg, of South Carolina, to be a Member of the National Transportation Safety Board.

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, October 31, 2017, at 10 a.m., in room SD-366 to conduct a hearing.

COMMITTEE ON HEALTH, EDUCATION, LABOR,  
AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, October 31, 2017, at 2:30 p.m., in room SD-430 to conduct a hearing entitled "Implementation of the 21st Century Cures Act: Achieving the Promise of Health Information Technology."

COMMITTEE ON HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, October 31, 2017, at 10 a.m., to conduct a hearing entitled "2017 Hurricane Season: Oversight of the Federal Response."

COMMITTEE ON HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, October 31, 2017, at 2:30 p.m., to conduct a hearing entitled "2020 Census: Examining Cost Overruns, Information Security, and Accuracy."

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, October 31, 2017, at 9:30 a.m., in room SD-106 to conduct a hearing on the nomination of John C. Demers, of Virginia, to be an Assistant Attorney General, Department of Justice.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, October 31, 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 of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, October 31, 2017, at 2:30 p.m., in room SR-253 to conduct a hearing entitled "Exploring Native American Subsistence Rights and International Treaties."

SUBCOMMITTEE ON CRIME AND TERRORISM

The Subcommittee on Crime and Terrorism of the Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, October 31, 2017, at 2:30 p.m., in room SH-216 to conduct a hearing entitled "Extremist Content and Russian Disinformation Online: Working with Tech to Find Solutions."

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the Democratic leader, pursuant to the provisions of Public Law 114-224, the appointment of the following individual to serve as a member of the Virgin Islands of the United States Cen-

tennial Commission: the Honorable BILL NELSON of Florida.

CALLING ON THE GOVERNMENT  
OF IRAN TO RELEASE UNJUSTLY  
DETAINED UNITED STATES CITI-  
ZENS AND LEGAL PERMANENT  
RESIDENT ALIENS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 244, S. Res. 245.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 245) calling on the Government of Iran to release unjustly detained United States citizens and legal permanent resident aliens, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 245) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of August 3, 2017, under "Submitted Resolutions.")

RESOLUTIONS SUBMITTED TODAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following Senate resolutions which were submitted earlier today: S. Res. 315, S. Res. 316, and S. Res. 317.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. MCCONNELL. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

UNANIMOUS CONSENT AGREE-  
MENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, that at 11:30 a.m. on Wednesday, November 1, there be 30 minutes of postcloture time remaining on the Larsen nomination, equally divided between the leaders or their designees, and that following the use or

yielding back of that time, the Senate vote on the confirmation of the Larsen nomination; and that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR WEDNESDAY,  
NOVEMBER 1, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, November 1; 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; finally, that following leader remarks, the Senate proceed to executive session and resume consideration of the Larsen nomination under the previous order.

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 Senators CASEY and SANDERS.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Pennsylvania.

OUR SYSTEM OF JUSTICE

Mr. CASEY. Mr. President, I rise this evening to talk about our system of justice. If we were to walk out from the Senate, out the front door, and across the front of the Capitol directly, we would find ourselves across the street from the U.S. Supreme Court.

As everyone knows, inscribed across the front of the U.S. Supreme Court are these words: "Equal justice under law"—a pretty simple statement about our system of justice, but of course that has a profound meaning in our system.

Hundreds of years ago, Saint Augustine said the following about justice: Without justice what are kingdoms but great bands of robbers.

So we have always had this focus on what justice means. It came into sharper focus, of course, when our Nation was born. We set up three branches of government—or, I should say, our Founders set up three branches of government—one of them being the judiciary and, of course, that was followed, after the Constitution was ratified, by the Judiciary Act of 1789. We have had that system of justice in one form or another all these years.

In so many ways, our system of justice sets us apart from the world. Our

system of justice, though it is often strained and stretched and sometimes undermined, is still the envy of the world. It does set us apart. We know that throughout our history—and even more recently—there are several examples of one judge being able to stop the executive, one judge being able to reverse policy or, at least, force the executive to make amendments to an Executive order, as has happened over the last couple of months.

I think we always have to ask ourselves whether or not our system of justice is getting it right, whether or not the balance is there. There are lots of ways to express the tension between one side and another in our system of justice. One way to express it—not the only way, but one way, when you consider the awesome appropriate power in a nation like ours—is, Will we have a system that allows everyone to get a fair shot at justice, to literally fulfill the obligation or the goal of equal justice under the law? Or will we have a system of justice that rewards, supports, or seems to find in favor of corporate interests or have a court, whether it is the Supreme Court or a Federal court of one kind or another, that is beholden to corporate interests? So one way to suggest the tension and sometimes the conflict is to have a fair shot for everyone versus a corporate tilt or a corporate court or a corporate justice system.

I would have to say that when you look at some of the evidence most recently, the Supreme Court under Chief Justice Roberts has been an ever more reliable ally to both big corporations and those with great power, those with great wealth. A major study published by the Minnesota Law Review in 2013 found that the four conservative Justices currently sitting on the Court—Justices Alito, Roberts, Thomas, and Kennedy—are among the six most business friendly Supreme Court Justices since 1946. So found the major study in the Minnesota Law Review just 4 years ago. So four Justices on the Court now were found among the six most business friendly. That is one indicator.

Another review by the Constitutional Accountability Center, which, of course, is ongoing as decisions are handed down, shows the consequences of the Court's corporate tilt, finding that the Chamber of Commerce has had a success rate of 70 percent—7–0, a success rate of 70 percent—in cases before the Roberts Court, a significant increase over previous Courts. So these are two major indicators of the corporate tilt of this Supreme Court.

Now, these cases are important to every person—cases involving, for example, rules for consumer contracts, challenges to regulations ensuring fair pay and labor standards, attempts by consumers to hold companies accountable for product safety and much, much more. Because the Supreme Court's decisions set precedents followed by every Federal district court across the Nation—hundreds of district

courts—these rulings have an impact beyond just the particular case and the particular parties or the litigants in that case, in that district, or in that Supreme Court case.

The tilt toward corporate interests at the expense of everyday Americans is not confined to the Supreme Court. I have had serious concerns about many of the judicial nominees put forward by the Trump administration, particularly those nominated to sit on the circuit courts, the highest appellate court in the land other than the Supreme Court. In essence, these circuit courts, which sometimes cover more than one State, are effectively the highest court in the land for the vast majority of cases that are not heard by the Supreme Court. The Supreme Court may take only a few cases a year, sometimes a very low percentage, or less than 5 percent in most years.

The President has plucked many of these nominees for the circuit courts from a list compiled by the Federalist Society and the Heritage Foundation, two substantial conservative organizations. I don't want the Supreme Court chosen by the Federalist Society and the Heritage Foundation. I certainly don't want circuit court judges chosen, handpicked, and designated ahead of time who only have been selected from this list. That is apparently what happened in the midst of the campaign. They gave the Republican nominee a list and said: That is your list. You choose from them only. It wasn't a suggested list. It was a directive.

I think I am joined by a lot of people across the country in my concern when groups like that have veto power over who sits on the Supreme Court or who has veto power over those who sit on Federal courts.

Like several of the conservative Justices on the Supreme Court, many of these nominees on this list from the Federalist Society and the Heritage Foundation have a corporate philosophy, a philosophy that ignores the realities faced by many Americans, the realities faced by many workers across our country.

The records of these nominees indicate that this problem will only be exacerbated and workers and their families will continue to have the deck stacked against them in the real world, not the world of briefs and the world of Supreme Court juris prudence and the world of arguments in front of the Supreme Court. But in the real world, the decks will be stacked against them—in the real world of making ends meet in a family, in the struggles that people have every day, and in the real world of working every day for long hours and sometimes in not the best working conditions and up against very powerful forces.

The fundamental promise of our court system is this principle of justice I talked about earlier—the principle that everyone should have a fair shot at justice, all the time, in every case, without exception, in every court, in

every year, in every era. That is what equal justice under the law means, and when that doesn't happen, when someone is denied equal justice under the law even one time, of course, our system hasn't worked well.

When you see the numbers that I cited earlier, that the Chamber of Commerce has a success rate of 70 percent, I am not sure we can say that equal justice under the law—that principle—has been adhered to. When that happens, of course, what Saint Augustine reminded us hundreds of year ago—that without justice, what are kingdoms but a great band of robbers—people are robbed of justice in maybe one case. Unfortunately we know from the record that it is a lot more than one case. But one is too many if you believe in equal justice under law.

So I have serious concerns that this basic promise—the ultimate promise of justice that was enshrined in our Constitution by our Founders and was brought forward by the Judiciary Act of 1789 and which has continued to this present day—of equal justice under law could be in jeopardy. Some would say that it is in jeopardy already as this administration puts its stamp on the judiciary.

We must demand that the judiciary live up to the principles of equal justice under the law for all the people in all the cases all the time.

I yield the floor.

The PRESIDING OFFICER (Mr. STRANGE). The Senator from Vermont.

#### HEALTHCARE

Mr. SANDERS. Mr. President, let me begin by pointing out an op-ed that appeared in the Boston Globe today. It is an op-ed that I wrote. It is called "The health care crisis no one is talking about."

Mr. President, I ask unanimous consent that this op-ed be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Boston Globe, Oct. 31, 2017]

THE HEALTH CARE CRISIS NO ONE IS TALKING ABOUT

(By Bernie Sanders)

The United States faces a major crisis in primary health care, and unless Congress acts immediately it is likely to become much worse.

Millions of Americans are at risk of losing their access to health care because Congress did not renew funding for the community health center program at the end of the fiscal year, Sept. 30. Unless we renew funding immediately, 70 percent of funding will be cut, the doors of 2,800 community health centers will close, and 9 million patients will lose access to quality health care. That is unacceptable.

Our nation's community health centers provide affordable, high-quality health care to more than 27 million people. This includes not only primary health care, but also dentistry, counseling, and low-cost prescription drugs. For the 13 million rural patients served, community health centers often are the only health care provider for hundreds of

miles. And they provide good jobs in communities that need them the most.

Community health centers not only save lives, they also save money. Instead of people ending up in expensive emergency room care, or in the hospital, they get the primary care they need, when they need it, at high quality medical centers. Compared to other providers, community health centers save on average \$2,371 per Medicaid patient and up to \$1,210 per Medicare patient. What's more, community health centers have played a pivotal role in generating more than \$49 billion in savings to the entire health care system.

Not only do we have to renew funding for the community health center program, we must also improve and expand the National Health Service Corps—the program that provides debt forgiveness for young doctors, nurses, dentists, mental health providers, and pharmacists who are prepared to work in our nation's most underserved areas. Without debt forgiveness, it is very hard to get new doctors to choose primary care—an area of medicine that does not pay the big bucks. It is also difficult to attract medical professionals into the underserved areas of our country where they are needed the most.

It is widely acknowledged that we currently have the most wasteful, inefficient, and expensive health care system in the world. Despite spending almost \$10,000 per capita on health care, twice as much as any other country, 28 million Americans have no insurance, even more are underinsured, with high copayments and deductibles, and we pay the highest prices in the world for prescription drugs. The rarely discussed truth is that thousands of Americans die each year because they cannot afford to get to a doctor when they should.

We must not allow a bad situation to get worse.

We cannot tell millions of low-income and working people in every state in this country that they will no longer be able to access the health care, dental care, mental health counseling, and low-cost prescription drugs they desperately need.

We cannot tell pregnant women that they will not be able to get the necessary prenatal care they require in order to have healthy babies.

We cannot tell the young person addicted to opioids or heroin that there is no treatment available.

We cannot tell chronically ill senior citizens that they will have to survive without the prescription drugs they have used for years.

We cannot force community health centers, which provide some of the most cost-effective health care in the country, to lay off the doctors, nurses, dentists, and administrators who keep these centers going.

Historically, the community health center program has enjoyed widespread bipartisan support, and that support continues. Today, along with almost all Democrats, there are a number of Republicans who fully understand how important these centers are to the well-being of their states and want to see the program refunded.

The time for delay is over. Congress must act immediately to fully fund the community health center program and the associated workforce programs that provide them with the well-trained staffing they need.

Mr. SANDERS. Mr. President, the United States today faces a major healthcare crisis. I think we all understand that. In the midst of that healthcare crisis, we face an even greater crisis in primary healthcare, and that means that there are many, many millions of people, not just peo-

ple who don't have any insurance, not just people who are underinsured, but people even with decent insurance, who cannot get to a doctor's office when they need to because there is not a sufficient number of primary care physicians in their area. This is a major crisis today, but unless Congress acts immediately, that crisis is going to become much, much worse.

Millions of Americans are at risk of losing their access to healthcare because Congress has still not renewed funding for the Community Health Center Program, which expired on September 30. So we hear a whole lot of discussion about a whole lot of serious healthcare problems. This is one that we do not hear very much about, and that is that Congress has still not renewed funding for the Community Health Center Program, which expired on September 30. Unless we renew that funding immediately, some 70 percent of funding for community health centers will be lost. The doors of 2,800 service sites will close and 9 million patients will lose access to the healthcare they currently have. Nine million people will find that when they go to a community health center, that center will no longer be able to treat them. Clearly, this is unacceptable.

Our Nation's community health centers provide affordable, high-quality healthcare to more than 27 million Americans in every State in this country. This includes, by the way, in terms of community health centers, not only primary healthcare but also dental care, which is a major crisis in this country. It is very hard in many parts of America to find affordable dental care. It also includes mental health counseling, which is another major issue, especially within the context of the opioid and heroin epidemic we face. In addition to all of that, community health centers provide low-cost prescription drugs at a time when many Americans cannot afford the medicine they need.

They play a vital role in community after community, State after State, in providing healthcare to some 27 million rural Americans. For the 13 million rural patients served, community health centers often are the only healthcare provider for hundreds of miles in rural America. There are deserts in which Americans cannot access a doctor, and community health centers are the oasis in that desert. In addition to all of that, community health centers often provide a lot of good jobs in underserved communities that need them the most.

Community health centers not only save lives, but they also save money. Every dollar we invest in strong primary healthcare saves us dollars in the long run. Instead of people ending up in expensive emergency room care—and emergency room care is the most expensive primary care in the country—or ending up in the hospital because they can't and do not go to the doctor

when they should, community health centers provide the primary care people need at a fraction of the cost of an emergency room.

Medicaid, in many cases, will spend one-tenth as much per patient for a community health center visit compared to an emergency room visit. So it is an opportunity not only to provide good quality care but to save substantial sums of money. Compared to other providers, community health centers save, on average, \$2,371 per Medicaid patient and up to \$1,210 for Medicare patients.

What is more, community health centers have played a pivotal role in generating more than \$49 billion in savings to the entire healthcare system. They provide quality primary healthcare. They save money by keeping people out of emergency rooms or keeping them out of the hospitals. Not only do we have to renew funding of the Community Health Center Program, we must also improve and expand the National Health Service Corps, which is a program that provides debt forgiveness for young doctors, nurses, dentists, mental health providers, and pharmacists who are prepared to work in our Nation's most underserved areas. Without debt forgiveness, without telling young graduates of medical school who often leave school \$200,000, \$300,000, and \$400,000 in debt—without giving them the opportunity to get those very large debts forgiven, it will be very hard to attract physicians and nurses and psychologists to rural areas or urban areas, where we have a significant “underserving” in terms of medical care.

So we need to fund not only community health centers but the National Health Service Corps. We currently have 1,100 National Health Service Corps members who are in school or in residency programs who will not be able to complete their training and become primary care professionals. We need to provide the workforce for community health centers and other underserved areas in this country.

Here is the very good news: The truth is, for many years, our community health centers, which are playing a vital role all over this country—urban areas and rural areas—have received bipartisan support. I know a lot of the bipartisan efforts of the past have kind of disappeared in the current political climate, but I am very happy to say there is a very strong piece of legislation introduced by Senator ROY BLUNT, a Republican from Missouri, which has a number of Republican cosponsors on it.

My own view is, I think every Member of the Democratic caucus would sponsor it, but I think there is a whole lot of Republican support for this community health center bill. So not only is Mr. BLUNT the sponsor of the bill, we have Senator CAPITO, Senator GARDNER, Senator COLLINS, Senator WICKER, Senator FISCHER, Senator BOOZMAN,

Senator MURKOWSKI, and Senator COCHRAN—who are all Republicans—onboard this legislation.

I believe, if that bill came to the floor today as a stand-alone bill, it would pass overwhelmingly because people in rural America, people in urban America—Democrats, Republicans, and Independents—understand the very important role community health centers are playing. What this bill is about, significantly, is funding for 5 years not quite at the level I would like to see but at about 4 percent a year which, in terms of medical inflation, really means level funding. Now, that is in contrast to a bill that is being discussed in the House, which is simply not satisfactory. The House bill is talking about 2 years of funding, which means it is level-funded, which means it is a significant decline in real dollars for community health centers. Also, there are pay-fors for the bill which are totally unsatisfactory. It is a question of taking money from Peter to pay Paul and taking money from very important healthcare programs to put money into this important program.

It is widely acknowledged that we currently have the most wasteful, inefficient, and expensive healthcare system in the world, despite spending almost \$10,000 per capita on healthcare, which is twice as much as any other country. I just returned from Canada the other day. They spend about 50 percent per capita of what we spend of guaranteed healthcare to all of their people, and many of their healthcare outcomes are, in fact, better than they are in the United States. So we spend a whole lot of money, and we are not getting particularly good value.

One of the areas where we are getting good value is in the area of community health centers. We need to not allow a bad situation to get worse. We have a very serious crisis in this country with primary healthcare, dental care, and certainly, mental health counseling. We are in deep trouble. If we do not immediately fund the Community Health Center Program, the National Health Service Corps, and the other workforce programs, a very bad situation will become tragically worse. We cannot tell millions of low-income and working people in every State in this country that they will no longer be able to access the healthcare, dental care, mental health counseling, and low-cost prescription drugs they desperately need. We cannot tell pregnant women they will not be able to get the necessary prenatal care they require in order to deliver healthy babies. We cannot tell the tragic number of people who are struggling today with opioid or heroin addiction that there is simply no treatment available to them because community health centers do a lot of that treatment. We cannot tell chronically ill senior citizens they will have to survive without the prescription drugs they have used for years. We cannot force community health centers—

which provide some of the most cost-effective healthcare in this country—to lay off doctors, nurses, dentists, and administrators who keep these centers going.

Historically, the Community Health Center Program has enjoyed widespread bipartisan support, and I am glad to say that for this program, that support continues. What I am asking today is for strong support for the Blunt legislation. Let's get it onto the floor of the Senate as quickly as we can. Let's pass it. Let's demand that the House work with us to pass strong legislation. The time for delay is over. Congress must act immediately to fully fund the Community Health Center Program, the National Health Service Corps, and the Teaching Health Centers Program today.

We know these programs work. We know they save money and lives. These programs must be funded for 5 years, which is what the Blunt bill does. We should not continue to ignore this very serious problem for another day.

I yield the floor.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:35 p.m., adjourned until Wednesday, November 1, 2017, at 10 a.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate October 31, 2017:

##### THE JUDICIARY

AMY CONEY BARRETT, OF INDIANA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SEVENTH CIRCUIT.

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

LT. GEN. STAYCE D. HARRIS

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

MAJ. GEN. PAUL J. LACAMERA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be brigadier general

COL. TWANDA E. YOUNG

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

##### To be brigadier general

COL. ROGER D. MURDOCK

##### IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

MAJ. GEN. DAVID D. THOMPSON

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE

OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

##### To be brigadier general

COL. RALPH L. SCHWADER

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

##### To be brigadier general

COL. DONALD B. ABSHER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

##### To be brigadier general

COL. RICHARD E. ANGLE

COL. MILFORD H. BEAGLE, JR.

