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No. 75

## House of Representatives

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

### DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,  
May 9, 2018.

I hereby appoint the Honorable JAMES COMER 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 8, 2018, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

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

### AFFORDABLE HOUSING CRISIS

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

Ms. LEE. Mr. Speaker, I rise today on behalf of every family struggling to pay rent, every student facing homelessness, and every city that is seeing historic communities displaced.

We are facing an affordable housing crisis, and we cannot ignore this epidemic. Over 38 million families struggle to pay rent and put food on the table every day because they spend more than a third of their income on

housing. Now, in my district, in the East Bay in northern California, the average renter in Oakland would be forced to spend a staggering—mind you, staggering—70 percent of their income on housing if they were to move today. That is 70 percent. Clearly, the affordable housing crisis is off the scale in my district.

In April, I sent an email to my constituents asking for their stories and suggestions on how to address this very important issue. Today I would like to share just a few of those stories which really touched my heart.

One woman shared how, being unable to afford a place to live, she had to put herself in harm's way to have shelter. She said: I stayed in an unsafe and shared housing situation much longer than I would have had I been able to find an affordable place to move. I have found a place now but no longer have any disposable income. I worry that an unexpected event could lead to being unhoused. I have many friends who are single mothers with children who are sleeping in cars or bouncing from couch to couch.

The housing crisis has also taken a devastating toll on seniors in my district. One woman wrote: Many of my longtime friends and acquaintances have been forced to move out of the State. My husband and I have lived in an old place for a long time, and the rent is relatively low; but the building may be sold, and I don't know what we would do. I am a cancer survivor and fear moving out of the State would make me lose my health insurance. I would also have a hard time finding a new job at 62. We have applied at numerous senior housing apartments, but all have long waiting lists.

These stories also highlighted the impact of the housing crisis on public sector workers and students in our community.

One gentleman wrote: As a teacher, I cannot afford to stay in Oakland. Home

ownership is out of the question. Even as a dedicated public servant, I can't afford to work in urban schools in the Bay area.

A former student wrote me: I had to withdraw from classes at UC Berkeley so I could find stable housing and enough income to afford my monthly rent.

Mr. Speaker, our community, our country, cannot function without nurses, teachers, or young people living in decent affordable housing. We need to solve this crisis before it is too late. These stories represent just a small number of the responses I received. I heard from many constituents who are delaying having children and passing up opportunities to open a business or switch careers because they cannot afford to move or to live where they want to live.

I heard from some residents who live in cars, on couches, or on the streets because the cost of rent has soared. Now I see, sadly, homeless camps with sofas, chairs, and tables. So many people have been evicted with nowhere to go.

Believe you me, there are many more in my district and across America who are homeless right now: seniors, veterans, single moms raising children. They have nowhere to sleep at night. We must do better so that no one is forced to live on the streets. We must do better to ensure that no child is homeless. And we must do better to ensure that no senior has to choose between food and rent. We must do better because there is no option. The affordable housing crisis is tearing apart families and communities. This is not a partisan issue; it is a human one.

That is why I hope my colleagues on both sides of the aisle will cosponsor my affordable housing resolution which I introduced yesterday, H. Con. Res. 120, and affirm that all people deserve access to basic living standards. We need to begin this debate, and it needs

☐ 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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to be bipartisan. People deserve to hear that from their representatives.

And I hope that these stories which I shared will inspire all of my colleagues to ask their constituents about this crisis and convince them to join me in bolstering Federal resources for affordable housing. We can't delay any longer.

Mr. Speaker, as a person of faith, there is no way that I can stand by and watch so many people living on the streets without shelter, without food. They deserve a chance at the American Dream, also.

#### HONORING MARTIN TWENHAFEL

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

Mr. BOST. Mr. Speaker, I rise today to honor an Illinois hero who passed away this last week.

Martin Twenhafel of Gorham, Illinois, passed at the age of 92. He joins his wife, Katherine, who passed in March. Martin was a U.S. Army veteran and served in Europe during World War II. He was a life member of the American Legion Paul Stout Post 127 and VFW Post 7190 in Murphysboro for over 70 years.