COL. SEAN C. BERNABE

COL. MARIA A. BLANK

COL. JAMES P. BIENLIEN

COL. BRIAN R. BISACRE

COL. WILLIAM M. BORUFF

COL. RICHARD R. COFFMAN

COL. CHARLES D. COSTANZA

COL. JOY L. CURRIERA

COL. JOHNNY K. DAVIS

COL. ROBERT B. DAVIS

COL. THOMAS R. DREW

COL. MICHAEL R. EASTMAN

COL. BRIAN S. EIFLER

COL. CHRISTOPHER L. EUBANK

COL. OMUSO D. GEORGE

COL. WILLIAM J. HARTMAN

COL. DARIEN P. HELMLINGER

COL. DAVID M. HODNE

COL. JONATHAN E. HOWERTON

COL. HEIDI J. HOYLE

COL. THOMAS L. JAMES

COL. CHRISTOPHER C. LANEVE

COL. OTTO K. LILLER

COL. VINCENT F. MALONE II

COL. CHARLES R. MILLER

COL. JAMES S. MOORE, JR.

COL. MICHAEL T. MORRISSEY

COL. ANTONIO V. MUNERA

COL. FREDERICK M. O'DONNELL

COL. PAUL E. OWEN

COL. WALTER T. RUGEN

COL. MICHELLE A. SCHMIDT

COL. MARK T. SIMERLY

COL. MICHAEL E. SLOANE

COL. WILLIAM D. TAYLOR

COL. WILLIAM L. THIGPEN

COL. THOMAS J. TICKNER

COL. MATTHEW J. VANWAGENEN

COL. DARREN L. WERNER

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

##### To be major general

BRIG. GEN. KEITH Y. TAMASHIRO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be lieutenant general

MAJ. GEN. ERIC P. WENDT

##### IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be vice admiral

VICE ADM. CHRISTOPHER W. GRADY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be vice admiral

REAR ADM. BRUCE H. LINDSEY

##### IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH JAMES A. FANT AND ENDING WITH DUSTIN D. HARLIN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

AIR FORCE NOMINATION OF ERIK M. MUDRINICH, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH SCOTT M. ABBOTT AND ENDING WITH KRISTINA M. ZUCCARELLI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

##### IN THE ARMY

ARMY NOMINATION OF ADRIAN L. NELSON, TO BE MAJOR.

ARMY NOMINATION OF TODD M. CHARD, TO BE MAJOR.

ARMY NOMINATION OF TRISTAN D. HARRINGTON, TO BE MAJOR.

ARMY NOMINATION OF DAVID S. LYLE, TO BE COLONEL.

ARMY NOMINATION OF GEORGE B. INABINET, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH BENJAMIN A. BARBEAU AND ENDING WITH BLAIR D. TIGHE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

ARMY NOMINATIONS BEGINNING WITH GARRETT K. ANDERSON AND ENDING WITH ROGER D. PLASTER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

ARMY NOMINATIONS BEGINNING WITH JOSHUA A. AKERS AND ENDING WITH D013905, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

ARMY NOMINATIONS BEGINNING WITH JONATHAN L. ABBOTT AND ENDING WITH BOVEY Z. ZHU, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

ARMY NOMINATIONS BEGINNING WITH JANETTA R. BLACKMORE AND ENDING WITH JEFFREY E. OLIVER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

ARMY NOMINATIONS BEGINNING WITH STEVEN A. BATY AND ENDING WITH ALISA R. WILMA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

ARMY NOMINATIONS BEGINNING WITH WESLEY J. ANDERSON AND ENDING WITH HOPE M. WILLIAMSONYOUNCE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

ARMY NOMINATIONS BEGINNING WITH GINA E. ADAM AND ENDING WITH DAVID R. ZINNANTE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

ARMY NOMINATIONS BEGINNING WITH DAVID J. H. CHANG AND ENDING WITH MATTHEW J. YANDURA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

ARMY NOMINATION OF SAMUEL A. REDDING, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF SATIVA M. FRANKLIN, TO BE LIEUTENANT COLONEL.

ARMY NOMINATIONS BEGINNING WITH MAURICE O. BARNETT AND ENDING WITH AARON C. BARTA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

ARMY NOMINATION OF GRANT R. BARGE, TO BE MAJOR.

ARMY NOMINATION OF MICHAEL W. CHUNG, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH CHEMITRA M. CLAY AND ENDING WITH JOHN C. HUBBARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

ARMY NOMINATION OF CHARLES K. BERGMAN, TO BE COLONEL.

ARMY NOMINATION OF ROBERT S. PATTON, JR., TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH JASON P. AFFOLDER AND ENDING WITH D012388, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

ARMY NOMINATIONS BEGINNING WITH ANDRE B. ABADIE AND ENDING WITH G001060, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

ARMY NOMINATIONS BEGINNING WITH WINFIELD A. ADKINS AND ENDING WITH D013960, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

#### IN THE MARINE CORPS

MARINE CORPS NOMINATION OF JOHN J. STRAUB, TO BE MAJOR.

#### IN THE NAVY

NAVY NOMINATIONS BEGINNING WITH SUZANNE T. ALFORD AND ENDING WITH LAURA C. YOON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

NAVY NOMINATIONS BEGINNING WITH ROY A. ADUNA AND ENDING WITH KIRTLEY N. YEISER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

NAVY NOMINATIONS BEGINNING WITH CALVIN LOPER AND ENDING WITH BILLY W. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

NAVY NOMINATIONS BEGINNING WITH MAUREEN M. DERKS AND ENDING WITH JEFFREY P. SHARP, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

NAVY NOMINATIONS BEGINNING WITH DANIEL T. BARNES AND ENDING WITH JACQUELYN O. VERMILLOHERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

NAVY NOMINATIONS BEGINNING WITH SHAMIRE E. BRANCH AND ENDING WITH ALANNA B. YOUNGBLOOD,

WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

NAVY NOMINATIONS BEGINNING WITH DAVID L. AGUILAR AND ENDING WITH DAVID K. ZIVNUSKA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

NAVY NOMINATIONS BEGINNING WITH REBECCA L. ANDERSON AND ENDING WITH KENNETH R. VANHOOK JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

NAVY NOMINATIONS BEGINNING WITH ARTHUR D. ANDERSON III AND ENDING WITH JOHN E. WEAVER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

NAVY NOMINATIONS BEGINNING WITH JOSHUA D. ALBRIGHT AND ENDING WITH LISA L. SNOH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

NAVY NOMINATION OF JOE F. MORALES II, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH JESSICA B. ANDERSON AND ENDING WITH MIRANDA V. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

NAVY NOMINATIONS BEGINNING WITH MARCO A. ACOSTA AND ENDING WITH KEITH E. ZUMAR, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

NAVY NOMINATIONS BEGINNING WITH WILLIAM J. ROY, JR. AND ENDING WITH RAQUEL T. BUSER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

NAVY NOMINATIONS BEGINNING WITH GREGORY F. ALLEN AND ENDING WITH CLINTON M. WOODS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 16, 2017.

#### FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH JULIE P. AKEY AND ENDING WITH VERA N. ZDRAVKOVA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON OCTOBER 2, 2017.

## EXTENSIONS OF REMARKS

### HONORING THE PASSING OF STANLEY COOLIDGE

#### HON. DOUG LAMALFA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. LAMALFA. Mr. Speaker, it is with great sadness that I rise today to honor the passing of Stanley Coolidge and his fiancée, Roseann Hannah, whose lives were tragically lost on October 9, 2017 while trapped in their Northern California home as it was destroyed by the Cascade wildfire.

Coolidge, a retired attorney and father to Chico City Council member Andrew Coolidge, was born in San Francisco and spent the last 50 years in the mountains of Loma Rica, California. What began as the faint smell of a distant fire quickly turned to tragedy as the diverse trees and wilderness surrounding Andrew's childhood home were ignited by the rapidly approaching Cascade fire. With little warning, gusts of wind brought the fire sweeping down across Stan's 100 acres of land, leaving only ashes behind. As Stan and Roseann attempted a hurried evacuation, the house was engulfed by flames before they could escape. Their cars, still parked in the driveway, were also destroyed by the flames. Only a brick chimney remained of the house.

Roseann was a resident of Grass Valley, California, and both Stan and Roseann were incredibly valued members of their communities. An avid Harley Davidson enthusiast, Stan was an active member in The Americans Motorcycle Club. He often used that platform to help the club raise money for children's cancer research, as well as periodically staging puppet shows for young and sick children.

Thousands in Northern California have evacuated as their homes have been destroyed by these catastrophic fires, with many still missing and dozens confirmed dead. My thoughts and prayers are with the Coolidge and Hannah families, as well as the families of all who we've lost as a result of these fires in the West. Their loss will take a heavy toll on both of their families, as well as the many people they have impacted over the years. Stan and Roseann will be missed.

### RECOGNIZING THREE TEXANS ON VETERANS DAY

#### HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. SESSIONS. Mr. Speaker, in honor of Veterans Day, I rise today to recognize three World War II veterans who have honorably and faithfully served their country.

Milledge A. "Mitch" Hart, III, graduate of the US Naval Academy Class of 1956, served for 5 years in the U.S. Marine Corps. His final rank was 1st Lieutenant, selected for Captain, USMC.

William "Bill" James Sloan, graduate of SMU Class of 1949, served in the U.S. Navy from October 1942 to May 1946.

Raymond Earl Sloan, graduate of SMU Class of 1949, served in the US Army from 1944 to 1946.

These gentlemen served with honor and distinction and I thank them for their service.

### RECOGNIZING THE 2017 ABOVE AND BEYOND BREAKFAST FIRST RE- SPONDER AWARD RECIPIENTS

#### HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 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.

### RECOGNIZING AND CELEBRATING THE 125TH ANNIVERSARY OF DEER PARK, TX

#### HON. BRIAN BABIN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. BABIN. Mr. Speaker, I rise today to recognize and celebrate the 125th anniversary of the City of Deer Park, in Harris County, Texas.

After an overwhelming Texian victory at Battle of San Jacinto, General Sam Houston, Interim President David G. Burnet, and members of the Texas Cabinet met in present-day Deer Park and began to draft the initial treaty documents securing Texas' independence from Mexico. Because of this historic event on Deer Park soil, Deer Park holds the distinction of being the true "Birthplace of Texas."

Deer Park was founded on December 20, 1892 by Simeon Henry West, a farmer, retired legislator, and pioneer from Illinois. He named the area Deer Park after the large number of deer that roamed the coastal prairie. As settlers from the north arrived to build homes and farms, West built a hotel and post office in 1893. West granted the land for the first railroad through Deer Park for one dollar and later built a wharf on Buffalo Bayou that was later destroyed by The Great Galveston Hurricane of 1900. On October 3, 1902, West donated the right-of-way to the Houston Ship Channel to the United States of America.

In 1928 Shell Oil Company began building a new refinery. In the 1930s an independent school district was established, the population began to grow, and the town began to flourish. Deer Park voted to incorporate as a general law city on December 11, 1948. On December 6, 1960 the residents of Deer Park voted to become a home rule city. By 1960 the city's population was five thousand with a fire station, city hall, parks, independent water supply, and four major industries within the city limits. Today, Deer Park has approximately thirty-three thousand residents, a school district with fifteen campuses, numerous major industrial facilities, and several smaller light industrial companies.

Mr. Speaker, it is my distinct honor to recognize and celebrate the 125th anniversary of the City of Deer Park. May God continue to bless Deer Park in these next 125 years.

### 70TH ANNIVERSARY OF SSG MICHAEL OLLIS POST 9587

#### HON. DANIEL M. DONOVAN, JR.

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. DONOVAN. Mr. Speaker, I rise today to recognize the Veterans of Foreign Wars' SSG Michael Ollis Post 9587 on the 70th anniversary of its founding.

On November 29, 1947, 40 veterans from the Staten Island community founded VFW

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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



Post 9587. After serving veterans and the community for years, they decided to move to their current location on Mill Road in 1960. In 2014, the members decided to rename the Post after a fellow veteran and friend, SSG Michael Ollis. Serving his country in Afghanistan, SSG Ollis nobly sacrificed himself to save the life of Polish soldier Lt. Karol Cierpica. To honor their lifetime member, VFW Post 9587 was renamed to "SSG Michael Ollis Post 9587" in 2014.

Since its creation, the Post has focused on serving and assisting their community on Staten Island in accordance with the VFW's national goals. Today, members who have contributed to the Post's ability to reach this milestone include both the Ladies Auxiliary and the Men's Auxiliary. These groups, which make up the VFW Auxiliary, have played a major role in the Post's success. I thank all of the members for their continued dedication to their community.

I would like to commend SSG Michael Ollis Post 9587 for consistently helping veterans and their families, assisting in times of community crisis and promoting community civic interests. The great work the Post's members performed in the aftermath of Hurricane Sandy is altruism in its purest form. Although their building experienced water damage, they focused on the needs of the community around it by serving as a disaster relief center for anyone who needed help.

Mr. Speaker, I want to congratulate the VFW's SSG Michael Ollis Post 9587 on its 70th Anniversary. Its long success has benefited not just veterans and their families, but the surrounding community as well and for that, I am deeply thankful.

CONGRATULATING VERNON L. WISE, JR. FOR HIS RECEPTION OF THE PENNSYLVANIA NEWS MEDIA ASSOCIATION'S 2017 LIFETIME ACHIEVEMENT AWARD

**HON. MIKE KELLY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. KELLY of Pennsylvania. Mr. Speaker, today I am very pleased to recognize my constituent, Vernon L. Wise, Jr. of Butler County, for his reception of the Pennsylvania News Media Association's 2017 Lifetime Achievement Award.

Vernon is the former publisher and chairman of the board of the Butler Eagle. The paper's current publisher and general manager, Ron Vodenichar, nominated Vernon for this prestigious award, emphasizing the technological innovations he made as well as his commitment to the newspaper and printing company's family ownership.

The Lifetime Achievement Award recognizes "outstanding service and accomplishment spanning a career in journalism." It could not have gone to a more fitting recipient. Vernon is a member of the third generation (out of five generations in his family) to be involved in publishing the Butler Eagle. He began his career as a carrier, and continued working at the newspaper during high school and college. After attending Princeton University and serving in the United States Army during the Korean War, he returned to the paper, becoming

president and general manager in 1968 after the death of his father, Vernon L. Wise, Sr.

In the course of his long career at the Butler Eagle, Vernon published the newspaper, chaired the board, and founded Butler Color Press, which prints advertising circulars. In addition to his extensive involvement in newspaper publishing, Vernon has held leadership positions in the Butler County Chapter of the Salvation Army and the Community Development Corporation of Butler County.

Vernon exemplifies the best qualities of a devoted newsman and an engaged citizen. He is a credit to Pennsylvania's third congressional district. I am very happy for him and Sarah, his wife of 64 years. I congratulate them and thank them for their contributions to the Butler region.

HONORING JOHN CARDINALLI

**HON. JIMMY PANETTA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. PANETTA. Mr. Speaker, I rise today to honor a lifelong member of the Central Coast community, World War II veteran and member of the Office of Strategic Services, John Cardinalli. Mr. Cardinalli grew up on the Monterey Peninsula speaking Italian to a family of commercial fishermen. Drafted into the Army in 1942, he began his service to the United States at the Presidio of Monterey where he completed Army basic training. He was qualified as a Morse code expert and was sent to the Signal Corps. At Fort Bragg, he responded to a call for volunteers who were proficient in Morse code and a second language. Mr. Cardinalli responded and would find himself swearing a 65-year oath of secrecy to the Office of Strategic Services.

During his time in the OSS, he became proficient in collecting clandestine information about Axis forces. He was primarily stationed in the Netherlands, where he worked with members of the Dutch underground to ship weapons, ammunition and supplies to Allied forces. He volunteered to escort a Polish spy across the River Rhine in the cover of darkness, which was instrumental towards obtaining information about German defenses. He also participated in the Battle of the Bulge, the last German offensive on the Western Front in Belgium and Luxembourg. Mr. Cardinalli served in our intelligence community before the creation of the Central Intelligence Agency, paving the road for future intelligence analysts and operatives.

After World War II, he returned to the Monterey Peninsula and was a sardine fisherman for 25 years. He raised a family along with his wife of 70 years, Josephine. In 2008, he was allowed to tell his story of service in the OSS. Mr. Cardinalli's service to the nation as a member of the OSS became fundamental towards the creation of the Central Intelligence Agency. Current and future analysts and officers within the CIA and our nation's seventeen intelligence communities have many individuals to look up to, and John Cardinalli is certainly one of them. Mr. Speaker, please join me in honoring and commending John Cardinalli for his many years of service, devotion, and contributions to our nation.

HONORING TERHI EDWARDS

**HON. ELIOT L. ENGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. ENGEL. Mr. Speaker, I rise today to recognize a community mainstay in the north-west Bronx who has helped to promote the area both professionally and personally for three decades.

Terhi Edwards has been a resident of Riverdale since 1987. She has also been a real estate professional in the area for nearly as long. Terhi specializes in selling this wonderful neighborhood, which for those who have lived or visited there is surrounded by beauty and nature.

Currently a homeowner herself, Terhi is particularly aware of the special qualities that make Riverdale unique, and such a wonderful destination for people.

Originally from Finland, Terhi honed her customer service prowess and flair for relating to people of different cultures while traveling the world as flight attendant. As the Ranking Member of the House Foreign Affairs Committee, I do quite a bit of travel, and know just how effective it is in learning to understand and appreciate people from all walks of life.

Terhi seamlessly transitioned her customer service skill to real estate, drawing upon her love of working with the public, in addition to her passion for architecture and interior design. She is a member of the National Association of Realtors, the Bronx Manhattan North Board of Realtors, and Westchester-Putnam Multiple Listing Service. Walk around the community and you'll find plenty of people who say they came to Riverdale because of the job Terhi did as their realtor.

This year, the Kingsbridge-Riverdale-Van Cortlandt Development Corporation is honoring Terhi at their annual Greenway Gala celebration, for all the work she has done in the community. She is most deserving of this wonderful recognition. Congratulations to Terhi on receiving this honor.

RECOGNIZING THE 2017 LITERACY VOLUNTEERS OF AMERICA-PRINCE WILLIAM AWARD RECIPIENTS

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 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 Dona 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. honorees:

**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 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.

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PUEBLO ANIMAL SERVICES  
TRIBUTE

**HON. SCOTT R. TIPTON**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. TIPTON. Mr. Speaker, I rise today to honor Lauren McCoy, Community Animal Response Team coordinator at the Humane Society of the Pikes Peak Region, Jeremy Colburn, Animal Care supervisor at the Humane Society of the Pikes Peak Region, and Lois Benson, Megan Miller, Jasmine Pattschull, and Kate Scheer who were Community Animal Response Team volunteers. Following Hurricane Irma, they all assisted with helping to meet animal sheltering needs in Georgia when they were travelling through the area following the devastating hurricane.

The team voluntarily flew to Georgia to assist in caring for the large number of animals the Atlanta Humane Society had taken in as a result of the hurricane. The Humane Society of the Pikes Peak Region's Community Animal Response Team was specially trained to handle this type of natural disaster that affects the wellbeing of pets and livestock.

The shelter in Atlanta was opened before and during Hurricane Irma where more than 600 animals were located in the 60,000 square foot facility. The entire Third District of Colorado is incredibly proud of the work completed during a time of national crisis.

Mr. Speaker, it is an honor to recognize these Colorado natives for the work they accomplished during Hurricane Irma. Their hard work and service is an example to us all and I stand with the residents of the Third District in thanking them.

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DANIEL SWINTON: TESTIMONY BEFORE THE BIPARTISAN TASK FORCE TO END SEXUAL VIOLENCE

**HON. ANN M. KUSTER**

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Ms. KUSTER of New Hampshire. Mr. Speaker, I include in the RECORD the following:

My name is Dr. Daniel Swinton and I am honored to be here today. I serve as Vice President of the Association of Title IX Ad-

ministrators (ATIXA) and am here representing over 3,500 members at schools and colleges nationwide. I am also Managing Partner of a law and consulting firm that advises thousands of K through 12 and higher education administrators, teachers, faculty and students on issues of sexual violence, consent in sexual interactions, harassment and discrimination in all its forms, as well as critical issues of mental health and well-being, behavioral intervention, and alcohol and drugs.

Over the last six years, the Department of Education has given significant time and attention to sexual violence at colleges and universities, but has largely failed to give needed time and attention to sexual violence and consent-based issues in K through 12 education. Sexual violence has been called an "epidemic" at colleges, and universities and our members indicate that such a label is both accurate and reflective of the immediate needs to prevent and address sexual violence on their campuses. If higher education is facing an "epidemic," then K through 12 is facing an even more serious, plague-like level of sexual violence, that continues largely unabated. The lack of legal and regulatory attention given to the matter is both startling and frustrating, as many of the issues involve abuse of minors and children. Further, K through 12 remains well behind higher education in educating its administrators, teachers and students about sexual violence and the many related issues of consent, substance abuse, and healthy relationships. As one member told me last week, K through 12 needs something like Clery and Section 304 of the Violence Against Women Act to ensure appropriate training, prevention, response and accountability are present.

To be fair, K through 12 administrators face a litany of demands on their time and a host of unrelated legal and regulatory requirements such that, absent a crisis, a law or a regulation, sexual violence prevention and response receives little, if any attention. The result is that K through 12 administrators largely lack the training necessary to appropriately and fairly address issues of sexual violence in their schools and districts. Further, school-based instruction of K through 12 students about consent in sexual interactions is rare, leaving the students to learn about sexual interactions, consent and the impact of alcohol and drugs from peers, the Internet and other media. Certainly, parents play a role in educating their children, but in our members' experience, few parents discuss the nuances of sex, alcohol and consent with their children prior to college. We are seeing significant issues of sexual violence at all levels of K through 12, but especially in middle and high school. Any discussion also needs to recognize the role that technology plays in increasing the number and complexity of issues our members are seeing in their schools.

Training and prevention efforts lag, policies and procedures remain inadequate, and prevention is reserved to basic training on how to report child abuse. I want to stress that the current state is not for lack of desire, but, given the nature, complexity and decentralized nature of K through 12 education, stems largely from lack of guidance, funding or grants, legal requirements and accountability.

Our members are anxious to give these critical matters time and attention, but buy-in and resources tend to follow only once Congress makes it mandatory. Thank you for your time.

HONORING CHIEF DAVID  
DONZELLA

**HON. THEODORE E. DEUTCH**  
OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. DEUTCH. Mr. Speaker, I rise today to honor David Donzella on the occasion of his retirement as Fire Chief for the city of Lighthouse Point, Florida.

Chief Donzella was born in Tarrytown, NY as the grandson of Italian immigrants. He began his fire service career after graduating in 1976 from McArthur High School in Hollywood, Florida. David was hired as a Firefighter Paramedic with the City of Pembroke Pines Fire Department and ascended through the Department to achieve the rank of Battalion Chief, later being promoted to Division Chief of Rescue Operations.

After Hurricane Andrew, David was instrumental in promoting changes to the fire service in the City of Pembroke Pines. One highlight of his career was securing the coveted ISO Class 1 rating for the Department, making it the first Department in Broward County and the 44th in the nation at the time to obtain that rating.

David retired from the Pembroke Pines Fire Department in 2004, but chose to join the Lighthouse Point Fire Rescue Department in 2006, where he has served as Chief since 2007.

Chief Donzella has also served as President of the Fire Chiefs Association of Broward County and Chair of the "First There, First Care EMS Conference" which over the years has grown to be the largest EMS conference in the State of Florida. He has secured numerous grants for both fire and EMS personnel to better serve their communities.

His community service also includes involvement with the Davie Kiwanis Club, Leadership Broward, and the Pompano Beach Exchange Club. Most recently, David received the Shining Star Award from the Pompano Beach Chamber of Commerce in honor of his community involvement throughout the years.

I join Broward County in offering my sincere thanks and appreciation to Chief Donzella for his years of service and contributions to the South Florida community.

RECOGNIZING THE 2017 BLACK AND  
GOLD SCHOLARSHIP BALL  
AWARD RECIPIENTS

**HON. GERALD E. CONNOLLY**  
OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 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)  
Nathaniel 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 in wishing them great success in all their future endeavors.

#### PERSONAL EXPLANATION

**HON. BILLY LONG**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. LONG. Mr. Speaker, on Tuesday, October 10, 2017, Wednesday, October 11, 2017, Thursday, October 12, 2017, Monday, October 23, 2017, Tuesday, October 24, 2017, and the first vote series on Wednesday, October 25, 2017, I was unable to vote on legislative measures due to a foot injury. Had I been present, I would have voted the following:

(Roll no. 558) On passage of H.R. 1858—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", had I been present I would have voted yes.

(Roll no. 559) On passage of H.R. 2464—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", had I been present I would have voted yes.

(Roll no. 560) On ordering the previous question providing for consideration of S. 585—Dr. Chris Kirkpatrick Whistleblower Protection Act of 2017, had I been present I would have voted yes.

(Roll no. 561) On adoption of the rule providing for consideration of S. 585—Dr. Chris Kirkpatrick Whistleblower Protection Act of 2017, had I been present I would have voted yes.

(Roll no. 562) On passage of H.R. 452—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", had I been present I would have voted yes.

(Roll no. 563) On passage of H.R. 3243—FITARA Enhancement Act, had I been present I would have voted yes.

(Roll no. 564) On motion to Instruct Conferees on H.R. 2810—National Defense Authorization Act for Fiscal Year 2018, had I been present I would have voted no.

(Roll no. 565) On motion to Close Portions of the Conference on H.R. 2810—National Defense Authorization Act for Fiscal Year 2018, had I been present I would have voted yes.

(Roll no. 566) On passage of the House Amendment to Senate Amendment to H.R. 2266—Additional Supplemental Appropriations for Disaster Relief Requirements Act, had I been present I would have voted yes.

(Roll no. 567) On motion to recommit with instructions to S. 585—Dr. Chris Kirkpatrick Whistleblower Protection, had I been present I would have voted no.

(Roll no. 568) On passage of S. 585—Dr. Chris Kirkpatrick Whistleblower Protection, had I been present I would have voted yes.

(Roll no. 569) On passage of H.R. 3551—C-TPAT Reauthorization Act, had I been present I would have voted yes.

(Roll no. 570) On passage of S. 504—Asia-Pacific Economic Cooperation Business Travel Cards Act, had I been present I would have voted yes.

(Roll no. 571) On approval of the Journal, had I been present I would have voted yes.

(Roll no. 572) On ordering the previous question providing for consideration of H.R. 469—the Sunshine for Regulations and Regulatory Decrees and Settlements Act of 2017 and H.R. 732—the Stop Settlement Slush Funds Act of 2017, had I been present I would have voted yes.

(Roll no. 573) On adoption of the combined rule providing for consideration of H.R. 469—the Sunshine for Regulations and Regulatory Decrees and Settlements Act of 2017 and H.R. 732—the Stop Settlement Slush Funds Act of 2017, had I been present I would have voted yes.

(Roll no. 574) On passage of H.R. 2142—International Narcotics Trafficking Emergency Response by Detecting Incoming Contraband with Technology (INTERDICT) Act, had I been present I would have voted yes.

(Roll no. 575) On agreeing to the amendment of Mr. Cohen of Tennessee Part B Amendment No. 2 to H.R. 732—Stop Settlement Slush Funds Act had I been present I would have voted no.

(Roll no. 576) On agreeing to the amendment of Mr. Johnson of Georgia Part B Amendment No. 3 to H.R. 732—Stop Settlement Slush Funds Act, had I been present I would have voted no.

(Roll no. 577) On agreeing to the amendment of Ms. Jackson Lee of Texas Part B Amendment No. 4 to H.R. 732—Stop Settlement Slush Funds Act, had I been present I would have voted no.

(Roll no. 578) On agreeing to the amendment of Mr. Cicilline of Rhode Island Part B Amendment No. 5 to H.R. 732—Stop Settlement Slush Funds Act, had I been present I would have voted no.

(Roll no. 579) On agreeing to the amendment of Mr. Conyers of Michigan Part B Amendment No. 6 to H.R. 732—Stop Settlement Slush Funds Act, had I been present I would have voted no.

(Roll no. 580) On passage of H.R. 732—Stop Settlement Slush Funds Act, had I been present I would have voted yes.

(Roll no. 581) On passage of H.R. 3898—Otto Warmbier North Korea Nuclear Sanctions Act, had I been present I would have voted yes.

(Roll no. 582) On ordering the previous question providing for consideration of the Senate amendment to 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, had I been present I would have voted yes.

(Roll no. 583) On adoption of the rule providing for consideration of 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, had I been present I would have voted yes.

(Roll no. 584) On approval of the Journal, had I been present I would have voted yes.

HONORING LORRAINE L. PALAIS

**HON. ELIOT L. ENGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. ENGEL. Mr. Speaker, I rise today to honor a friend and pillar of the Yonkers community, Lorraine L. Palais, who this year is being honored by the Aquehung Women's Democratic Club at their 52nd Annual Luncheon.

Lorraine has been active in the community and the local political scene for many years. Her and her husband, Elliott, moved to Yonkers with their son in 1961 and by April 1962, she had become a member of the "William Haber Second Ward Democratic Club." Lorraine's involvement in the club was only the beginning. She was a Ward Leader for over thirty years, and still is a District Leader. She has served as Treasurer for a successful Mayoral candidate, for City Judges, County Judges as well as a New York State Supreme Court Judge. She also managed and was Treasurer of Elliott's campaigns as well as other state and county candidates.

Lorraine later joined Aquehung Women's Democratic Club when it was open to the entire City. She was the first woman to receive the Americanism Award from the Yonkers Central Committee of Veterans' Organizations, and also received the Exchange Club "One Nation Under God Award." In addition, Lorraine has received the Kiwanis International "Walter Zeller" Award, the PTA Jenkins Award and other Honors. And above all else, she is currently serving her thirty-fifth year as President of the Yonkers Police Second Precinct Community Council.

Lorraine Palais has dedicated her life to helping improve the lives of those around her, and she has been an outstanding servant of the people. I am proud to call her a friend and I too would like to congratulate her on this wonderful honor and recognition from the Aquehung Women's Democratic Club. It is well-deserved.

GARFIELD COUNTY CHILD WELFARE DIVISION RECOGNITION TRIBUTE

**HON. SCOTT R. TIPTON**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. TIPTON. Mr. Speaker, I rise today to recognize the employees of the Garfield County Department of Human Services for their dedication to child welfare. Their work recently garnered national recognition from the U.S. Department of Health and Human Service's Children's Bureau.

Every year the U.S. Department of Health and Human Service's Children's Bureau reviews child welfare practices across the nation. The Department selected Denver, Pueblo, and Garfield Counties in Colorado for in-person reviews this year. The child welfare division is the second largest division in the Garfield County Department of Human Services; it employs 31 individuals, who each respond to and manage cases related to child abuse, neglect, and protection for at-risk adults. From January 1 through September 20, 2017, roughly 350 referrals were assigned to the division, 85 percent of which were cases related to parental substance abuse. During the in-person review, 27 of Garfield County's cases were analyzed in-depth to determine whether the child welfare division followed federal guidelines and focused on child protection, outcomes of permanency, safety and well-being.

While it is rare for any entity to be awarded a perfect score, at the conclusion of the Department's evaluation, nine of Garfield County's cases were marked in the 100 percent category. The review results are a testament to the passion and dedication that each member of the child welfare division brings to their work every day. In addition to its review findings, the U.S. Department of Health and Human Services also praised Garfield County for going above and beyond to engage in timely communication with families involved in cases.

Mr. Speaker, Garfield County's exemplary performance in the field of child welfare is incredibly valuable to communities in the county and our state as a whole. We are thankful for their continued efforts to improve the lives of young children and adults in the Third Congressional District. I stand with the residents of Colorado in thanking the employees of the child welfare division for their service.

RECOGNIZING THE 2017 BEST OF BRADDOCK AWARD RECIPIENTS

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 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 Awards:

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.

ANNE HEDGEPEETH: TESTIMONY  
BEFORE THE BIPARTISAN TASK  
FORCE TO END SEXUAL VIO-  
LENCE

**HON. ANN M. KUSTER**

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Ms. KUSTER of New Hampshire. Mr. Speaker, I include in the RECORD the following:

On behalf of the more than 170,000 bipartisan members and supporters, over 1,000 branches, and almost 800 college and university partners of the American Association of University Women (AAUW), I want to thank you for inviting me to testify at today's roundtable on the topic of "Promoting Healthy Relationships in K-12 Education and Preventing and Responding to Sexual Violence on College Campuses."

AAUW is the nation's leading voice promoting equity and education for women and girls. Since our founding in 1881, AAUW members have examined and taken positions on the fundamental issues of the day—educational, social, economic, and political. As early as 1945, AAUW was studying the impact of sex discrimination on college campuses. In 1972, we were instrumental not only in winning passage of Title IX but also in securing the subsequent regulations to aid compliance with the law. Today AAUW continues to fight for gender equity in education through research, legal case support, fellowships and grants, and advocacy.

When education environments are hostile due to sexual harassment, assault, or violence, students cannot learn and end up missing out on true educational opportunities. AAUW's own research reveals that two-thirds of college students experience sexual harassment and nearly half of students in grades 7 through 12 face sexual harassment. In addition, many studies have found that around 20 percent of women are targets of attempted or completed sexual assault while they are college students.

Recently, AAUW has taken a look at what information schools collect and report regarding the number of incidents experienced by students. We have concerns about the continued underreporting of sexual harassment and violence revealed in our analyses and what this tells us about the lack of progress educational institutions have made in removing barriers for survivors to come forward.

With regards to higher education, AAUW has examined the data required by the Clery Act. Our findings indicate that the annual statistics collected by colleges and universities still do not tell the full story of sexual violence on campus. Eighty-nine percent of college campuses disclosed zero reported incidences of rape in 2015. With about 11,000 campuses providing annual crime data, an overwhelming majority of campuses certified that in 2015 they did not receive a single report of rape. In addition, for 2015 about 9 percent of campuses disclosed a reported incident of domestic violence, around 10 percent disclosed a reported incident of dating violence, and about 13 percent of campuses disclosed a reported incident of stalking. So in each of these categories as well, most campuses did not disclose any reported incidents in 2015. Among the main or primary campuses of colleges and universities with enrollment of at least 250 students, 73 percent disclosed zero rape reports in 2015.

A similar trend is present in K-12 schools. Just this week AAUW released additional analysis of the 2013-14 data from the Civil Rights Data Collection (CRDC) to get a picture of where sexual harassment in public schools is being reported. In our analysis we specifically examined public schools whose students include those enrolled in grades 7 through 12. In analyzing the CRDC data we found that nationally, 79 percent of these schools disclosed zero reported incidents of sexual harassment. The rate of reporting varied across states, from Florida and Hawaii, where 98 percent of schools reported zero incidents of sexual harassment, to Vermont, where only 46 percent of schools reported zero incidents.

Contrast that to findings from AAUW's groundbreaking study, *Crossing the Line*, which found that nearly half (48 percent) of students surveyed had experienced some form of sexual harassment in the past school year, with nearly 9 in 10 (87 percent) saying it had had a negative impact on them. The extraordinarily high number of zeros at both the K through 12 and higher education levels suggests that some students continue to feel uncomfortable coming forward to report such incidents. This should be a cause for concern for all schools. Our educational institutions must take an honest look at their processes: Do they facilitate accurate data collection, welcome reporting, and provide resources and training to support survivors? Respond fairly and promptly to incidents and prevent their recurrence? If not, reforms must be made.

#### PREVENTION IS CRITICAL

First and foremost it is important that schools commit to preventing sexual harassment and violence before it occurs. As the CDC recommends, a comprehensive approach to prevention focuses on several strategies that together have an impact. These strategies include, "promoting social norms that protect against violence; teaching skills to prevent SV; providing opportunities, both economic and social, to empower and support girls and women; creating protective environments; and supporting victims/survivors to lessen harms." Several evidence-based programs support this approach and can be utilized in schools.

#### SCHOOL RESPONSE

Schools must also work to end sexual harassment violence by implementing a prompt and fair response to incidents, as required by federal law. Doing this can help contribute to the change necessary to end sexual harassment and violence in schools. Several federal laws play an important role in shaping schools' responses to incidents.

Title IX of the Education Amendments of 1972 is the federal law that prohibits sex discrimination in education. This includes protecting all students from sexual harassment and sexual violence regardless of who the harasser may be. And Title IX applies to all education programs, including both K-12 schools and institutions of higher education. Title IX has long required schools to evaluate their current practices, adopt and publish a policy against sex discrimination, and implement grievance procedures providing for prompt and equitable resolution of student and employee discrimination complaints. Under Title IX, schools are required to eliminate sexual harassment and sexual violence, prevent its recurrence, and address its effects.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires colleges and universities who participate in federal financial aid

programs to disclose campus crime statistics and security information. Every school provides this information publicly. Thanks to updates to the Clery Act in the Violence Against Women Reauthorization Act of 2013, schools are now required to report crime statistics (on rape, domestic violence, dating violence, and stalking), update procedures following an incident of sexual violence, and provide prevention and bystander intervention training to all students and employees. These new requirements are separate and apart from the long-standing obligations that schools have under Title IX. These laws can work together to ensure that students have the information they need regarding campus safety, as well as a clear course of action when sexual violence occurs.

While Title IX remains the law of the land and students continue to have protection from sexual harassment and violence in schools, AAUW is disappointed that the Department of Education has recently withdrawn the 2011 Dear Colleague Letter on Sexual Violence as well as the 2014 Questions and Answers on Title IX and Sexual Violence. Both were critical guidance tools schools requested to clarify their responsibilities under Title IX when responding to sexual violence. In their place, a new, less robust Questions and Answers guidance document is to be used. This is a blatant rollback from the strong and much-needed guidance that was in place. This ever-changing landscape could potentially sow confusion for schools, administrators and staff, students, parents, and communities. The new interim guidance was also issued following an open comment period where the Department of Education heard from thousands of stakeholder including more than 10,000 AAUW advocates urging the protection of Title IX. The department's willingness to ignore the overwhelming support for Title IX, its regulations, and prior guidance is proof that the agenda was not to listen and take into account input from the community but rather to move forward with a predetermined plan of action.

AAUW looks forward to weighing in as the Department of Education engages in its stated rulemaking process. In the meantime we continue to work with schools to ensure that students' civil rights are upheld. Congress also has the opportunity to continue to drive progress on the important issue of ending sexual harassment and violence in schools. AAUW urges Representatives to support legislation including, but not limited to, the Gender Equity in Education Act, the Title IX Protection Act, the Hold Accountable and Lend Transparency Act, the Safe Schools Improvement Act, and the Student Non-Discrimination Act. In addition, Congress should fund prevention education through the Rape Prevention & Education Program (RPE), administered by the CDC Injury Center, at the Senate approved levels for FY18. Increase funding for the Student Support and Academic Enrichment Grants, administered by the Department of Education. Congress should also continue to support the Civil Rights Data Collection and Clery Act data collection so that students, parents, administrators, and community members can continue to monitor the prevalence of sexual harassment and violence in schools.

Thank you for the opportunity to participate in today's roundtable discussion. AAUW looks forward to working with the Bipartisan Task Force to End Sexual Violence on these critical issues.

HONORING THE LIFE AND LEGACY OF MR. ANTOINE "FATS" DOMINIQUE DOMINO, JR.

**HON. CEDRIC L. RICHMOND**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. RICHMOND. Mr. Speaker, I rise today to honor the life and legacy of Mr Antoine "Fats" Dominique Domino Jr., a lifelong New Orleanian musician known as a founding father of rock 'n' roll, who passed away on October 24, 2017 at the age of 89.

Mr. Domino was born on February 26, 1928, in the Lower 9th Ward in New Orleans, Louisiana, the youngest of eight in a family of modest means. He earned his nickname thanks to his short, squatly stature. As a boy, he became obsessed with the piano, teaching himself to play along with songs on the radio. He practiced so much that his parents put the piano in the garage.