Martin, a farmer, was a lifelong resident of southern Illinois, where he farmed corn, soybeans, and wheat with his sons on the Twenhafel Farms. He was so moved by his time in the war that he wrote and published a book titled "Far from the Farm" to save and share those experiences with his grandchildren and children.

Martin, it is with a heavy heart that we thank you for your service to southern Illinois and our Nation.

#### TEACHER APPRECIATION WEEK

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

Mr. COSTA. Mr. Speaker, I rise today during Teacher Appreciation Week to honor America's teachers.

I still know the names of my first nine teachers at the Houghton-Kearney Elementary School in Fresno County because they all made a difference in my life: Ms. Waiye, Ms. Seely, Ms. Clark, Ms. Piper, Ms. Collins, Mr. Garfield, Mr. Weens, Ms. Collins again, Mr. Reed, and Mr. Jones, our principal.

Like so many teachers across our country, these educators dedicated their careers to helping generations of students learn and grow. Teachers today provide us with the tools we need to achieve our goals and to be successful because they understand dedicating their lives to this profession educates the future of America, our Nation. It creates the foundation that lies ahead that ultimately creates the opportunities that we as Americans pursue.

So I would like to take this opportunity to thank the teachers in the San Joaquin Valley and across the Nation, throughout the United States, for all

that they do. Those first nine teachers who taught me, they saw something in me and in thousands of students whom they have taught. You know what: they made a difference. They made a difference in thousands of lives, as teachers across the country do every day. So we should—it is fitting and appropriate—honor the teachers of our Nation.

#### MILITARY APPRECIATION MONTH

Mr. COSTA. Mr. Speaker, I rise today to commemorate Military Appreciation Month. This is a time that we dedicate throughout the month of May honoring and celebrating those who have served our Nation, sacrificed; those of our military servicemembers, their families, both past and present, because families are a key part of those who have served our Nation. Their courage and their sacrifice, therefore, should never, ever be forgotten.

As a nation, on Memorial Day, later this month, we will honor and remember the men and women who have given their lives to serve our great Nation. Every year I join in the Memorial Day ceremonies across California's San Joaquin Valley. This year I will participate in the Memorial Day ceremony at the San Joaquin Valley National Cemetery in Santa Nella. Hundreds will gather there with us. In Fresno, I will be speaking both at the Veterans Liberty Cemetery and the Avenue of Flags at Memorial Gardens.

But I believe most Members of Congress weekly—I certainly do—meet with veterans. We meet to listen and to hear their concerns, as well as men and women serving in Active Duty. Last week, when I was in the district, I visited the Veterans Administration clinic in the city of Merced to listen to veterans getting their healthcare, to their concerns, to their needs, to ensure that they get the care that they deserve.

And just yesterday, I spoke with a group of Valley veterans visiting Washington, D.C., through the Central Valley Honor Flight. We have these Honor Flights all across the country. It is the 16th Honor Flight in 7 years from the San Joaquin Valley. Twenty-two of them were World War II veterans, and they also served in Korea and in Vietnam.

It is appropriate to say "thank you" to them and to those men and women we see across the country in uniform. I always remember to say "thank you."

As President John F. Kennedy once said: "As we express our gratitude, we must never forget that the highest appreciation is not to utter words but to live by them."

With these words in mind, I call on my colleagues and my fellow Americans to come together. America wants us to come together, not only during this month but throughout the year, and thank those servicemen and -women, the veterans, and their families; but also to do more than just utter words of gratitude, because we can do better. We must, and we should, work to ensure that our servicemem-

bers, veterans, and military families receive the resources, the justice, and the benefits that they have earned.

These are our true American heroes.