Mr. Domino took cues from rhythm and blues stars Louis Jordan and Charles Brown and blues singer Amos Milburn, even as he developed his own highly rhythmic style. He started out performing on the side while doing a variety of odd jobs, delivering ice to homes that didn't have refrigerators, fitting springs into bed frames, working in an auto-repair shop that a cousin owned and tending the cousin's bar next door.

Conversation of his high-spirited approach to the piano spread, and he started attracting crowds to the Hideaway Club on Desire Street, in the Upper 9th Ward. His signature piano triplets—three notes for every beat—became the basis of rock and pop songs for the next three decades. His lone gimmick involved using his immense girth to push the piano to the front of the stage—and this he did only during his encore. Visionary New Orleans bandleader, producer, songwriter, trumpeter and Imperial Records talent scout Dave Bartholomew discovered Domino at the club.

Their first collaboration, "The Fat Man," recorded in December 1949 at Cosimo Matassa's J&M studio on North Rampart Street, is arguably one of the first true rock 'n' roll records. It launched one of the most successful collaborations in rock history, as Domino and Bartholomew created a body of work for Imperial Records that moved New Orleans to the vanguard of popular music.

The dozens of Fats Domino singles included "Shake Rattle and Roll," "When the Saints Go Marching In," "Ain't That a Shame," "Blueberry Hill," and so much more.

Mr. Domino sold in excess of 60 million records in the 1950s, more than anyone except Elvis Presley, according to the Rock and Roll Hall of Fame's official biography. He dominated Billboard's pop and rhythm-and-blues charts from 1955 to 1963. The Rock and Roll Hall of Fame inducted him in 1986, its first year. The next year, he won a Grammy for lifetime achievement. President Bill Clinton honored him with a National Medal of Arts in 1998.

The city of New Orleans and the international community lost one of our favorite sons. Fats Domino's many musical contributions will live on through generations of musicians to come. A pioneer celebrated on the international stage, Fats Domino never outgrew his beloved New Orleans. We loved him as much as he loved us.

Mr. Domino's wife, Mrs. Rosemary Domino, died in 2008. Survivors, all of whom live in the New Orleans area, include four sons, Anatole, Andre, Antonio and Antoine III Domino; four daughters, Antoinette Smith, Anola Hartzog, Adonica Domino and Andrea Brimmer, numerous grandchildren; and a great-grandchild.

Mr. Speaker, I celebrate the life and legacy of Mr. Antoine "Fats" Domino, a beloved father, grandfather, and a true example of New Orleans culture personified.

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 31, 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 1 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 sud-

den death in 2010 he was named Herndon Citizen of the Year in 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 DR. OLIVIA SMITH-BLACKWELL AS SHE RECEIVES THE 2017 GOLDEN STETHOSCOPE AWARD

**HON. BRIAN HIGGINS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. HIGGINS of New York. Mr. Speaker, I rise today to honor Dr. Olivia Smith-Blackwell as she receives the Golden Stethoscope Award from the Erie County Chapter of the New York State Academy of Family Physicians at the 2017 Cheplove Dinner. As we celebrate local leaders in family medicine, Dr. Smith-Blackwell's career and accomplishments deserve recognition.

Dr. Smith-Blackwell's career demonstrates her depth and breadth in the field of medicine, including experience in public health, hospital administration, and clinical care. Her first endeavor out of medical school was to serve our community as Associate Medical Director of the Medical Assistance Program at the Erie County Department of Health, earning a promotion to Medical Director two years later. For thirteen years, Dr. Smith-Blackwell continued her public role as the Western Regional Health Director for the New York State Department of Health's Office of Public Health. She brought her skills next to Sheehan Hospital, where she was President & CEO until 2002. Dr. Smith-Blackwell then moved on to open Meadow Family Medicine in North Tonawanda, where she continues to provide primary care to patients in our community.

Her educational background is equally as varied and impressive. Dr. Smith-Blackwell received her medical degree from the University at Buffalo School of Medicine and Biomedical Sciences, now known as the Jacobs School of

Medicine and Biomedical Sciences. She completed her residency in Family Medicine at Deaconess Hospital in Buffalo in 1979. For her undergraduate degree, she attended the University of Pennsylvania. After earning her M.D., Dr. Smith-Blackwell went on to attain a Masters of Public Health from Columbia University.

Mr. Speaker, it is my pleasure to join Dr. Smith-Blackwell's husband, Roger Blackwell, her family, colleagues and friends to recognize the impressive contributions she has made in the medical field as she receives the Golden Stethoscope Award. So many in Western New York have benefited from her care, and I am grateful she chose to dedicate her life to bettering the well-being of our community.

RECOGNIZING THE MASSAC  
COUNTY GIRLS GOLF TEAM

**HON. JOHN SHIMKUS**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. SHIMKUS. Mr. Speaker, I rise to recognize the Massac County Girls Golf team, who are the 2017 Class 1A Illinois team golf champions.

Massac County's overall score of 89 was six shots better than its nearest competitor, as the Lady Patriots were led by two top 20 finishers, with Millie Lawson placing 12th overall, and Emma Korte tying for 18th place. This championship is Massac County's fourth title in the last 12 years.

I would like to congratulate the entire Massac County Girls Golf Team on this victory, Emma Korte, Millie Lawson, Madie Coakley, Mady Blair, Lauren Coakley, and Madison Cunningham, as well as Head Coach Laurie Glass, on a superb end to a great season.

Mr. Speaker, I rise today to acknowledge the excellence of the Massac County Girls Golf Team in winning the 2017 state golf title, and I wish the players, and their coach, all the best in the future.

JOSEPH COHN: TESTIMONY BEFORE THE BIPARTISAN TASK FORCE TO END SEXUAL VIOLENCE

**HON. ANN M. KUSTER**

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Ms. KUSTER of New Hampshire. Mr. Speaker, I include in the RECORD the following:

DEAR REPRESENTATIVES KUSTER, MEEHAN, SPEIER, JOYCE, AND HONORABLE MEMBERS OF THE TASK FORCE TO END SEXUAL VIOLENCE,

My name is Joe Cohn, and I am the Legislative and Policy Director at the Foundation for Individual Rights in Education, or as we are better known, FIRE. I thank you for the opportunity to discuss this critical issue.

One of the core constitutional rights that FIRE defends is due process. Universities are both morally and legally obligated to respond to known instances of sexual misconduct. And for more than 50 years, courts have repeatedly held that the Constitution requires public universities to provide meaningful due process to accused students.

The stakes are extremely high for everybody in campus disciplinary proceedings. When a college sweeps an allegation of sexual misconduct under the rug, it has not only behaved immorally, it is in clear violation of Title IX. It is similarly unethical and unlawful when an institution punishes a student for alleged sexual misconduct without a truly fair and impartial process. We must not concede that either situation is acceptable.

The attention focused on this issue in recent years by student activists and the Department of Education has shed important light and opened the door for a much needed examination of whether institutions have been adequately addressing sexual violence.

Unfortunately, however, some of the particular strategies implemented have had a pernicious effect. We have too often seen a disregard for the rights of victims of sexual violence replaced by a disregard for the rights of the accused. Two wrongs do not make a right.

Addressing campus sexual misconduct must continue to be a priority. We believe that by working together, we can—and indeed, must—do a better job of protecting the rights of victims and accused students alike. That is why we are pleased that the Department of Education has committed itself to engaging in formal notice and comment to craft a new policy with both of those goals in mind.

So, today, I'd like to set forth a few principles that we hope will guide you and the Department of Education in your collective efforts to ensure that campuses are free from sex discrimination. First, we must not, under any circumstances, return to the days when allegations of sexual violence on campus were brushed aside and concealed. At a minimum this will require insisting that institutions have clear, accessible policies, and that they make efforts to inform the campus community of them and enforce them fairly but unequivocally when necessary.

Second, we must recognize that government actors and institutions cannot solve this problem alone. We will all need to work in partnership with each other and many committed activists, practitioners, and experts not now in this room. Today you are undertaking the necessary work of listening to a broader range of stakeholders affected by campus sexual assault. If we want our nation's colleges to employ clear, equitable, and fair procedures in which everyone can trust—and I believe we all do—we must hear from everyone affected and everyone committed to addressing these issues.

That is why FIRE is adamant that at the regulatory level, government agencies engage in formal notice and comment rule-making to hear insight from all parties.

Through this process, the Department of Education can combine institutional knowledge, professional expertise, and the experiences of students to create a workable, fair, and effective set of Title IX regulations. Crafting a policy on campus sexual assault without hearing from complainants, the accused, the institutions themselves, medical professionals, victim's rights advocates, civil rights advocates, parents, and the many law enforcement professionals who have dedicated their careers to ending sexual violence, is bound to be inadequate.

Third, our national policy must be careful to assign only those responsibilities to institutions that we are confident they can perform well. Consulting with professional experts only goes so far if the resulting policy delegates tasks that require particular expertise to those without the sufficient background, training, and tools to perform those functions properly.

Colleges and universities have a vital role to play in addressing campus sexual assault.

They cannot simply refer complainants to law enforcement and wash their hands of the problem. Likewise, we must not allow ourselves to continue under the dubious assumption that with a few hours of annual training colleges are equipped to handle these challenging investigations and adjudications. They are not well suited to adjudicating these complex cases. This gap between what we demand of institutions and what they are well-suited to perform has been one of the significant causes of the injustices—which flow in both directions—with which we are all too familiar.

The final broad principle is that the only way our solutions will be sustainable is if they are mindful of the rights of all students. No one benefits from a system that does not have the public's trust—not victims, not accused students, not institutions, and not the public.

FIRE wants every institution to know how to assist when a student calls for help in the middle of the night. We want institutions to dedicate enough resources to ensure that the well-being of victims is a top priority. We want every student to know that their case will be handled fairly.

Due process—equal justice under law—is not an abstract principle; it is the foundation of any system of justice worthy of the name, whether on campus or off. We agree with the Secretary that we must ensure that every student's case is handled with the care that we would expect if one of our loved ones were a party, regardless of which side of the table they are sitting on.

The status quo is unacceptable. It isn't working for anyone. It isn't working for victims. It isn't working for institutions of higher education. And it isn't working for accused students. We must protect students. We must make sure hearings are fair and accurate. We must help institutions get it right. And we must continue to hold them accountable when they do not.

I thank you for the opportunity to address you today, and look forward to working with you on this important mission.

RECOGNIZING THE 275TH ANNIVERSARY OF FAIRFAX COUNTY, VIRGINIA

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 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 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.

#### LWCF PARITY FOR TERRITORIES AND DC ACT

### HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Ms. BORDALLO. Mr. Speaker, I am proud to introduce the LWCF Parity for Territories and DC Act, with the support of all 6 Members of the House representing our U.S. territories and the District of Columbia as original cosponsors.

This bipartisan bill gives parity to Guam, the other territories, and DC in annual funding from the federal Land and Water Conservation Fund.

Current law requires the territories and DC to split—6 ways—a single state's annual LWCF allocation. Our bill fixes this disparity by providing a full, state-equivalent share of LWCF funding for each territory and DC, every year.

This additional funding is needed to improve public parks, outdoor sports fields, and community open spaces on Guam and the other territories, especially as Puerto Rico and the U.S. Virgin Islands rebuild from recent hurricanes.

Mr. Speaker, I encourage our colleagues to cosponsor this bipartisan legislation and support LWCF parity for the territories and DC.

HONORING THEODORE D. YOUNG  
COMMUNITY CENTER 50TH ANNI-  
VERSARY

### HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. ENGEL. Mr. Speaker, I rise today to honor an organization in my community that this year is celebrating its 50th Anniversary, the Theodore D. Young Community Center.

TDYCC has helped countless individuals throughout the entire county of Westchester, strengthening individual communities in the process.

This year marks the 50th anniversary of Lyndon B. Johnson's Community Action Program that eventually created the Fairview Greenburgh Community Center. Of the hundreds of Community Centers that were created as a result of that law, only few remain. Renamed the Theodore D. Young Community Center in 1999, it continues to be dedicated to the goals set in place so long ago, and remains a viable and necessary cornerstone of the Fairview community and beyond.

TDYCC has changed the lives of Greenburgh youth by providing wholesome, educational, and relevant programs, such as summer camps, dance classes, leadership workshops, advocacy outlets, and much more. TDYCC programming makes for more mature, self-sufficient, and culturally aware youth. Known as the hidden gem in Westchester County, it is a place that truly welcomes and serves all.

As Congressman representing parts of Greenburgh, I am extremely thankful for the work TDYCC has accomplished and the wonderful programming they do for my constituents. They are a tremendous organization and I want to congratulate their leadership team, employees, members and the public commissioners who support them on 50 tremendous years. Here's to 50 more just like it.

INTRODUCTION OF THE MAJOR  
GENERAL DAVID F. WHERLEY,  
JR., DISTRICT OF COLUMBIA  
NATIONAL GUARD RETENTION AND  
COLLEGE ACCESS ACT

### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Ms. NORTON. Mr. Speaker, today, I introduce the Major General David F. Wherley, Jr., District of Columbia National Guard Retention and College Access Act (NGRCA). This bill is named for General Wherley, former Commanding General of the D.C. National Guard, who, along with his wife, Ann, and seven others were tragically killed when Metro trains collided on the Red Line on June 22, 2009. The bill would permanently authorize funding for a program that provides grants for higher education to members of the D.C. National Guard, which is under the control of the federal, not District of Columbia, government. I renamed the bill after General Wherley because he worked tirelessly with me to get funding for the program for many years, and because of his devotion to the youth of the District and to the National Guard.

The NGRCA authorizes an education incentive program, recommended by the late Gen-

eral Wherley and his successor, Major General Errol Schwartz, to stem the troublesome loss of D.C. Guard members to other units, including National Guards in surrounding states that offer such educational benefits to their Guards. I am grateful that Congress has provided funds for the program at our request, most recently \$450,000 in fiscal year 2017. Permanently authorizing the program is necessary, however, to ensure that D.C. Guard members receive the same treatment and benefits as other National Guard members, particularly those in neighboring states that compete with the District for members and provide these higher education benefits. Today, the Guard for the nation's capital has a diminished ability to compete for regional residents if membership in the Maryland or Virginia Guards is more economically beneficial. A competitive tuition assistance program for the D.C. Guard would provide a significant and much-needed incentive to help maintain enrollment and level the field of competition. The federal government supports D.C. Guard functions and understands it should support this small benefit as well, because the appropriators have always funded the D.C. Guard program, even without authorization. However, depending on appropriations alone leaves the D.C. Guard program in a tenuous condition at odds with the tuition programs in nearby states. Because the program is not controversial, there is no reason not to permanently authorize funding for these D.C. National Guard grants.

I appreciate that the appropriators and ultimately Congress have not hesitated to fund the education benefits for the D.C. National Guard, arguing strongly for permanent authorization. These small education incentives have not only encouraged high-quality recruits, but have helped the D.C. Guard to maintain the force necessary to protect the federal presence here, including the possibility of a natural disaster or terrorist attack. I am pleased to introduce the bill based on the advice of Guard personnel, who best know what is necessary.

I urge my colleagues to support the bill.

CANDICE JACKSON: TESTIMONY  
BEFORE THE BIPARTISAN TASK  
FORCE TO END SEXUAL VIO-  
LENCE

### HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Ms. KUSTER of New Hampshire. Mr. Speaker, I include in the RECORD the following:

Thank you Co-Chairs Joyce, Kuster, Meehan, Speier and members of the Task Force for the opportunity to join you today. I'd like to thank this Task Force for your dedication to ending sexual violence in all aspects of our society. For the last six months, I've had the honor to serve as the Acting Assistant Secretary for Civil Rights at the U.S. Department of Education. We at the Department are dedicated to the mission of the Office for Civil Rights (OCR) to ensure equal access to education and to promote educational excellence throughout the nation through vigorous enforcement of civil rights.



Like too many of us, I bring with me to this work personal experiences surviving sexual violence. Being raped at age twenty jeopardized the trajectory of my life and nearly prevented me from graduating law school. It took years to try and shake the remnants of shame, humiliation, and pain that sexual assault inflicted. In my work at OCR, I've been deeply moved by talking and working with students and their advocates, hearing story after story of how their educations have been derailed and their lives imperiled by sexual violence. All students in our nation's schools have the right to feel safe and secure at school. All students should know that their school fosters an environment that decreases the risk that any student will suffer sexual harassment or assault. All students have a right to expect their school to respond promptly and fairly to incidents of sexual violence.

At OCR we are charged by Congress, among other things, with the critical responsibility for enforcing Title IX, which prohibits sex discrimination by any school receiving federal funds. It's our duty to enforce legal requirements concerning how a school must respond to incidents of sexual violence. OCR investigates and resolves complaints over how schools respond to sexual violence, resulting in changes to schools' policies and procedures to better ensure that schools provide the "prompt and equitable" response to sexual harassment and violence that federal regulations require. Our role as an enforcement agency is crucial. We can and will continue to fulfill that role.

OCR currently has 353 sexual violence cases open with colleges and universities, and 149 cases open with K through 12 school districts. Twenty-five percent of the higher education sexual violence complaints, and twenty-eight percent of the K through 12 cases resulted from complaints filed during the current Administration. We believe this continued influx of complaints reflects an improving culture where survivors feel supported coming forward both to their schools and to OCR. At the same time, the high number of sexual violence complaints shows that too many students are not yet experiencing school-level procedures that are prompt and equitable. The Department therefore recently issued interim guidance to encourage schools to ensure their procedures are both supportive to survivors and fair to all involved parties. The Department will undergo a transparent notice-and-comment rule-making process to solicit perspectives from all stakeholders to ensure that Title IX regulations result in school procedures that best serve Title IX's critical purpose.

It is helpful that this Task Force called this Roundtable together to discuss promoting healthy relationships in K through 12 schools. One of themes I hear over and over is that by the time many young people arrive at college, their approach to interpersonal relations and their basic understanding (or lack of understanding) of what it means to respect themselves and each other has already been formed throughout their K through 12 years. Waiting to address these interpersonal issues until college is problematic.

I am grateful for the opportunity to share with you the work being done at the Office for Civil Rights, and look forward to continuing this dialogue with this Task Force.

RECOGNIZING THE 100TH ANNIVERSARY OF THE FAIRFAX COUNTY HEALTH DEPARTMENT

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 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 11, 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, H1N1 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 JON DOUGLAS RILEY

**HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. THOMPSON of California. Mr. Speaker, I rise to honor Mr. Jon Douglas Riley for his leadership and service to the people of Vallejo, California.

Mr. Riley was born at the Vallejo General Hospital on October 7, 1958. His parents, Jon Merton and Barbara Riley, raised him alongside his two sisters, Ronnette and Robin, at their house on Benson Avenue in Vallejo. His talent for recognizing and solving problems were evident in high school. As a student, he spoke in front of the Napa School Board and successfully argued for a smoking area to keep students from littering in the grass and creek. Mr. Riley graduated from Vintage High School in 1976.

From an early age, Mr. Riley dreamed of following his father and becoming a firefighter at the Vallejo Fire Department. He went

through the Solano County Fire Academy in 1977. Prior to landing his dream job at the Department in 1985, Mr. Riley worked as a full time employee for the City of Vallejo at the gas pumps and as a laborer. The City promoted him to Pipe Mechanic in 1982.

Mr. Riley led a successful career at the Vallejo Fire Department. He taught CPR training courses to health care professionals and the public for 15 years. As a member of the Joint Apprenticeship Training Committee, he helped rewrite the Apprenticeship Standards for the department. His work contributed to the development of policies for the Department's Public Information Officer. He taught students at the National Fire Department Instructors Conference's Hands on Training classes in Indianapolis and Sacramento for five years.