#### LIMIT MUELLER INVESTIGATION

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

Mr. BROOKS of Alabama. Mr. Speaker, today I am sending a joint letter to Attorney General Jeff Sessions asking him to limit the Mueller investigation in two respects. The letter to Attorney General Jeff Sessions states:

We, the undersigned, urge you to, one, limit Special Counsel Mueller's investigation to, A, alleged Russian interference with the 2016 Presidential election, herein referred to as "Russian interference," and, B, alleged collusion between the Trump campaign and Russians with respect to the alleged Russian interference, herein referred to as "Trump collusion."

Two, terminate the investigative phase of Mueller's authority no later than July 5, 2018, which is the 2-year anniversary of the date on which the FBI began investigating alleged Russian interference with the 2016 Presidential election.

We respectfully request that you consider the following reasoning for our request.

First, with respect to limiting the Mueller investigation scope, the letter states:

You recused yourself "from any existing or future investigations of any matters related in any way to the campaigns for President of the United States." This request does not conflict with your recusal because it asks that you direct Mueller to cease investigation of matters that go beyond allegations of Russian interference and Trump collusion. For emphasis, matters beyond alleged Russian interference and Trump collusion, if any, can and should be treated like any other matter investigated and prosecuted by Federal law enforcement officials and the Department of Justice.

While public opinion must not always dictate justice, it is important to emphasize that the expansion of Mueller's work scope goes way beyond the alleged Russian interference and Trump collusion that was the public basis for the appointment of a special counsel. As such, continuation of Mueller's work scope beyond alleged Russian interference and Trump collusion betrays the public trust on which America's justice system is founded.

□ 1015

Second, with respect to termination of the Mueller investigation on the 2-year anniversary of when the FBI and Department of Justice began the Russian interference investigation, the letter states:

The investigation of alleged Russian interference began almost 2 years ago. Two years is more than enough time for a competent and thorough prosecutor, backed up by the resources of the FBI and Department of Justice, to do his job.

If no harm was being done by the tardiness of an investigation, that would be one thing. But in this instance, Mueller's tardiness is damaging America. The alleged Russian interference and Trump collusion investigations have taken on the character of an endless political persecution that not only harms America's trust in the justice system

but also severely damages and distracts from the ability of a duly elected President to fulfill his duties to the American people.

As you know, America is racking up deficits and debt at a frightening and dangerous pace. Washington public officials must be more prudent with tax dollars forcibly taken from American citizens. Mueller appears to be burning through tax dollars at a roughly \$1.5 million-per-month clip. Given the rather paltry results to date, a strong argument can be made that Mueller's investigation is an extravagant waste of tax dollars.

We urge you, on the second anniversary of the start of the alleged Russian interference and Trump collusion investigations, to end it. Between now and then, Mueller has plenty of time to get the job done.

Mr. Speaker, so far, this letter has been respectfully signed and submitted to Attorney General Jeff Sessions by no less than 16 Members of the United States Congress.

#### MARCH FOR OUR LIVES STUDENT SPEECHES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, on March 24, I was in Morristown, New Jersey, with former Assistant U.S. Attorney Mikie Sherrill, where we attended the March for Our Lives.

The March for Our Lives was organized by students around the country to speak out against gun violence and call for action in Congress to strengthen our gun laws. This march came just days after a deadly shooting at Great Mills High School in St. Mary's County in my district, and it came in the wake of horrific incidents of mass gun violence at a school in Parkland, Florida, and at places of worship, entertainment, and even public streets across the country.

Congress can and should act. Nine in ten Americans, 90 percent of our fellow citizens, believe we ought to do so. We have the ability right now to strengthen background checks and ban the kinds of assault weapons that make our communities unsafe.

Law enforcement wants us to get this done. So do parents and so do teachers. In Morristown, we heard directly from students, nine of whom spoke at the march that Ms. Sherrill and I attended. I was moved by their words.

Because they are too long to insert here together, Mr. Speaker, I will be submitting these students' speeches individually into the CONGRESSIONAL RECORD in the coming days. But today, let me just share with you some excerpts from each of them that capture the spirit of the march and the fears and hopes of these young Americans.

One student, Bella Bhimani, summed it up very well, and she said this: "All we want is to make the world safer, which is something, I think, everyone can agree on." Would that that were true, Mr. Speaker.

Another, Caitlyn Dempsey, said this: "We have been learning that actions speak louder than words since kindergarten. So we walked out. So we've

written our Congressmen. So we planned this march." They took action.

Senior Isabella Bosrock from West Morris Mendham High School lamented: "It is horrible that as adolescents we have become used to the idea that gun violence is a method of dealing with our problems."

Another student, Mia Paone, a sophomore at Chatham High School, declared: "I am not old enough to vote yet, but I am old enough to speak out against gun violence." She concluded: "I will not be silent."

Nile Burch, a student at Morristown High School, shared his hope that: "Piece by piece, we will inspire other students to gain the courage to stand up for what they believe in." What a lesson for all of us.

Luna Aguilar declared: ". . . we, the youth, the future of our country, are deciding—right here, right now—that our lives are worth more than the right to own an assault weapon."

One of the students, Benjamin Douglas, spoke about how he rides with Team 26, a group of cyclists who ride in memory of the victims of Sandy Hook Elementary School where so many children and teachers lost their lives. They stop along the way to raise awareness of gun violence.

He said this: "We must continue to organize these events and never stop making noise until"—until—"until our Representatives get it."

Raniya Madhi, a junior at Ridge High School, spoke about how many students now live in fear. How tragic. She told us this: "Most of us are just teenagers. We should be worrying about doing well on our AP tests and finals at the end of the year, not about being shot by someone who can enter our school." What parent is not terrified at that possibility?

Finally, Danilo Lopez, a junior at Dover High School, chose, instead of delivering remarks, simply to read aloud the names of the victims of the recent Parkland, Florida, shooting. When he concluded, he expressed what we are all feeling, by saying: "Let us hope and pray that they are in a better place—and we will always remember."

Let me suggest, Mr. Speaker, remembering is not enough. Action is required. We stand on this floor and have a moment of silence for those we lost. We are sad for them, for their families, and, yes, for our country.

A moment of silence is not enough. Action is required to ensure that future moments of silence will not be necessary. The nine student speakers in Morristown, Mr. Speaker, like those across the country that day, gave voice to the millions who are scared but determined to see things change.

These speeches represent but a snapshot of what Americans heard on March 24 at the nationwide March for Our Lives. I hope my colleagues will read what these extraordinarily poised and thoughtful students had to say, and I hope we can listen to their fears

and their hopes and come together to take action.

That is what they want us to do. That is our responsibility. That is what we ought to do.

#### GREAT IMPACT OF TAX REFORM

The SPEAKER pro tempore (Mr. KELLY of Pennsylvania). The Chair recognizes the gentleman from Kentucky (Mr. COMER) for 5 minutes.

Mr. COMER. Mr. Speaker, many Members have gathered in recent months to remind the American people about the great impact the Tax Cuts and Jobs Act is having on individuals, families, and our economy. I join with them today to reiterate that reminder and reflect on the accomplishments of tax reform.

We kept our promise to deliver on tax reform, and with new legislation in place, we are finally creating an environment that fosters growth in our job market, brings jobs back to the U.S., and supports companies that want to compete globally.

Under the new tax law, the typical family of four in the First District of Kentucky will see an average tax cut of over \$1,700. Some people look at these cuts as nothing more than crumbs, which is unfortunate. A resident of Scottsville, Kentucky, shared with me that she plans to use her crumbs, as some in Congress like to call it, to put toward remodeling her house, updating appliances, and even helping her daughter and son-in-law remodel their home. The new tax law lowers tax rates on American businesses to help grow jobs, increases wages, and promotes economic growth here at home.

Until this legislation was passed, the United States had nearly the highest corporate tax rate in the world, making U.S. businesses uncompetitive, stunting economic growth, and sending jobs and profits overseas. Now many businesses across the U.S. are demonstrating how a lower tax rate helps boost business and the workforce.