Mr. Riley served as the Political Director for the Napa and Solano Counties Central Labor Council, and, at the time of his retirement, was a Vice President. He currently serves on the Solano County Civil Service Commission and Workforce Development Boards. He is the Co-Chair of Solano Counties Help in Recruiting and Retaining Employees Committee, where he coordinates job placement services.

Mr. Speaker, Jon Douglas Riley is a valuable leader and organizer in our community. Therefore, it is fitting and proper that we honor him for his many years of service to the people of Vallejo, California.

**INTRODUCTION OF THE PROTECT OUR STUDENTS AND TAXPAYERS (POST) ACT**

**HON. STEVE COHEN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. COHEN. Mr. Speaker, I rise today in support of the Protect Our Students and Taxpayers (POST) Act.

If enacted, this legislation would take steps towards eliminating an incentive for for-profit colleges to aggressively recruit and enroll veterans, service members and their families, who have sacrificed for this country and deserve the highest quality of education.

Current law prohibits for-profit colleges and universities from deriving more than 90 percent of their revenue from the U.S. Department of Education's federal student aid programs. The other 10 percent is required to come from sources other than the federal government. However, because of the way the law was written, veterans' and active duty service members' federal student aid does not count towards the 90 percent. Instead, it may be included among a for-profit institution's calculation of its 10 percent non-federal revenue.

As a result, for-profit colleges and universities are left with a powerful incentive to recruit veterans, service members and their families, offering them degrees that are often less valuable than those from not-for-profit institutions.

The POST Act would strengthen the definition of "federal aid" to include G.I. bill funds, Department of Defense Tuition Assistance benefits, and all other federal funding sources.

Furthermore, the POST Act would reinstate a 15 percent minimum on revenue that for-profit colleges must receive from sources other than the federal government. The re-

quirement was lowered from 15 percent to 10 percent in 1998.

The bill also takes steps towards eliminating accounting tricks used by for-profit educational institutions that inflate their declared amount of non-federal funding.

Finally, the POST Act increases the penalty for rule-breakers by causing colleges to lose eligibility to participate in federal student aid programs after one year of noncompliance with the new 85-15 rule. Currently, they do not face penalties until they have been non-compliant for two years.

I urge my colleagues to support this bill, and help get it passed.

**HONORING MOUNT VERNON HEIGHTS CONGREGATIONAL CHURCH 120TH ANNIVERSARY**

**HON. ELIOT L. ENGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. ENGEL. Mr Speaker, I want to acknowledge a Mount Vernon institution that this year is celebrating its remarkable 120th Anniversary. Founded on October 7, 1896 the Mount Vernon Heights Congregational Church has served parishioners in the Mount Vernon community and beyond for well over a century. Their rich history deserves our recognition.

Though officially founded on a Thursday evening in 1896, the church's roots actually date back to 1892 when members of the community from all different denominations gathered for prayer services at the school house on Garden Avenue. Four years later, a meeting was held in the school house on Garden Avenue for the stated purpose of organizing a Congregational church in Mount Vernon Heights. Eighteen persons were present, and they voted unanimously to carry out this purpose.

From there, the Church's rich history began to bloom. In September, 1915 the corner lot of South Columbus and Beekman Avenues was purchased and by 1917 the new chapel was dedicated, which is currently Fellowship Hall. Through time, additional parcels of land were procured and new buildings were constructed.

Through the years the Mount Vernon Heights Congregational Church has been a pillar to the community. The tall white bell tower stands high as landmark to many. This church has withstood World War I, World War II, the Korean War, Vietnam, Iraq, Afghanistan and other military conflicts that have affected American life. The wall plaques in the church lobby stand for its contribution of lives. This church has fostered Boy Scouts and Girl Scouts troops; Women Leagues, Bible Study, Sunday School, Youth Groups and Support Groups, Home Missionary Society to name a few.

Over the years there were many contributions made by the 14 different pastors that served this church, too many deeds to list. And those good deeds have always been mirrored by the congregation, which has raised money and donated countless hours to helping their community thrive. I want to congratulate them on this amazing 120th Anniversary.

**HONORING FORT LAUDERDALE, OAKLAND PARK, AND WILTON MANORS**

**HON. THEODORE E. DEUTCH**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. DEUTCH. Mr. Speaker, I rise today to recognize the cities of Fort Lauderdale, Oakland Park, and Wilton Manors, Florida for being named by the Human Rights Campaign as top cities fostering LGBTQ equality and inclusivity.

Each of these cities received an exceptional score on the Human Rights Campaign Foundation's sixth annual Municipal Equality Index. Fort Lauderdale received 87 out of 100 points, Oakland Park received 99, and Wilton Manors received a perfect 100. These three cities are among just 86 nationwide with top scores from states without comprehensive nondiscrimination laws.

These cities showcase South Florida's long and meaningful history of LGBTQ civic engagement and support for equality. Each year, more and more municipalities are recognized by the Human Rights Campaign for their growing efforts to ensure LGBTQ inclusion in municipal law, policy, and services. I encourage all cities in South Florida to follow the examples set by Fort Lauderdale, Oakland Park, and Wilton Manors in making theirs a city where LGBTQ individuals thrive.

As a member of the Congressional LGBT Equality Caucus and as an original sponsor of the Equality Act, I am especially honored to represent these cities in the U.S. House of Representatives. Again, congratulations to Fort Lauderdale, Oakland Park, and Wilton Manors.

**RECOGNIZING THE 2017 FAIRFAX COUNTY VOLUNTEER SERVICE AWARD RECIPIENTS**

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 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 employers' 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  
 Integrate 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 live, work, and raise a family.

AMY SANCHEZ: TESTIMONY BEFORE THE BIPARTISAN TASK FORCE TO END SEXUAL VIOLENCE

### HON. ANN M. KUSTER

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Ms. KUSTER of New Hampshire. Mr. Speaker, I include in the RECORD the following:

Good morning Congresspersons Kuster, Speier, Meehan and Joyce. Thank you for inviting me to participate in this important roundtable before the Bipartisan Task Force to End Sexual Violence. My name is Amy Sanchez and I am the CEO of Break the Cycle, a national nonprofit that engages, educates and empowers youth to build lives and communities free from domestic and dating violence. Break the Cycle believes that everyone deserves a healthy relationship and since 1996 has worked to end dating abuse, domestic violence, sexual assault, and

stalking in the lives of young people ages 12 to 24 across the U.S. Thank you for holding this roundtable today to address the steps Congress can take to support the implementation of K through 12 healthy relationships and consent education, and to thank you each for being champions for ending sexual violence.

Dating abuse and sexual violence are public health epidemics with severe impacts for young victims:

One in three high school students experience either physical or sexual violence, or both, perpetrated by someone they are dating or going out with.

Nearly 30 percent of adult victims of interpersonal violence homicides from 2003 to 2014 were young women between the ages of 18 and 29. (Unfortunately this CDC study did not address girls younger than 18.)

In Texas alone, 8 young women 19 and younger were murdered by an intimate partner in 2016.

More than half of women (69.5 percent) and men (53.6 percent) who have been physically or sexually abused, or stalked by a dating partner, first experienced abuse between the ages of 11 and 24.

Among male high school students who have experienced sexual and physical abuse by a dating partner, more than 1 in 4 have seriously contemplated suicide, and almost as many have attempted suicide.

Among female high school students who have experienced sexual and physical abuse by a dating partner, nearly half have seriously contemplated suicide, and more than 1 in 4 have attempted suicide.

We also know that raising awareness early is essential to ending this epidemic because:

More than half (58 percent) of college students do not know how to help someone who is experiencing dating abuse; and

Nearly all college students (89 percent) are not confident in their ability to recognize the warning signs of dating violence.

Both intervention and prevention are keys to stopping dating abuse and sexual assault among young people. To that end, Break the Cycle's work focuses on three: 1) direct legal representation to young victims ages 12 to 24 in Washington, DC, in restraining order, Title IX, and victim witness advocacy cases; 2) supporting youth leadership on dating abuse issues in schools and communities; and 3) providing education programs to schools and other youth-serving entities on supporting young people to prevent dating abuse and sexual assault. My remaining remarks will address the third element of this work—prevention education—and how we can ensure that every K through 12 student in the U.S. has access to developmentally appropriate programming.

Break the Cycle's prevention programming takes many forms, including Healthy Relationships workshops, Resource Manuals for schoolteachers and administrators, and Real Talks. The goal is always to create a space for youth to engage in open and honest conversations about healthy and unhealthy relationship behaviors in order to:

decrease the isolation that young victims so often feel;

enable young people to lead conversations about the good, the bad, and the normal in dating and relationships today;

teach young people how best to provide support to each other since we know they often do not report dating/sexual abuse to an adult;

allow young people to talk without fear of being judged or influenced by adults;

educate young people about dating abuse, including its warning signs; and

build on the lived realities of young people to develop effective engagement strategies to end dating violence and create a culture without abuse.

To prevent dating abuse and sexual violence among young people, Congress must fund primary prevention in every school. The funded approaches should meet the best practices standards set by the CDC, including that the education be: comprehensive; offered in sufficient dosage; socio-culturally relevant; evidence-based; offered by well-trained implementers; include outcome evaluations; and employ varied teaching methods.

One cannot check social media or news outlets today without reading about another sexual assault case, including on our school campuses. School districts are waking up to the fact that primary prevention programs are needed to teach young people about healthy and unhealthy relationship patterns and what consent means. Many states, including Virginia, Florida, Georgia, Massachusetts, Nebraska, Ohio, Oregon, and Rhode Island, are leading the way by requiring that schools include consent and healthy relationships education within their sexual education curricula.

Budget choices are policy choices, and Congress has the opportunity to support these state efforts through adequate funding. One such avenue is the \$5 million increase for Rape Prevention Education in the Senate Appropriations Bill—the Task Force should champion this increase in RPE in the House as a concrete step towards ending dating abuse and sexual assault.

I want to close with some words from the sister of a dating abuse survivor who Break the Cycle assisted. She wrote BTC: "I had not thought about the need for interventions for young people. But then when my sister needed help, you were there for her. I will never be able to thank you enough for what you did for her. She has since met an amazing man and will be getting married soon. I doubt she will tell you, but you will be there nonetheless—in the form of a safe and whole bride walking into the arms of a man who loves and respects her." Through adequate funding and mandates for healthy relationships and consent education in K through 12 schools, Congress can be instrumental in preventing dating violence and sexual assault and ensuring that love and respect are the touchstones of relationships that young people form throughout their lives.

### PERSONAL EXPLANATION

#### HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. LONG. Mr. Speaker, on Tuesday, September 26, 2017, Wednesday, September 27, 2017, Thursday, September 28, 2017, Monday, October 2, 2017, Tuesday, October 3, 2017, and Wednesday, October 4, 2017, I was unable to vote on any legislative measures due to a foot injury. Had I been present, I would have voted the following:

(Roll no. 532) On ordering the previous question providing for consideration of H.R. 2824—Increasing Opportunity and Success for Children and Parents through Evidence-Based Home Visiting Act, and H.R. 2792—Control Unlawful Fugitive Felons Act of 2017, had I been present I would have voted yes.

(Roll no. 533) On adoption of the rule providing for consideration of H.R. 2824—Increasing Opportunity and Success for Children and Parents through Evidence-Based Home Visiting Act, and H.R. 2792—Control Unlawful Fugitive Felons Act of 2017, had I been present I would have voted yes.

(Roll no. 534) On approval of the journal, had I been present I would have voted yes.

(Roll no. 535) On agreeing to the amendment of Mr. PASCRELL of New Jersey Amendment No. 2 to H.R. 2824—Increasing Opportunity and Success for Children and Parents through Evidence-Based Home Visiting Act, had I been present I would have voted no.

(Roll no. 536) On motion to recommit with instructions to H.R. 2824—Increasing Opportunity and Success for Children and Parents through Evidence-Based Home Visiting Act, had I been present I would have voted no.

(Roll no. 537) On passage of H.R. 2824—Increasing Opportunity and Success for Children and Parents through Evidence-Based Home Visiting Act, had I been present I would have voted yes.

(Roll no. 538) On ordering the previous question providing for consideration of H.R. 3823—Disaster Tax Relief and Airport and Airway Extension Act of 2017, had I been present I would have voted yes.

(Roll no. 539) On adoption of the rule providing for consideration of H.R. 3823—Disaster Tax Relief and Airport and Airway Extension Act of 2017, had I been present I would have voted yes.

(Roll no. 540) On passage of H. Res. 311—Recognizing that for 50 years the Association of South East Asian Nations (ASEAN) has worked toward stability, prosperity, and peace in Southeast Asia, had I been present I would have voted yes.

(Roll no. 541) On motion to recommit with instructions to H.R. 3823—Disaster Tax Relief and Airport and Airway Extension Act of 2017, had I been present I would have voted no.

(Roll no. 542) On passage of H.R. 3823—Disaster Tax Relief and Airport and Airway Extension Act of 2017, had I been present I would have voted yes.

(Roll no. 543) On passage of H.R. 2792—Control Unlawful Fugitive Felons Act of 2017, had I been present I would have voted yes.

(Roll no. 544) On passage of H.R. 1547—Udall Park Land Exchange Completion Act, had I been present I would have voted yes.

(Roll no. 545) On passage of H.R. 965—Saint-Gaudens National Historical Park Redesignation Act, had I been present I would have voted yes.

(Roll no. 546) On ordering the previous question providing for consideration of H.R. 36—Pain-Capable Unborn Child Protection Act, had I been present I would have voted yes.

(Roll no. 547) On adoption of the rule providing for consideration of H.R. 36—Pain-Capable Unborn Child Protection Act, had I been present I would have voted yes.

(Roll no. 548) On motion to recommit with instructions to H.R. 36—Pain-Capable Unborn Child Protection Act, had I been present I would have voted no.

(Roll no. 549) On passage of H.R. 36—Pain-Capable Unborn Child Protection Act, had I been present I would have voted yes.

(Roll no. 550) On passage of S. 782—PROTECT Our Children Act, had I been present I would have voted yes.

(Roll no. 551) On ordering the previous question providing for consideration of H. Con. Res. 71—FY2018 Budget Resolution, had I been present I would have voted yes.

(Roll no. 552) On adoption of the rule providing for consideration of H. Con. Res. 71—FY2018 Budget Resolution, had I been present I would have voted yes.

(Roll no. 553) On agreeing to the amendment of Mr. GRIJALVA of Arizona Substitute Amendment No. 1 to H. Con. Res. 71—FY2018 Budget Resolution, had I been present I would have voted no.

(Roll no. 554) On agreeing to the amendment of Mr. SCOTT of Virginia Substitute Amendment No. 2 to H. Con. Res. 71—FY2018 Budget Resolution, had I been present I would have voted no.

HONORING THE ACHIEVEMENTS OF  
GARY S. CHAHIL

**HON. JIM COSTA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. COSTA. Mr. Speaker, I rise today to recognize the dedicated service and achievements of Mr. Gary Singh Chahil; outgoing District Director for my Fresno and Merced District offices. In the nearly two years since Gary has assumed this role, he has served as an advocate for the people of the 16th Congressional District. My staff and I will greatly miss his presence, generosity and sense of humor.

Gurjinder “Gary” Singh Chahil was born in the great state of Michigan, son of Jaswant Singh Chahil and Bhagwant Kaur Chahil. He is a proud Detroit native.

Gary attended the University of Michigan at Ann Arbor, completing his Bachelor’s degree in Electrical Engineering, a Masters of Business Administration and a PhD in Business Administration. He is a fiercely proud Wolverine and frequently enjoys watching Michigan football on Saturday afternoons.

Gary married the love of his life Kamaldeep “Kim” Kaur Deol, daughter of Sarbjit Singh Deol and Surinderpal Kaur Deol in 2004. They are blessed with two boys Kanvar “Kamran” and Bashan.

Gary started his career with Ford Motor Company in Dearborn, Michigan. He spent five years at Ford before job opportunities brought him and his family west to California. He initially settled in San Jose, before moving to the San Joaquin Valley.

I first met Gary in 2012 at an event I hosted for the Indian community. Throughout the next few years, I would frequently seek Gary’s council on matters relating to the Indian, and specifically Sikh American, communities. An interest in politics and desire to serve the Valley led Gary to accept the District Director position in my office in February 2016.

Throughout his tenure as District Director, Gary has cultivated relationships in Fresno, Madera and Merced counties and worked hard to serve the people of the district. Gary has worked on a number of high profile policy issues, including immigration, international relations, water and agriculture. One project he is particularly proud of is the creation of the exchange partnership between California State University, Fresno and the Punjab Agriculture University in India.

Mr. Speaker, I would also like to note that Gary is the first Sikh District Director in the United States Congress, an achievement that speaks to the great diversity we have in the San Joaquin Valley.

Mr. Speaker, it is with great pleasure that I congratulate Mr. Gary Singh Chahil on his successful tenure as District Director for the

16th Congressional District. My staff and I are proud to have had the opportunity to work with him over the past two years. I urge my colleagues to join me in recognizing his achievements and ask that you join me in wishing Gary, his wife Kim and their two boys continued success and happiness.

HONORING BILL TAUBNER

**HON. ELIOT L. ENGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. ENGEL. Mr. Speaker, I rise today to honor a pillar of Pelham Manor, Bill Taubner, who this year is being honored by the Pelham Civic Association at their annual Dinner Dance Gala for his dedication to the community.

A lifelong resident of Pelham Manor and a member of the Pelham Civic Association, Bill is an exemplary member of the community. He is extremely altruistic and benevolent to charities, individuals, and families in need. Bill has a reputation for being very dependable, especially when it matters most.

An Executive Vice President of Ball Chain Manufacturing, he has been a member of the Pelham Manor Planning Board, has served as Chair of the board, Director and Coach of Pelham Little League, Director and Coach of Pelham Ice Hockey, and as a Pelham Soccer Coach. Bill has also been integral in the Fundraising Committees of Siwanoy Elementary School, Pelham Middle School, and Pelham High School, demonstrating his commitment to education and improving the lives of students in the neighborhood.

The Pelham Civic Association has made a fine choice this year in honoring Bill at their annual Dinner Dance Gala. I too would like to honor, and congratulate him on this well-deserved recognition, and thank him for all of his contributions to our community.

RECOGNIZING THE 2017 LORDS AND  
LADIES FAIRFAX

**HON. GERALD E. CONNOLLY**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 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.

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#### MADE IN SC

### HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful to recognize the statewide consortium of ten South Carolina higher education institutions for receiving a \$20 million, five-year Research Infrastructure Improvement Track-1 grant from the National Science Foundation's Established Program to Stimulate Competitive Research. This grant led to the creation of the Materials Assembly and Design in South Carolina initiative, or MADE in SC to create jobs.

These higher-education institutions are as follows: The University of South Carolina, Clemson University, The Medical University of South Carolina, Furman University, The College of Charleston, USC Beaufort, Winthrop University, South Carolina State University, Claflin University, and Florence-Darlington Technical College.

This grant encourages small business growth by providing seed funding through Small Business Innovation Research and Small Business Technology Transfer awards to South Carolina businesses in materials-re-

lated projects. This consortium will use this grant to foster research and development in the state by focusing on advanced materials discovery and optimization efforts that are in high-demand. MADE in SC will boost the manufacturing and materials science workforce by adding new undergraduate degree programs and expanding current coursework, ultimately increasing the skilled-labor workforce.

As a proponent of creating jobs and encouraging manufacturing in the district and across South Carolina, I look forward to seeing these higher education institutions utilizing this grant to stimulating small business growth, jobs, and valuable research across South Carolina.

In conclusion, God Bless our Troops, and we will never forget September 11th in the Global War on Terrorism.

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#### HONORING JORGE L. BARÓN

### HON. ADAM SMITH

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. SMITH of Washington. Mr. Speaker, I rise to honor Jorge L. Barón for his exemplary work on behalf of immigrant communities and to congratulate him on receiving El Centro de la Raza's 7th Annual Roberto Felipe Maestas Legacy Award.

Jorge has served as the Executive Director of the Northwest Immigrant Rights Project (NWIRP) since 2008. NWIRP provides free or low-cost legal representation to over 10,000 immigrant and refugee families in the Pacific Northwest. With Jorge at the helm, the organization has steadily increased its size and budget and is now the largest of its kind in the region. Serving thousands of immigrants each year, Jorge and his colleagues at NWIRP believe that having access to an attorney is a fundamental human right. They strive to represent as many immigrant families as possible.

Jorge immigrated from Bogotá, Columbia when he was just thirteen years old. After graduating from Duke University, he worked in the film industry for several years until finding his passion for human rights law. He then attended Yale Law School. From his unique perspective on the immigration system, he not only understands the law, but also understands the hopes, fears, and needs that a new generation of immigrants face today.

Jorge's many accomplishments include helping to secure the return of two individuals who were turned away from Seattle-Tacoma International Airport due to President Trump's travel ban, and defending the rights of detained immigrants at the Northwest Detention Center in Tacoma.

The Roberto Felipe Maestas Legacy Award honors the legacy of Roberto Maestas by recognizing those who are dedicated to "building the beloved community" and eliminating poverty, racism, and social inequity. Jorge's work exemplifies these standards.

Mr. Speaker, it is with great pleasure that I recognize Jorge Barón for his vital advocacy efforts on behalf of the immigrant community. I have no doubt Jorge will continue to advance human rights in the Pacific Northwest for many years to come.

#### REMEMBERING PASTOR ALVIN DUPREE

### HON. KEVIN YODER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. YODER. Mr. Speaker, I rise today to remember the life of Pastor Alvin Dupree—a man who dedicated his life to the service and the betterment of our country and community.

Pastor Dupree grew up with eleven siblings in Kansas City, Missouri, where he learned the importance of family and patience. Upon his graduation from high school, Pastor Dupree selflessly joined the United States Army and completed a tour of duty in Vietnam.

After returning home from Vietnam, Pastor Dupree continued to follow the call to serve when he joined Grace Temple Church in Kansas City, Kansas. At Grace Temple Church, he served in many capacities, including adjutant, deacon, minister, and eventually Pastor. He did this all with his wife, and later Co-Pastor, Linda Dupree by his side.

Together, they served the Kansas City community faithfully for 30 years. Their compassion and service to those around them will not be forgotten.

Mr. Speaker, Pastor Alvin Dupree leaves a lasting legacy in Kansas City. My thoughts and prayers are with his family and friends at this time.

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#### HONORING ROBERT J. RUBINSTEIN

### HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. ENGEL. Mr. Speaker, I rise today to honor a friend and a pillar of the Bronx community, Robert J. Rubinstein, a man who has given so selflessly to various neighborhood organizations throughout the northwest Bronx.

Born and raised in the Bronx, Bob attended P.S. 86 and the Bronx High School of Science where he met his wife, Barbara. After graduating from Bates College on the Dean's list, where he was captain of the debate team, he served his country in the Korean War for two years as a cryptographic specialist.

Upon his return, Bob went to NYU Law School and graduated in 1958. In 1959, he and his family moved to Riverdale, at the urging of his father, Max, who was the first Principal of Junior High School 141. Bob and Barbara's children Lisa, Kenneth, and Adam all attended the local public schools and Bob immediately immersed himself in Riverdale life. As a founder of the Benjamin Franklin Reform Democratic Club, of which I myself am a member, he ran for Assembly in the First Democratic Primary ever held in the Bronx, with endorsements from Eleanor Roosevelt and Governor Herbert Lehman.

Bob served as the first President of Riverdale Senior Services, and is still an active Member of their Board. He is also a former Vice President and Board Member to the Riverdale Neighborhood House and has been an active Member of the Riverdale Kiwanis Club for 52 years, serving in various roles ranging from Lieutenant Governor, and Vice President, President Board Member.

After serving under Mayor Lindsay as general Counsel for the then Housing Development Administration, Bob opened his own law office in Riverdale, where he still practices. Bob plans to continue practicing law in Riverdale and remain an active participant in community affairs.

This year, The Kingsbridge-Riverdale-Van Cortlandt Development Corporation is honoring Bob at their annual Greenway Gala. They could not have found a more deserving honoree. Congratulations to Bob on this wonderful honor.

**JANE STAPLETON: TESTIMONY BEFORE THE BIPARTISAN TASK FORCE TO END SEXUAL VIOLENCE**

**HON. ANN M. KUSTER**

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Ms. KUSTER of New Hampshire. Mr. Speaker, I include in the RECORD the following:

Good morning Congresswoman Kuster and co-chairs Meehan, Speier and Joyce.

My name is Jane Stapleton and along with Dr. Sharyn Potter, I am the Director of Prevention Innovations Research Center at the University of New Hampshire. It is an honor to provide testimony on campus sexual violence and promoting healthy relationships and consent education in K through 12 schools to the Bipartisan Task Force to End Sexual Violence. Prevention Innovations is made up of researchers and practitioners who work together to create, evaluate and disseminate evidence-based prevention and responses to sexual and relationship violence. We work to build practitioners' capacities to respond to survivors, prevent violence and navigate the changing landscape of federal laws and mandates. We believe that to truly end the problems of sexual and relationship violence in K through 12 schools and post-secondary education, we must understand what works in prevention and response and then implement evidence-based and research informed prevention strategies.

Together, my colleagues and I have developed, evaluated and implemented prevention strategies to engage community members as bystanders who take responsibility to create safe and respectful learning and living environments. Prevention Innovations' evidence-based prevention strategies include:

Bringing in the Bystander, an in-person prevention program with high school and adult versions

Know Your Power bystander intervention social marketing campaign

uSafeUS, a mobile app that puts trauma informed responses and evidence-based prevention strategies in the hands of survivors and their allies

Still in development: a Bystander Intervention Video Game

Increased attention to sexual and relationship violence in schools has led to exponential growth in the number of vendors offering solutions to these pervasive public health problems. Vendors sell products that guarantee compliance and prevention, oftentimes with little to no scientific evidence to suggest that they are effective. Prevention Innovations has recently published a white paper on choosing prevention products. It seems appropriate to share this guidance with the Bipartisan Task Force.

It is essential to know whether prevention products have been thoroughly evaluated

with scientific research methods. Prevention products should have stated, measurable learning objectives that can be evaluated. Ongoing evaluation and utilization of the best available evidence should also inform the product's evolution over time.

Sexual and relationship violence are nuanced issues, so it is vital that prevention efforts are developed by people with expertise. The best interventions adhere to the principles for effective prevention.

Effective prevention strategies are informed by theories that have been developed and validated through rigorous scientific scrutiny. Effective prevention products should be grounded in theories that foster change.

Prevention efforts are most effective when they use multiple modalities such as text, video, audio, case studies, interactive exercises, gaming principles, and skills practice. Products should be developmentally and culturally appropriate to your audience and well-suited to the method of dissemination.

It is critical that all efforts promote a campus culture that supports survivors. It is important to consider the impact of prevention products and programs on members of the community who are survivors and secondary survivors, and to ensure they are trauma-informed products.

The product should be informed by those for whom it was intended. A prevention strategy developed for a college student is most likely not appropriate for a high school student and definitely not for a middle school student.

Prevention efforts require sufficient dosage to be effective. Cutting down the prevention dosage could lead to inadequate or no effect or could potentially cause harm. One-time programs are tempting, and vendors may claim that they "check all the prevention boxes," but a solo packaged program or a single annual event will not change campus culture.

It is vital that prevention messages are socioculturally relevant and reflect a community's diversity. For prevention efforts to be effective, members of the community need to see situations and people like those they would regularly encounter.

While we know a lot about prevention, there is still so much we do not know, such as the impact of consent education on reducing sexual assault perpetration; and the effectiveness of on-line prevention modules, community and societal level interventions. The best way to proceed in our efforts is to continue to develop scientifically evaluated prevention strategies and implement these evidence-based and research informed prevention tools in a comprehensive plan that engages all members of the social ecology.

On behalf of Prevention Innovations Research Center, I would like to thank the Bipartisan Task Force for your careful consideration of our suggestions for the most effective elements of prevention in K through 12 and colleges. I welcome your questions and the opportunity to provide additional information.

**AIR CARGO SECURITY IMPROVEMENT ACT OF 2017**

**HON. BENNIE G. THOMPSON**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. THOMPSON of Mississippi. Mr. Speaker, thirteen years ago, the 9/11 Commission raised red flags "regarding the screening and transport of checked bags and cargo" and

called for "[m]ore attention and resources" to "be directed to reducing or mitigating the threat posed by explosives in vessels' cargo holds."

Today, the threat of a terrorist attack using air cargo is significant. In fact, in July, then-Secretary of Homeland Security John Kelly identified cargo-based aviation attacks as a major concern, explaining "there are people out there, very smart people, very sophisticated people who do nothing but try to figure out how to blow up an airplane in flight. . . . [T]here is a fair amount of cargo, what we would attribute to just cargo flown on passenger airplane on space available. [Terrorists] are constantly looking for ways to do this."

That same month, Australian authorities arrested four men on charges that they plotted to detonate a bomb to bring down an Etihad Airways passenger plane on behalf of ISIS on July 15. Reportedly, "a senior ISIS commander shipped partially assembled components of a bomb on a commercial cargo plane from Turkey to Australia . . . [and] two men in Australia assembled the parts into a functional explosive device." In response to the foiled Australia attack, the Transportation Security Administration (TSA) issued a security directive requiring any air cargo from Turkey bound for the U.S. to undergo enhanced screening. The Australia plot came seven years after a terrorist plot to ship bombs hidden in printer cartridges from Yemen to the United States onboard cargo planes was thwarted.

This increase in the air cargo security risk comes at a time when the volume of goods being moved by air cargo has increased, with the volume, as of 2016 back to approximately 98.4 percent of pre-recession levels with airlines transporting 52 million metric tons of goods.

In response to this security risk, I am introducing the "Air Cargo Security Improvement Act of 2017." My legislation would direct the Transportation Security Administration (TSA) to take a number of steps to enhance its responsibilities for air cargo and require the agency to aggressively move towards addressing current and future threats to air cargo. Specifically, my legislation would clarify air cargo security responsibilities at TSA, encourage further technological developments for screening air cargo, review existing air cargo programs, and require the Department of Homeland Security to make permanent the Air Cargo Advance Screening Program.

Mr. Speaker, a decade ago, I was the lead sponsor of legislation that addressed the concerns raised by the 9/11 Commission about the threat of an air cargo-based attack. The "Implementing 9/11 Recommendations Act of 2007" directed TSA to, for the first time, ensure that all cargo carried on passenger planes was screened. My bill recognizes the need to revisit that law and the stark reality that as technology has evolved so have terrorist capabilities. For instance, in 2007, it was unimaginable for terrorists to use laptops as bombs; however, in 2017, the threat of a laptop bomb was so severe that TSA considered banning laptops from airplane cabins, in response to intelligence about terrorist capabilities. The threat posed by terrorists' abilities and desires to exploit vulnerabilities cannot be understated and they have demonstrably set their targets on air cargo. We need to be timely and precise in addressing air cargo security,

as we cannot afford, nor should the American public tolerate, otherwise.

Mr. Speaker, I introduce the "Air Cargo Security Improvement Act of 2017" in the hopes that Congress will move with urgency to make Americans more secure from the threat of an air cargo-based terrorist attack and urge my colleagues to join me in working to advance this timely measure.

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 31, 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.

DETECTIVE MIGDALIA "MINDY" RAMOS

**HON. ELIOT L. ENGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. ENGEL. Mr. Speaker, I want to take a moment to represent one of the great public servants in the northwest Bronx who day after day works hard to keep our community safe.

Detective Migdaha Ramos, better known to all of us as Mindy, was born and raised in Manhattan. She attended Fashion Industry High School and upon graduation, worked in the retail and fashion industry. In July of 1998, Mindy started on a new path as a member of the New York Police Department. She was appointed to the 50th Precinct following her completion of the Police Academy, and has for the last 18 years honorably served the community there in different assignments.

Detective Ramos started as a Uniform Patrol Officer, answering 911 radio calls and addressing community concerns. Shortly thereafter, she was assigned to the Domestic Violence Unit. For the next seven years, she would conduct investigations, arrest violent perpetrators, and assist victims in receiving appropriate services.

In 2007, Detective Ramos had the pleasure of being assigned as the Precinct Community Affairs Officer, the position she still holds to this day. Since then, she has established a great working relationship with the elected officials, business district, community board, and various other entities that serve the community. She also has a wonderful rapport with the residents of the northwest Bronx, which is why in December of 2015, she was promoted to Detective.

I have always been impressed with Detective Ramos's commitment to the neighborhood and her responsiveness to the needs of the community. I know when it comes to my office it has been a true pleasure working with her.

This year, the Kingsbridge-Riverdale-Van Cortlandt Development Corporation is honoring Detective Ramos at their annual Greenway Gala. They have chosen a most deserving honoree. I want to congratulate Detective Ramos on this great honor and thank her for all she has done to improve and strengthen our neighborhood.

TRIBUTE TO THE BEDFORD PUBLIC LIBRARY

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Bedford Public Library in Bedford, Iowa for celebrating their 100 year anniversary.

The Bedford Public Library was built in 1916 as a gift from Andrew Carnegie and is one of 101 Carnegie Libraries built in Iowa. It has come a long way since 1916, there are no longer just books housed there. It is home to five public access computers with high speed internet connections along with a number of other modern amenities. The library also contains a large genealogy collection.

Mr. Speaker, it is an honor to represent those who have made the Bedford Public Library such an integral part of the community and it is with great pride that I recognize them today. I ask that my colleagues in the United States House of Representatives join me in congratulating them for this outstanding milestone and in wishing them all nothing but continued success.

SUGAR LAND MIDDLE SCHOOL GIRLS VOLLEYBALL TEAMS RAISE MONEY TO HELP BEAT BREAST CANCER

**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. OLSON. Mr. Speaker, I rise today to recognize the 7th and 8th Grade Girls' Volleyball Teams at Sugar Land Middle School for their efforts to raise money to help beat breast cancer.

The teams worked together to raise \$1,375 for the Fort Bend Junior Service League's Breast Cancer Fund, in spite of the hardships they have faced after Hurricane Harvey. These girls exemplify what it means to be a team, not just on the court, but also working together to give back to our community. The funds they raised will go toward improving quality of life, diminishing suffering and providing access to early detection and treatment for Fort Bend County breast cancer patients.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to the Sugar Land Middle School 7th and 8th Grade Girls' Volleyball Teams. We are very proud of them and look forward to their future successes. Go Titans.

HONORING THE LIFE OF FORMER TUG HILL COMMISSION CHAIRMAN KEN VIGUS

**HON. ELISE M. STEFANIK**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Ms. STEFANIK. Mr. Speaker, I rise today to honor the life of Ken Vigus, the former Chairman of New York State's Tug Hill Commission.

Ken had a great interest in and love for the Tug Hill Region of New York. He was appointed to the Tug Hill Commission in 2002, where he worked to help local governments and citizens shape the future of the Tug Hill Region, which encompasses much of Jefferson, Lewis, Oneida and Oswego counties. With a total of 14 years of service, Ken served as both Vice Chairman and Chairman of the Commission.

Ken's involvement in the region did not stop there. He enjoyed hunting on the Tug Hill Plateau and served as President of the Horse Shoe Hunting Club. He was also a member of the Boonville Zoning Board of Appeals and served on the Boonville Town Planning Board. Earlier in his life, Ken made important contributions to both his country and to his community by serving in the Air Force during the Vietnam War and then as a professional firefighter.

I would like to offer my deepest condolences to Ken's family and friends, particularly his wife, Rhonda. He was a true community leader and his legacy of service will endure in New York's 21st District.

CELEBRATION OF THE 5TH YEAR  
ANNIVERSARY OF NEW LEAF  
FAMILY CHURCH

**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to honor the New Leaf Family Church for its 5th year church anniversary. The church started its ministry in October 2012 under the leadership of Dr. Corey C. Toney, Sr. Since its beginning, the church has made a strong impact to the Dallas community.

Dr. Corey C. Toney, Sr. was born and raised in Dallas. He graduated from Justin F. Kimball High School in the Dallas Independent School District. Afterward, he decided to pursue his passion by studying auto and diesel mechanics at the Universal Technical Institute in Houston, Texas in 1989. However, he eventually changed fields by entering the ministry. On April 11, 2009, Dr. Toney received his Doctorate of Humanity from the Dallas/Fort Worth Bible Institute and Seminary, and in June of 2013, he received his Bachelor's of Arts in Divinity from Vision International University. The following year, he received his Master of Arts in Divinity from Vision International University, where he was named Salutatorian.

In 2012, Dr. Toney decided with the help of Bishop Ray Campbell's leadership that he was ready to start his own church in Dallas. Now, he is committed to his community in Dallas by serving as the Founder, Pastor and Teacher of the New Leaf Family Church. The church's commitment to its membership and the community at large is seen through its ministry and work to lift up and engage everyone in the community. I want to recognize the New Leaf Family Church for the continued success, and the hope for a bright future that they have awaiting them.

TRIBUTE TO REDFIELD LION'S  
CLUB

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Redfield, Iowa Lion's Club for celebrating 60 years of service to their community.

The members of this organization have been working since 1956 to meet the Lion's objectives of empowering volunteers to better their communities, meeting humanitarian needs, encouraging peace and promoting international understanding. Their valued work within the community has been integral to the people of Redfield and I commend them for their service.

Mr. Speaker, I applaud and congratulate the Redfield Lion's Club for celebrating this out-

standing milestone. It is because of Iowans like them that I'm proud to represent our great state in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating them and in wishing them all nothing but continued success.

BRISCOE JUNIOR HIGH HONOR  
BAND SELECTED FOR MARK OF  
EXCELLENCE PROGRAM

**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. OLSON. Mr. Speaker, I rise today to congratulate the Briscoe Junior High Honor Band for being selected for the Foundation for Music Education's Mark of Excellence Program.

The Mark of Excellence Project recognizes outstanding achievement in performance from high school and middle school bands, choirs and orchestras across the country. The Briscoe Junior High Honor Band was chosen as a Commended Winner. This is a wonderful honor and speaks to the talent of the band members and the school's music program.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to the Briscoe Junior High Honor Band. We are very proud of them and look forward to their future successes. We are excited to have them represent TX-22.

CONGRATULATING PHILIP  
IMBARRATO ON RECEIVING THE  
2017 VETERAN OF THE YEAR  
AWARD

**HON. ELISE M. STEFANIK**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Ms. STEFANIK. Mr. Speaker, I rise today to congratulate Philip Imbarrato on receiving the 2017 Veteran of the Year Award.

Philip Imbarrato has made important contributions to both his country while in the military and to his community as a veteran. In 1953, he was drafted to serve in the Korean War in the 6th Tank Battalion, 24th Infantry Division. Upon leaving Korea later that year, he was posted to Mount Fuji Army Base where he served until his discharge in January 1955. In recognition of his dedication and sacrifice, Phil received a promotion to Corporal as well as multiple medals honoring his service in Korea.

After completing his enlistment, Phil returned to school at the City College of New York where he earned a Bachelor's Degree in Sales and Management. Throughout his career and to the present, Phil has been a member of the Ballston Spa Lions Club, where he served as President in 1983. Phil is also one of the longest serving Docents at the New York State Military Museum, a position he has held since 2006.

On behalf of New York's 21st district, I want to congratulate Phil on his well-deserved award of 2017 Veteran of the Year, and thank him for his service and dedication to both his country and community.

TRIBUTE TO BECKY PETERSON

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Becky Peterson for receiving the Hero of Hope Award from the Iowa American Cancer Society at this year's annual Winter Leadership Conference in Panora, Iowa.

The Hero of Hope Award is presented annually to an outstanding volunteer who exemplifies inspirational communication skills, a passion for Relay For Life and a commitment to the mission of the American Cancer Society. Becky exemplified that commitment when she went the extra mile with her efforts as event lead for the Guthrie County Relay For Life. Becky has also had her own personal battle with cancer and has now been cancer free for six years.