One story of success from my district comes from Casey Jones Distillery in Hopkinsville, Kentucky. Miss Peg Jones, who works at the distillery, stated that they have already made plans to reinvest in the distillery for new space, employees, production, and barreling. This is all made possible by craft beverage modernization provisions in the tax bill which reduce taxes across the board, especially for small distilleries like Casey Jones.

Computer Services, Inc., or CSI, out of Paducah, Kentucky, which provides financial technology solutions, has acknowledged the positive effects of a reduced corporate tax rate, which has allowed them to reinvest in their employees in the form of bonuses and contributions to retirement plans.

The changes we have made to the Tax Code incentivize businesses to invest in new equipment and facilities. This is good news for businesses and communities throughout my district

and across the Nation. An employer in my district shared with me how the new 100 percent expensing provision has helped their customers afford more of the products they sell, which has, in turn, boosted their business.

Each time I return to my district, I hear about the different ways families and businesses are utilizing savings from the Tax Cuts and Jobs Act. Delivering on these reforms was long overdue, but the tax reform is truly working for the American people. After more than 30 years, Americans are finally able to reap the benefits of a simplified Tax Code that cuts middle class taxes and supports expanding businesses. I am thrilled to see the continued success of tax reform and am eager to see more lasting changes that will strengthen our workforce and economy.

#### HONORING FOREIGN NATIONAL EMPLOYEES

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

Mr. WALZ. Mr. Speaker, I rise today to honor and thank the thousands of foreign national employees who work for United States Embassies overseas supporting our Foreign Service and promoting democratic ideals throughout the world.

Many Americans may not know exactly what the Foreign Service does both at home and abroad, but I can assure you that our diplomats are out every day promoting the interests of the United States, our constituents, our businesses, and our values.

Last August, I invited Ambassador Barbara Stephenson, president of the American Foreign Service Association, to Minnesota Farm Fest, a trade and policy forum that brings together about 40,000 people out on the rich soils near Redwood Falls, Minnesota. Her message was simple yet important: the work our Foreign Service officers do throughout the globe has a direct and substantial impact on the citizens of this great Nation—in that case, promoting export markets and food safety throughout the world so that the world's greatest producers of food and fuel and fiber are able to find those markets and able to grow our economies.

But what often goes unnoticed are the thousands of foreign national employees who work at U.S. Embassies in support of our diplomats as they build and strengthen democratic institutions, create and sustain markets for American products, and promote democracy in some of the most hostile, austere environments in the world.

□ 1030

These dedicated professionals are called LESes among the Foreign Service, Locally Engaged Staff. And that is exactly what they are. They are engaged locally in a way that is simply not possible, even for the most expert

of American diplomats. They are that engaged because they are from the country they work in. And it is this understanding that only people native to a country can have, which makes them critical to the success of our diplomats and America's mission overseas.

I would like to tell you about one such unsung hero of the State Department's mission in Havana, Cuba. Olexis Lugo was born in Havana, Cuba, in 1966, and worked for the U.S. Interests Section, and later, the U.S. Embassy in Havana for more than a decade. Lugo, as he was known to diplomat colleagues, was a driver in the embassy's motor pool and supported countless missions with U.S. diplomats.

More than a driver, Lugo aided diplomats in understanding the nuances of Cuban culture, and provided critical insight that helped our diplomats do their jobs effectively. And more than that, Lugo was a friend and confidant to all of the U.S. diplomats posted in Havana, and a friend to America.

This past year, Lugo suddenly passed away in Havana, but his legacy will live on in the American lives he touched and the ideals of democracy and freedom that he helped support. I hope when it comes time to talk about our Foreign Affairs budget, we will remember our diplomats and the folks from foreign countries, like Lugo, who are working hard for the American people to keep this world safe for democracy.

#### WORKFARE

The SPEAKER pro tempore (Mr. COMER). The Chair recognizes the gentleman from North Carolina (Mr. HOLDING) for 5 minutes.

Mr. HOLDING. Mr. Speaker, we must reform our Nation's welfare programs.