Mr. Speaker, I'm proud to represent community leaders like Becky in the United States Congress, and it is with great pride that I recognize her today. I ask that my colleagues in the United States House of Representatives join me in congratulating Becky for this outstanding achievement and in wishing her nothing but the best.

KAILEI MCGOWAN HELPS  
HURRICANE HARVEY VICTIMS

**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. OLSON. Mr. Speaker, I rise today to commend Kailei McGowan of Richmond, TX for her dedication to helping victims of Hurricane Harvey.

Kailei and her family were forced to evacuate by boat after their apartment was flooded from Hurricane Harvey. But, that did not stop this 9 year old Girl Scout from helping other survivors at the Marshall High School Shelter where her family was staying. As soon as they arrived, Kailei put on her Girl Scout vest and started handing out canned food, water, clothes and cleaning supplies to folks in need. Like them, she too lost everything, but was determined to do as much as she could to help. Her spirit and commitment to serving others exemplify what it means to be both a Girl Scout AND a Texan. Thanks to people like Kailei we are Houston Strong.

On behalf of the Twenty-Second Congressional District of Texas, thank you again to Kailei for her selfless dedication to serving others in their time of need. We are very proud of her and look forward to her future success.

RECOGNIZING KING BROTHER'S  
DAIRY AND NATIONAL GRID

**HON. ELISE M. STEFANIK**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Ms. STEFANIK. Mr. Speaker, I rise today to recognize King Brother's Dairy in Schuylerville,



New York, and their recent partnership with National Grid.

For five generations, Kings-Ransom dairy farmers have been making a positive impact on the North Country economy with their contributions to the local agriculture market. In 2010, the farm's owners, Jan and Jeff King, decided to return to their roots by starting King Brothers Dairy, a service which provides fresh milk and other dairy products directly to the doors of nearby consumers. By providing highly sought after locally sourced food to their neighbors, the King Family has contributed greatly to the Upstate New York community, earning their dairy products the "New York State Grown and Certified Producer" certification in the process.

The innovative spirit displayed at King Brother's Dairy has also attracted the attention of National Grid, who have partnered with the farm by providing \$100,000 in energy efficiency and economic development grant funding. This investment from National Grid has assisted King Brother's Dairy in the development of their new bottling facility, while also helping to ensure that the farm can continue their leadership in the agricultural community.

On behalf of New York's 21st District, I want to thank National Grid and King Brother's Dairy for their important contributions to local agriculture. In addition to encouraging economic development in the North Country, their work provides an important example of the success that can be achieved by working together.

#### TRIBUTE TO NORA SCHATZBERG

### HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Nora Schatzberg of Pleasant Hill, Iowa for being named the 2016 Pleasant Hill Citizen of the Year at the Pleasant Hill Chamber of Commerce Annual Dinner and Awards Ceremony earlier this year.

The Citizen of the Year award celebrates a community member who has devoted their time and energy to making their community a better place. Nora has taken a leading role in promoting the arts in Pleasant Hill. She organized the first Art by the Lake event this year, which showcased local artists as well as youth in local school districts. Nora's already begun plans for next year, including receiving a grant from Bravo. She has also organized community workshops and programs to spread the word about the importance of a community having a strong commitment to the arts.

Mr. Speaker, I'm proud to represent community leaders like Nora in the United States Congress, and it is with great pride that I recognize her today. I ask that my colleagues in the United States House of Representatives join me in congratulating Nora for this outstanding achievement and in wishing her nothing but continued success.

#### MILLER BROTHERS RAISE FUNDS FOR HURRICANE HARVEY VICTIMS

### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. OLSON. Mr. Speaker, I rise today to thank Jacob, Zachary and Luke Miller of Pearland, TX, for their efforts to raise money for victims of Hurricane Harvey.

Jacob, Zachary and Luke collected \$800 for Harvey victims by setting up a lemonade and cookie stand in their neighborhood, and are donating the proceeds to the J.J. Watt Harvey Relief Fund. The Miller boys are a shining example of the Texas spirit. They have stepped up to do whatever they can to help friends, neighbors and strangers alike in their time of need. Their selfless actions make our community Houston Strong.

On behalf of the Twenty-Second Congressional District of Texas, thank you again to Jacob, Zachary and Luke Miller for their hard work to help those affected by Hurricane Harvey. We are extremely proud of them and look forward to their future accomplishments.

#### HONORING THE SERVICE OF WIN AND POLLY BELANGER

### HON. ELISE M. STEFANIK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Ms. STEFANIK. Mr. Speaker, I rise today to honor and recognize Win and Polly Belanger of Willsboro, New York, for their consistent and enduring dedication to community service.

After retiring from the United States Air Force in 1990, Win Belanger moved to Willsboro, New York with his wife Polly, where they have worked for the betterment of their community by lending both their ears and their voices.

By urging individuals in Essex County to become more involved in their government and enter into public service, the Belangers have helped to encourage authentic and sincere representation. Additionally, Win has shown a steadfast commitment to the wellbeing of his peers through his work on the Willsboro Central School budget committee, the town zoning board and as a founding member and officer of the Willsboro Community Housing Assistance Task Force.

On behalf of Essex County, I would like to thank Win and Polly for their service, their patriotism and their friendship, while also wishing them the best of luck in their future endeavors.

#### TRIBUTE TO NICCI BAKER

### HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Nicci Baker of Pleasant Hill, Iowa for being named the 2016 Pleasant Hill Volunteer of the Year at the Pleasant Hill Chamber of Commerce Annual Dinner and Awards Ceremony earlier this year.

The Volunteer of the Year award celebrates a chamber member who is active within the organization. Almost everywhere she goes, you will find Nicci promoting the Pleasant Hill Chamber of Commerce, and encouraging others to join. If there is a chamber event you can be sure she will be there, and she is a member who can always be counted on to do her part, from stuffing envelopes to putting up tents. Nicci understands the benefits of having strong local businesses in her community, so she doesn't hesitate to help serve food at chamber member business's open houses, as well as dishing up tacos for The Shores Senior Living Community.

Mr. Speaker, I'm proud to represent community leaders like Nicci in the United States Congress, and it is with great pride that I recognize her today. I ask that my colleagues in the United States House of Representatives join me in congratulating Nicci for this outstanding achievement and in wishing her nothing but continued success.

#### LUKE JANIK EARNS EAGLE SCOUT RANK

### HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. OLSON. Mr. Speaker, I rise today to congratulate Luke Janik of Katy, TX, for earning the rank of Eagle Scout. Eagle Scout is the highest honor a Boy Scout can earn.

Only a small percentage of Boy Scouts reach the rank of Eagle Scout, which requires years of effort to develop the necessary leadership, service and outdoor skills. To earn this rank, Luke had to earn 21 merit badges, and develop and provide leadership to others in a service project. For his project, Luke built benches for his high school tennis court. He is part of Troop 230. Luke's dedication to our community has prepared him to be a leader in his future career. The leadership skills he has learned through Boy Scouts are already benefiting our community.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Luke for becoming an Eagle Scout. We are proud and confident of his continued success.

#### 95TH ANNIVERSARY CELEBRATION FOR PEOPLE'S MISSIONARY BAPTIST CHURCH

### HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise to honor the People's Missionary Baptist Church for its 95 years of service in the South Dallas community. Since its beginning, in the home of Sister Alice Coleman, the church has brought a strong impact in Dallas, as well as the nation at large. Thanks to the commitment and strong leadership of many pastors, the church a strong legacy in the Dallas community.

It was Rev. S. M. Wright, Sr. who came to lead the church in April of 1957. Rev. Wright, Sr.'s leadership reorganized the church, renaming it People's Missionary Baptist Church,

instead of solely People's Baptist Church. This call to missionary has led the church from then on, creating a legacy of community outreach, and ministry that reaches far beyond the walls of the church. During Rev. Wright, Sr.'s tenure, his preaching became renowned across the nation. At the time of his death, he was the president of the National Missionary Baptist Convention, president of the Missionary Baptist General Convention of Texas, and president of the Interdenominational Ministerial Alliance of Dallas. In 1995, President George W. Bush renamed Highway 175 to S. M. Wright Freeway in his honor.

On November 17, 1993, Rev. S. M. Wright, II began leading the church with his pastoral leadership. His brother, Rev. Calvin W. M. Wright served next to him as co-pastor. Together, the two men continued Rev. Wright, Sr.'s mission by helping to improve the lives of people outside the church's walls by engaging their members in community outreach and civic matters.

Pastor S. M. Wright, II and his family created the S. M. Wright Foundation to administer the South Dallas Community, the South Dallas Education Center, the South Dallas Resource Center, the S. M. Wright Furniture Bank, the South Dallas Entrepreneurship Center, and the Financial Management and Investment Club. These organizations help those in need obtain furniture, clothing, job training, and much more. Since November 2014, Pastor S. M. Wright, II innovated the Fix-It-Up and Fill-It-Up Campaign. This campaign has worked to renovate the church through tithes and offerings to make sure that the church can continue serving its continuously growing membership. It finished renovations in March of 2016.

Mr. Speaker, the South Dallas community is a greater place, because of the presence of the People's Missionary Baptist Church and I'm proud to celebrate their 95th Anniversary.

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TRIBUTE TO CHRISTIE BEVING

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Christie Beving of Norwalk, Iowa for being named the 2017 Norwalk Educator of the Year at the Norwalk Chamber of Commerce Annual Dinner and Awards Ceremony earlier this year.

The Educator of the Year award recognizes a local teacher who has exemplified what excellence in teaching looks like. Christie has been teaching English at the Norwalk Community School District for the past 19 years, and this year is serving as an instructional coach. She is known by students and parents alike as an educator who is student centered, and always pushing them to their full potential. Her dedication to the children of Norwalk extends beyond her classrooms though. She is also a prep teacher at St. John's Catholic Church and volunteers for NABC basketball tournaments.

Mr. Speaker, I am proud to represent educators like Christie in the United States Con-

gress, and it is with great pride that I recognize her today. I ask that all of my colleagues in the United States House of Representatives join me in congratulating Christie for this outstanding achievement and in wishing her nothing but continued success.

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INTRODUCTION OF THE CONGRESS LEADS BY EXAMPLE ACT OF 2017

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Ms. NORTON. Mr. Speaker, I am introducing the Congress Leads by Example Act, which would subject Congress and the rest of the legislative branch to the federal whistleblower and anti-discrimination laws that now protect employees in the private sector and the executive branch. Now more than ever, especially given ongoing reports of sexual harassment and other workplace abuses in the legislative branch, Congress should abide by the laws it imposes on the American people, American businesses, and others. Congress has already acknowledged the importance of accountability in the legislative branch when it passed the Congressional Accountability Act of 1995 (CAA).

The CAA was an important first step in making the legislative branch accountable for its employment practices, but it did not finish the job. The CAA did bring the legislative branch under 13 major civil rights, labor and workplace safety and health laws, but it exempted the legislative branch from important notice and training provisions, and altogether omitted important substantive and administrative protections. In its annual report for fiscal year 2016, the Office of Compliance (OOC), which was established through the CAA, identified additional provisions of federal workplace laws and standards that should be applicable to the legislative branch. OOC's recommendations include mandatory anti-discrimination and anti-retaliation training, providing whistleblowers with protection from retaliation by making the Whistleblower Protection Act of 1989 applicable to the legislative branch, and urging Congress to approve regulations that provide additional protections under the Family and Medical Leave Act and the Americans with Disabilities Act. This bill takes into account the OOC report, and seeks to both apply the standard of fairness to employees in the legislative branch that Congress requires for other employees and to provide a safer work environment for Congress, Capitol Hill employees, and visitors by bringing the legislative branch in line with the legal requirements of private sector employers and the executive branch.

My bill is a necessary companion to the CAA, particularly in light of recent news reports of appalling behavior on the part of Members of Congress and staff in positions of authority in Member offices and committees. Former and current staffers spoke out on social media during the #MeToo campaign, which originated after the Harvey Weinstein sexual assault and harassment allegations, sharing horrifying stories of workplace harassment, including groping, inappropriate emails and text messages, and predatory behavior on

the part of both Members and staff. But many legislative branch employees who have been victims of workplace harassment or worse have not felt empowered to report it since they are not protected from retaliation. My bill provides general whistleblower protections, anti-retaliation measures, and makes additional Occupational Safety and Health Act (OSHA) provisions applicable to the legislative branch, including providing subpoena authority to OOC to conduct inspections and investigations into OSHA violations.

This bill also furthers the CAA's mission to prevent discrimination in legislative branch offices by prohibiting the legislative branch from making adverse employment decisions on the basis of an employee's wage garnishment or involvement in bankruptcy proceedings pursuant to the Consumer Credit Protection Act and Chapter 11 of the bankruptcy code. This bill requires legislative branch employers to provide their employees with notice of their rights and remedies under the CAA anti-discrimination provisions through the placement of signage in offices highlighting relevant anti-discrimination laws, including Title VII of the Civil Rights Act, the Americans with Disabilities Act, and the Age Discrimination in Employment Act. This bill also requires legislative branch offices to provide training to employees about their CAA rights and remedies. Finally, this bill bolsters the CAA's recordkeeping requirements. It extends to the legislative branch the obligation to maintain accurate records of safety information and employee injuries, as otherwise required by OSHA, as well as employee records necessary to administer anti-discrimination laws.

By passing this bill, Congress will help restore the public trust in this institution by redoubling our efforts to exercise leadership by example. I urge bipartisan support for this important measure.

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LUNCHESES OF LOVE SERVES TWO MILLION LUNCHESES

**HON. PETE OLSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. OLSON. Mr. Speaker, I rise today to congratulate Lunches of Love for serving its two millionth free lunch to children of the Fort Bend County community.

Lunches of Love has been serving Fort Bend County since 2012 by providing nutritious lunches for children in need. This summer, Lunches of Love distributed their two millionth sack lunch and moved one step closer to ending childhood hunger. We are extremely proud of Lunches of Love's dedication to our children and are grateful for every volunteer who has helped them reach this milestone. Our hope is that Lunches of Love will no longer be necessary, but until that day, we thank them for providing nutrition and love for children who need it.

On behalf of the Twenty-Second Congressional District of Texas, thank you again to Lunches of Love for serving the children of Fort Bend County and helping to eradicate childhood hunger. Thank you for serving two million lunches.

## TRIBUTE TO JOHN LERDAL

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize John Lerdal of Pleasant Hill, Iowa for being awarded the Pillar of Service Award at the Pleasant Hill Chamber of Commerce Annual Dinner and Awards Ceremony earlier this year.

The Pillar of Service Award celebrates a community member who is the model of dedication to the chamber and the community. John is the director of the Pleasant Hill Public Library and has helped lead them through numerous expansions and improvements over the years. He is an active member of the Pleasant Hill Chamber of Commerce, having served as a board member and volunteer at countless chamber events over the years. John has impacted the lives of countless community members, whether it was at the Lions Club handing out hotdogs and popcorn or reading books to children at the public library where the kids know him as "Mr. John."

Mr. Speaker, I'm proud to represent community leaders like John in the United States Congress, and it is with great pride that I recognize him today. I ask that my colleagues in the United States House of Representatives join me in congratulating John for this outstanding achievement and in wishing him nothing but continued success.

## HONORING LARRY ODOM

**HON. TOM GRAVES**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. GRAVES of Georgia. Mr. Speaker, I rise today to honor the service of retired Colonel Larry Odom. Colonel Odom will be retiring from his position on the Cedartown City Commission at the end of his term this month.

Colonel Odom grew up in Cedartown, Georgia, and attended Berry College in Rome, Georgia, graduating with a degree in Mathematics. He later received a graduate degree in Management from William Carey College in Hattiesburg, Mississippi.

Colonel Odom served in the United States Air Force for just shy of 28 years, flying in combat over Southeast Asia, and later contributing to the maintenance of the Strategic Air Command's nuclear deterrent force.

During this time he was awarded the Distinguished Flying Cross, the Meritorious Service Medal with Oak Leaf Cluster, and the Legion of Merit Award.

Colonel Odom established Operation Warm Heart while serving at Minot Air Force Base. Operation Warm Heart was created to serve the dependents of those deployed to Operation Desert Storm, and was later expanded into a state-wide program that is still in operation today.

After his retirement from the Air Force, Colonel Odom returned home to Cedartown, where he has worked to improve his community. In the time since he left the military, Colo-

nel Odom has served as Director of Polk County E-911 and on the Cedartown City Commission for over a decade.

His service on the Cedartown City Commission is marked by four years as commission chairman, in the period of 2008-2010 and 2016.

I am proud today to recognize Colonel Odom's time in public service and his contributions to the people of Georgia.

I'd like to close by thanking Larry for his service to his country and community.

## TRIBUTE TO KYLE BISCOGLIA

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Kyle Biscoglia of Waukee, Iowa for winning the Class 3A, 113 pound bracket at the Iowa High School State Wrestling tournament earlier this year.

Iowa has a long and proud history of strong wrestling programs, producing college and Olympic champions for years. Kyle, a sophomore at Waukee High School, capped off a great season with 54 wins, 1 loss and a state championship medal. He is the first Waukee wrestler to win a state championship in this particular weight class.

Mr. Speaker, I am honored to represent Kyle and his family in the United States Congress, and it is with great pride that I recognize him today. I ask that my colleagues in the United States House of Representatives join me in congratulating Kyle on competing in this rigorous competition and in wishing him nothing but continued success in his education and wrestling career.

## PERSONAL EXPLANATION

**HON. MIKE THOMPSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. THOMPSON of California. Mr. Speaker, on October 25th and 26th, I was in my District due to events related to wildfires and was unable to cast my votes for Roll Call votes 582 through 590. Had I been present, I would have voted:

Roll Call Vote No. 582: NO—On Ordering the Previous Question;

Roll Call Vote No. 583: NO—Providing for consideration of the Senate amendment to 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;

Roll Call Vote No. 584: NO—On Approving the Journal;

Roll Call Vote No. 585: YES—Johnson for Georgia Part A Amendment No. 3;

Roll Call Vote No. 586: YES—McEachin for Virginia Part A Amendment No. 4;

Roll Call Vote No. 587: YES—Cartwright for Pennsylvania Part A Amendment No. 6;

Roll Call Vote No. 588: NO—Sunshine for Regulations and Regulatory Decrees and Settlements Act;

Roll Call Vote No. 589: NO—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; and

Roll Call Vote No. 590: YES—Iran Ballistic Missiles and International Sanctions Enforcement Act.

## TRIBUTE TO CHASE SHILTZ

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Chase Shiltz of Creston High School for winning the Class 2A, 182 pound bracket at the Iowa High School State Wrestling tournament earlier this year. This is Chase's third individual State Wrestling championship.

In addition to the championship win, Chase was also chosen as the 2017 Dan Gable Mr. Wrestler of the Year in Class 2A. Chase was quoted in the Creston News Advertiser as saying, "It shows all of the hard work paid off," Shiltz said. "I credit all of the coaches, workout partners, my parents. It's a big reward for all of them."

Iowa has a long and proud history of strong wrestling programs, producing college and Olympic champions for years. Winning three state championships in a row has been the culmination of years of hard work and commitment, not only on the part of Chase, but also his parents, his family, coaches and fellow teammates.

Mr. Speaker, the example set by Chase demonstrates the rewards of dedication and perseverance. It is an honor representing Chase and his family in the United States Congress, and it is with great pride that I recognize them today. I ask that all of my colleagues in the United States House of Representatives join me in congratulating Chase on competing in this rigorous competition and in wishing him nothing but continued success in his education and in his future college football career at Northwest Missouri State University.

## CELEBRATING THE LIFE OF HARVEY MICHAEL HORIKAWA

**HON. TED LIEU**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. TED LIEU of California. Mr. Speaker, I rise to speak about my friend Harvey Michael Horikawa, who passed away earlier this month. Harvey was an amazing individual and it was an honor to have known him.