President Ronald Reagan once remarked: "The Federal Government declared war on poverty, and poverty won." Unfortunately, his assessment remains all too accurate to this day. Over the past five decades, the United States Government has spent more than \$22 trillion on welfare, only to see the poverty rate remain unchanged.

Mr. Speaker, to solve this problem, we must first properly diagnose the cause. Too often, Washington's prescribed cure is yet another government program or increased spending on existing programs. However, we already have 13 Federal agencies running more than 80 Federal programs that provide food, housing, healthcare, job training, education, energy assistance, and cash to low-income Americans. And we should not gauge the success of our war on poverty by how much is spent, but on how many people are actually able to get out of poverty. That is the point.

The root cause of the failed "war on poverty" is that the structure of our current welfare system entrenches a culture of dependency rather than promoting a path to self-sufficiency.

Overwhelming evidence supports what should be a commonsense conclu-

sion: that there is a direct correlation between work and poverty. For example, before Congress reformed the Temporary Assistance to Needy Families program to incorporate a strict work requirement, there were 4.9 million families on the rolls of this program. Two decades later, thanks to these workfare reforms, we have seen 3.3 million families come off of the welfare rolls. Now, that is a success.

In my home State of North Carolina, reforms to unemployment insurance benefits led an increase in both employment and labor force participation. Later research has found that Congress' decision in 2013 to not extend Federal unemployment benefits resulted in 1.8 million new jobs nationwide the following year.

Furthermore, in 2014, when Maine began enforcing strict work requirements for able-bodied adults without dependents receiving food stamps, their caseload decreased by 80 percent within months. This requirement was paired with substantial job search assistance and job training opportunities.

Mr. Speaker, we should apply the lessons of these success stories to all government welfare programs, particularly food stamps and housing. It is imperative that welfare recipients understand that the government is not offering a one-way handout, but rather, a two-way deal. We are willing to help you, but only if you are willing to help yourself. And with the American economy growing, thanks to tax reform, opportunities are available.

Mr. Speaker, job openings recently hit a record-high of 6.6 million across the country, according to the Bureau of Labor Statistics. By incorporating education and training, benefit time limits, and strong work requirements, we can move millions of Americans from welfare to work.

In addition to fiscal benefits, engaging in workfare increases self-sufficiency, encourages community engagement, and offers recipients a sense of purpose and dignity.

We have a unique opportunity with this year's farm bill, Mr. Speaker, to enact such reforms, and I encourage my colleagues to not be afraid to seize on this chance and promote work over welfare.

#### CONGRATULATING ANDY MERFELD

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

Mr. EMMER. Mr. Speaker, I rise today to recognize and congratulate Andy Merfeld, an outstanding educator from my district, for being named Principal of the Year by the Central Minnesota Association of Secondary Principals. The Central Minnesota Association of Secondary Principals consists of over 200 administrators from more than 18 counties. The Principal of the Year is selected for excellence as a collaborative leader, unique curriculum, and personalization. With this

distinction, Principal Merfeld will be considered for the Principal of the Year award.

As principal of St. Michael-Albertville Middle School West, and after 16 years with the St. Michael-Albertville school district, Principal Merfeld has built a legacy as an educator and as a leader. He goes above and beyond, serving on the district's finance advisory committee and co-chairing a working group that aims to expand math opportunities for high-achieving middle school students.

To Principal Merfeld, thank you and congratulations. Minnesota's Sixth District is grateful for dedicated educators like you.

#### CAPITAL ONE

Mr. EMMER. Mr. Speaker, I rise today to recognize Capital One, its executive team, and its employees for their generosity and commitment to our local communities.

Since 2012, Capital One has generously donated over \$80,000 to the Boys & Girls Clubs of Central Minnesota to support the mission of enabling young people to reach their full potential.

In particular, a Capital One grant to fund Project Learn helps advance the goal of equipping our kids with coding skills to meet the needs of the future. Capital One recognizes the importance of STEM- and tech-related skills to the future of our Nation, and I thank them for investing in our Nation's future leaders.