Harvey was born in Chicago in 1948 and raised in the Los Angeles area. After graduating from UCLA law school in 1973, he was a founding partner in two law firms where he specialized in civil litigation, trials, and administrative law. Mr. Horikawa also worked for three years in the Civil Liabilities Section of the Los Angeles City Attorney's Office, during which he devoted a significant amount of time defending claims against the Los Angeles Police Department. As a result of his extensive jury trial experience, Mr. Horikawa was invited

to be a member of the American Board of Trial Advocates.

While engaged in his law practice, Mr. Horikawa also served as a Commissioner for the California Fair Employment & Housing Commission, having been appointed by Governor George Deukmejian to the Commission in 1984.

Mr. Horikawa continued to practice in the areas of employment, civil rights, and general litigation up until his death on October 18, 2017. His greatest joy was helping those in need and ensuring that everyone was treated with fairness and compassion under the law.

## TRIBUTE TO JOEL SHAPIRO

**HON. DAVID YOUNG**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 31, 2017*

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Joel Shapiro of West Des Moines Valley High School for winning the Class 3A, 160 pound bracket at the Iowa High School State Wrestling tournament earlier this year.

Iowa has a long and proud history of strong wrestling programs, producing college and Olympic champions for years. Winning a state

championship is the culmination of years of hard work and commitment, not only on the part of Joel, but also his parents, his family, coaches and fellow teammates.

Mr. Speaker, the example set by Joel demonstrates the rewards of dedication, and perseverance. I am honored to represent Joel and his family in the United States Congress and it is with great pride that I recognize them today. I ask that my colleagues in the United States House of Representatives join me in congratulating Joel on competing in this rigorous competition and in wishing him nothing but continued success in his education and wrestling career.

# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S6885–S6935*

**Measures Introduced:** Sixteen bills and four resolutions were introduced, as follows: S. 2033–2048, and S. Res. 315–318. **Pages S6923–24**

#### Measures Reported:

S. 1586, to require the Under Secretary for Oceans and Atmosphere to update periodically the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal area of the Great Lakes, with an amendment in the nature of a substitute. (S. Rept. No. 115–180)

S. 1015, to require the Federal Communications Commission to study the feasibility of designating a simple, easy-to-remember dialing code to be used for a national suicide prevention and mental health crisis hotline system, with an amendment in the nature of a substitute. **Page S6923**

#### Measures Passed:

**Iran Prisoners:** Senate agreed to S. Res. 245, calling on the Government of Iran to release unjustly detained United States citizens and legal permanent resident aliens. **Page S6931**

**National Bison Day:** Senate agreed to S. Res. 315, designating November 4, 2017, as National Bison Day. **Page S6931**

**National Native American Heritage Month:** Senate agreed to S. Res. 316, recognizing National Native American Heritage Month and celebrating the heritages and cultures of Native Americans and the contributions of Native Americans to the United States. **Page S6931**

**Senate Black Legislative Staff Caucus 40th Anniversary:** Senate agreed to S. Res. 317, celebrating the 40th anniversary of the Senate Black Legislative Staff Caucus and its achievements in the Senate. **Page S6931**

#### Appointments:

**Virgin Islands of the United States Centennial Commission:** The Chair announced, on behalf of the Democratic Leader, pursuant to the provisions of Public Law 114–224, the appointment of the fol-

lowing individual to serve as a member of the Virgin Islands of the United States Centennial Commission: Senator Nelson. **Page S6931**

**Message from the President:** Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency relative to the actions and policies of the Government of Sudan as declared in Executive Order 13067 of November 3, 1997; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–18) **Pages S6920–21**

**Larsen Nomination—Agreement:** Senate resumed consideration of the nomination of Joan Louise Larsen, of Michigan, to be United States Circuit Judge for the Sixth Circuit. **Page S6908**

During consideration of this nomination today, Senate also took the following action:

By 60 yeas to 38 nays (Vote No. 256), Senate agreed to the motion to close further debate on the nomination. **Page S6908**

A unanimous-consent-time agreement was reached providing that notwithstanding Rule XXII, that at 11:30 a.m., on Wednesday, November 1, 2017, there be 30 minutes of post-cloture time remaining on the nomination, equally divided between the Leaders, or their designees, and that following the use or yielding back of that time, Senate vote on confirmation of the nomination. **Page S6931**

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at approximately 10 a.m., on Wednesday, November 1, 2017. **Page S6931**

**Nominations Confirmed:** Senate confirmed the following nominations:

By 55 yeas to 43 nays (Vote No. EX. 255), Amy Coney Barrett, of Indiana, to be United States Circuit Judge for the Seventh Circuit.

**Pages S6886–99, S6899–S6908**

- 3 Air Force nominations in the rank of general.
- 47 Army nominations in the rank of general.
- 2 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Foreign Service, Marine Corps, and Navy.

Pages S6916–17, S6934–35

Executive Communications: Pages S6921–22

Petitions and Memorials: Pages S6922–23

Additional Cosponsors: Pages S6924–25

Statements on Introduced Bills/Resolutions: Pages S6925–30

Additional Statements: Pages S6919–20

Authorities for Committees to Meet: Pages S6930–31

Record Votes: Two record votes were taken today. (Total—256) Page S6908

Adjournment: Senate convened at 10 a.m. and adjourned at 6:35 p.m., until 10:00 a.m. on Wednesday, November 1, 2017. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6934.)

## Committee Meetings

(Committees not listed did not meet)

### RECENT NAVY COLLISIONS AT SEA

*Committee on Armed Services:* Committee received a closed briefing on recent Navy collisions at sea from Admiral John M. Richardson, USN, Chief of Naval Operations, and Admiral Philip S. Davidson, USN, Commander, United States Fleet Forces Command, both of the Department of Defense.

### NOMINATIONS

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine the nominations of Leon A. Westmoreland, of Georgia, to be a Director of the Amtrak Board of Directors, who was introduced by Senator Isakson, Raymond Martinez, of New Jersey, to be Administrator of the Federal Motor Carrier Safety Administration, Diana Furchtgott-Roth, of Maryland, to be an Assistant Secretary of Transportation, and Bruce Landsberg, of South Carolina, to be a Member of the National Transportation Safety Board, after the nominees testified and answered questions in their own behalf.

### NATIVE AMERICAN SUBSISTENCE RIGHTS

*Committee on Commerce, Science, and Transportation:* Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard concluded a hearing to examine exploring Native American subsistence rights and international treaties, after receiving testimony from Mayor Harry Brower, North Slope Borough of Alaska, and John Hopson Jr., and Robert Suydam, both of the Alaska Eskimo Whaling Commission, all of

Barrow; and Warren C. Swartz, Keweenaw Bay Indian Community, Baraga, Michigan.

### ADVANCED BUILDING MANAGEMENT AND CONTROL SYSTEMS

*Committee on Energy and Natural Resources:* Committee concluded a hearing to examine new efficiency opportunities provided by advanced building management and control systems, after receiving testimony from Daniel R. Simmons, Acting Assistant Secretary, Office of Energy Efficiency and Renewable Energy, and Jud Virden, Associate Laboratory Director, Energy and Environment, Pacific Northwest National Laboratory, both of the Department of Energy; Bruno C. Grunau, Cold Climate Housing Research Center, Fairbanks, Alaska; Tracy West, Southern Company, Birmingham, Alabama; and John Wallace, Emerson Commercial and Residential Solutions, Kennesaw, Georgia.

### FEDERAL RESPONSE TO 2017 HURRICANE SEASON OVERSIGHT

*Committee on Homeland Security and Governmental Affairs:* Committee concluded an oversight hearing to examine the 2017 hurricane season, focusing on the Federal response, after receiving testimony from William B. Long, Administrator, Federal Emergency Management Agency, Department of Homeland Security; Robert G. Salesses, Deputy Assistant Secretary for Homeland Defense Integration and Defense Support of Civil Authorities, and Major General Donald E. Jackson, USA, Deputy Commanding General for Civil and Emergency Operations, Army Corps of Engineers, both of the Department of Defense; and Robert Kadlec, Assistant Secretary for Preparedness and Response, Department of Health and Human Services.

### 2020 CENSUS

*Committee on Homeland Security and Governmental Affairs:* Committee concluded a hearing to examine the 2020 Census, focusing on cost overruns, information security, and accuracy, including actions needed to mitigate key risks jeopardizing a cost-effective enumeration, after receiving testimony from Wilbur Ross, Secretary, and Ron S. Jarmin, Acting Director, Census Bureau, both of the Department of Commerce; and Gene L. Dodaro, Comptroller General of the United States, Government Accountability Office.

### 21ST CENTURY CURES ACT

*Committee on Health, Education, Labor, and Pensions:* Committee concluded a hearing to examine implementation of the 21st Century Cures Act, focusing on achieving the promise of health information technology, after receiving testimony from P. Jon White,

Deputy National Coordinator, Office of the National Coordinator for Health Information Technology, Kate Goodrich, Director, Center for Clinical Standards and Quality, and Chief Medical Officer, Centers for Medicare and Medicaid Services, and James A. Cannatti III, Senior Counselor for Health Information Technology, Office of Inspector General, all of the Department of Health and Human Services.

### EXTREMIST CONTENT AND RUSSIAN DISINFORMATION ONLINE

*Committee on the Judiciary:* Subcommittee on Crime and Terrorism concluded a hearing to examine extremist content and Russian disinformation online, focusing on working with tech to find solutions, after receiving testimony from Colin Stretch, Facebook, Menlo Park, California; Sean J. Edgett, Twitter, Inc., San Francisco, California; Richard

Salgado, Google, Mountain View, California; Clint Watts, Foreign Policy Research Institute, Philadelphia, Pennsylvania; and Michael S. Smith II, Charleston, South Carolina.

### NOMINATION

*Select Committee on Intelligence:* Committee concluded a hearing to examine the nomination of John C. Demers, of Virginia, to be an Assistant Attorney General, Department of Justice, after the nominee testified and answered questions in his own behalf.

### INTELLIGENCE

*Select Committee on Intelligence:* Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

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# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 32 public bills, H.R. 4168–4199; and 6 resolutions, H.J. Res. 120 and H. Res. 594–598 were introduced.

**Pages H8292–94**

**Additional Cosponsors:**

**Pages H8295–96**

**Reports Filed:** Reports were filed today as follows:

H.R. 849, to repeal the provisions of the Patient Protection and Affordable Care Act providing for the Independent Payment Advisory Board, with an amendment (H. Rept. 115–373, Part 1);

H.R. 3903, to amend the Securities Act of 1933 to expand the ability to use testing the waters and confidential draft registration submissions, and for other purposes, with amendments (H. Rept. 115–374);

H.R. 1585, to amend the Securities Act of 1933 to codify certain qualifications of individuals as accredited investors for purposes of the securities laws, with an amendment (H. Rept. 115–375);

H.R. 1224, to amend the National Institute of Standards and Technology Act to implement a framework, assessment, and audits for improving United States cybersecurity, with an amendment (H. Rept. 115–376);

H.R. 3043, to modernize hydropower policy, and for other purposes, with an amendment (H. Rept. 115–377, Part 1); and

H. Res. 595, providing for consideration of the bill (H.R. 2936) to expedite under the National En-

vironmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on Tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes (H. Rept. 115–378).

**Page H8292**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Ferguson to act as Speaker pro tempore for today.

**Page H8277**

**Recess:** The House recessed at 12:19 p.m. and reconvened at 2 p.m.

**Pages H8279–80**

**Recess:** The House recessed at 2:04 p.m. and reconvened at 5 p.m.

**Page H8280**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

**National Forest System Vegetation Management Pilot Program Act of 2017:** H.R. 2921, to establish a vegetation management pilot program on National Forest System land to better protect utility infrastructure from passing wildfire;

**Pages H8280–82**

**Kisatchie National Forest Land Conveyance Act:** H.R. 2941, to provide for the conveyance of certain National Forest System land within Kisatchie National Forest in the State of Louisiana;

**Pages H8282–83**

**Authorizing the purchase of a small parcel of Natural Resources Conservation Service property in Riverside, California, by the Riverside Corona**

**Resource Conservation District:** H.R. 3567, to authorize the purchase of a small parcel of Natural Resources Conservation Service property in Riverside, California, by the Riverside Corona Resource Conservation District; and **Pages H8283–84**

**South Carolina Peanut Parity Act of 2017:** H.R. 2521, to amend the Farm Security and Rural Investment Act of 2002 to include South Carolina as a part of the Virginia/Carolina peanut producing region for purposes of appointment to the Peanut Standards Board, by a 2/3 yea-and-nay vote of 394 yeas to 1 nay, Roll No. 591. **Pages H8284–85**

**Recess:** The House recessed at 5:26 p.m. and reconvened at 6:30 p.m. **Page H8285**

**Presidential Message:** Read a message from the President wherein he notified Congress that the national emergency declared with respect to Sudan is to continue in effect beyond November 3, 2017—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 115–75). **Page H8285**

**Senate Referral:** S. Con. Res. 28 was held at the desk.

**Senate Message:** Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H8280.

**Quorum Calls—Votes:** One yea-and-nay vote developed during the proceedings of today and appears on pages H8285–86. There were no quorum calls.

**Adjournment:** The House met at 12 noon and adjourned at 7:17 p.m.

## Committee Meetings

### RESILIENT FEDERAL FORESTS ACT OF 2017

**Committee on Rules:** Full Committee held a hearing on H.R. 2936, the “Resilient Federal Forests Act of 2017”. The Committee granted, by record vote of 7–3, a structured rule for H.R. 2936. The rule provides one hour of general debate equally divided among and controlled by the chair and ranking minority member of the Committee on Agriculture and the chair and ranking minority member of the Committee on Natural Resources. The rule waives all points of order against consideration of the bill. The rule makes in order as original text for the purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–36 and provides that it shall be considered as read. The rule waives all points of order against that amendment in the nature of a substitute. The rule makes in order only those further amendments printed in the Rules Committee report. Each such amendment may be offered only in the order printed in the report, may be offered only by

a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in the report. The rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Bishop of Utah and Representative Lucas.

## Joint Meetings

No joint committee meetings were held.

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## COMMITTEE MEETINGS FOR WEDNESDAY, NOVEMBER 1, 2017

*(Committee meetings are open unless otherwise indicated)*

### Senate

**Committee on Banking, Housing, and Urban Affairs:** business meeting to consider 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; to be immediately followed by a hearing to examine the nominations of Scott Garrett, of New Jersey, to be President, Kimberly A. Reed, of West Virginia, to be First Vice President, Mark L. Greenblatt, of Maryland, to be Inspector General, and Spencer Bachus III, of Alabama, Judith Delzoppo Pryor, of Ohio, and Claudia Slacik, of New York, each to be a Member of the Board of Directors, all of the Export-Import Bank, 10 a.m., SD–538.

**Committee on Commerce, Science, and Transportation:** to hold hearings to examine the nominations of James Bridenstine, of Oklahoma, to be Administrator of the National Aeronautics and Space Administration, Dana Baiocco, of Ohio, to be a Commissioner of the Consumer Product Safety Commission, and Nazakhtar Nikakhtar, of Maryland, and Neil Jacobs, of North Carolina, both to be an Assistant Secretary of Commerce, 10 a.m., SR–253.

**Committee on Foreign Relations:** to hold hearings to examine the nominations of Irwin Steven Goldstein, of New York, to be Under Secretary for Public Diplomacy, Rebecca Eliza Gonzales, of Texas, to be Ambassador to the Kingdom of Lesotho, Lisa A. Johnson, of Washington, to be Ambassador to the Republic of Namibia, James Randolph Evans, of Georgia, to be Ambassador to Luxembourg, and Sean P. Lawler, of Maryland, to be Chief of Protocol, and to have the rank of Ambassador during his tenure of service, all of the Department of State, 10 a.m., SD–419.

Subcommittee on Multilateral International Development, Multilateral Institutions, and International Economic, Energy, and Environmental Policy, to hold hearings to examine energy and international development, 2:30 p.m., SD–419.



*Committee on Indian Affairs*: to hold an oversight hearing to examine building tribal economies, focusing on modernizing tax policies that work for Indian country, 2:30 p.m., SD-628.

*Committee on the Judiciary*: to hold hearings to examine the nominations of Leonard Steven Grasz, of Nebraska, to be United States Circuit Judge for the Eighth Circuit, Terry A. Doughty, to be United States District Judge for the Western District of Louisiana, Terry Fitzgerald Moorer, to be United States District Judge for the Southern District of Alabama, and Mark Saalfield Norris, Sr., to be United States District Judge for the Western District of Tennessee, 10 a.m., SD-226.

*Select Committee on Intelligence*: to hold hearings to examine social media influence in the 2016 United States elections, 9:30 a.m., SH-216.

### House

*Committee on Appropriations*, Subcommittee on State, Foreign Operations, and Related Programs, oversight hearing entitled “Accountable Soft Power in the National Interest”, 10:30 a.m., 2359 Rayburn.

*Committee on Energy and Commerce*, Subcommittee on Digital Commerce and Consumer Protection, hearing entitled “Securing Consumers’ Credit Data in the Age of Digital Commerce”, 10:30 a.m., 2123 Rayburn.

Subcommittee on Communications and Technology, hearing entitled “Oversight of FirstNet: State Perspectives”, 10:40 a.m., 2322 Rayburn.

*Committee on Financial Services*, Subcommittee on Oversight and Investigations, hearing entitled “Examining the Community Development Block Grant-Disaster Recovery Program”, 10:30 a.m., 2128 Rayburn.

Subcommittee on Financial Institutions and Consumer Credit, hearing entitled “Data Security: Vulnerabilities and Opportunities for Improvement”, 2 p.m., 2128 Rayburn.

*Committee on Foreign Affairs*, Full Committee, hearing entitled “An Insider’s Look at the North Korean Regime”, 10:30 a.m., 2172 Rayburn.

*Committee on the Judiciary*, Subcommittee on Regulatory Reform, Commercial and Antitrust Law, hearing entitled “Net Neutrality and the Role of Antitrust”, 10:30 a.m., 2141 Rayburn.

Subcommittee on the Constitution and Civil Justice, hearing on H.R. 490, the “Heartbeat Protection Act of 2017”, 11:30 a.m., 2237 Rayburn.

Subcommittee on Immigration and Border Security, hearing entitled “Oversight of the Executive Office for Immigration Review”, 2 p.m., 2141 Rayburn.

*Committee on Oversight and Government Reform*, Subcommittee on National Security, hearing entitled “Overview of 16 Years of Involvement in Afghanistan”, 10:30 a.m., 2154 Rayburn.

*Committee on Rules*, Full Committee, hearing on H.R. 849, the “Protecting Seniors’ Access to Medicare Act of 2017”; and H.R. 3922, the “Community Health And Medical Professionals Improve Our Nation Act of 2017”, 3 p.m., H-313 Capitol.

*Committee on Science, Space, and Technology*, Subcommittee on Energy, hearing entitled “The Future of Low Dose Radiation Research”, 10:30 a.m., 2318 Rayburn.

*Permanent Select Committee on Intelligence*, Russia Investigative Task Force, hearing entitled “Impact of Russian Advertisements on Social Media”, 2 p.m., HVC-210.

*Next Meeting of the SENATE*

10 a.m., Wednesday, November 1

## Senate Chamber

**Program for Wednesday:** Senate will continue consideration of the nomination of Joan Louise Larsen, of Michigan, to be United States Circuit Judge for the Sixth Circuit, post-cloture, and vote on confirmation of the nomination at approximately 12 noon.

Following disposition of the nomination of Joan Louise Larsen, Senate will vote on the motion to invoke cloture on the nomination of Allison H. Eid, of Colorado, to be United States Circuit Judge for the Tenth Circuit.

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Wednesday, November 1

## House Chamber

**Program for Wednesday:** Begin consideration of H.R. 2936—Resilient Federal Forests Act of 2017 (Subject to a Rule). Consideration of measures under suspension of the Rules.

## Extensions of Remarks, as inserted in this issue

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