Thank you, Capital One, for your commitment to the young people of central Minnesota. We are grateful for your team in our community.

#### RECOGNIZING ANOKA RAMSEY ATHLETIC ASSOCIATION

Mr. EMMER. Mr. Speaker, I rise today to recognize the Anoka Ramsey Athletic Association, a volunteer service organization, committed to providing opportunity for students across all skill levels to play and compete in recreational athletics. Comprised of coaches, parents, directors, commissioners, and board members, the organization serves nearly 40,000 Minnesotans each year.

For over 40 years, Anoka Ramsey Athletic Association has sought to provide character development through competition. Selfless volunteers have donated over 300,000 hours planning, coaching, training, maintaining fields, working concessions, and overall operations to ensure that our kids have the opportunity to participate in sports like baseball, basketball, football, lacrosse, softball, volleyball, wrestling, tennis, and soccer.

To the volunteers of the Anoka Ramsey Athletic Association for your decades of service, thank you.

#### CONGRATULATING ST. CLOUD STATE UNIVERSITY WRESTLING

Mr. EMMER. Mr. Speaker, I rise today to celebrate the St. Cloud State University Wrestling team for winning this year's NCAA Division II National Championship. The young men on this team strive every year for excellence,

and for the third time in the last 4 years, it paid off. But this year was special.

For the first time in Husky history, the team also clinched four titles in one season. The Northern Sun Intercollegiate Conference title, the National Duals, and Regional and National tournament titles were all achieved. The perseverance and success of our Husky wrestlers reminds us all that when you commit to excellence and you work hard, the results will follow.

Congratulations to the outstanding student athlete wrestlers of the St. Cloud State Wrestling team for your remarkable achievement and another memorable season.

#### RECOGNIZING TEACHERS, COACHES, AND FIRST RESPONDERS

Mr. EMMER. Mr. Speaker, I rise today to recognize the outstanding teachers, coaches, and first responders who saved the life of my constituent, Ryan Monahan of Big Lake, Minnesota. Ryan, who is only 15 years old and a student at Monticello High School, unexpectedly went into sudden cardiac arrest after a basketball practice.

The quick thinking and preparedness of the people around him saved his life. A call was immediately placed to 911 and five heroic coaches and teachers worked together to use the automated external defibrillator to revive Ryan. We are grateful to all who helped save Ryan's life.

Ryan was lucky. Unfortunately, more than 7,000 Americans lose their life to sudden cardiac arrest every year. It is my hope that Ryan's story serves as a reminder to all of us of the value of being prepared for an emergency like this.

Our local community back home in Minnesota is so grateful to those who reacted so swiftly, as well as all of the first responders who saved Ryan. Thank you all.

#### NATIONAL SMALL BUSINESS WEEK

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

Mr. KELLY of Pennsylvania. Mr. Speaker, last week was National Small Business Week. The end of the week brought, appropriately, not just good news, but great news:

Unemployment is now below 4 percent for the first time in nearly 20 years.

164,000 new jobs were created last month—24,000 new jobs in manufacturing and 17,000 new jobs in construction.

Nearly 3.2 million new jobs have been created since the election of November 2016;

We currently have 6.6 million job openings in the United States. This is an all-time high.

Wages for small business workers increased last month by 3¼ percent. That

is the strongest rate of increase in over 2 years.

All this, plus:

Female unemployment is at its lowest level since 2000;

Black unemployment is at its lowest level ever;

Hispanic unemployment is at its lowest level ever;

Consumer confidence is at its highest level since 2004;

Job market confidence is at its highest level ever; and

Small business confidence is at its highest level ever.

Because of the Tax Cuts and Jobs Act, since February, 90 percent of American workers—that is nine out of 10 American workers—have been opening bigger, less-taxed paychecks. They have more take-home pay, which means that they get to keep more of their hard-earned money to spend the way they want to spend it, not the way Washington wants to spend it.

More than 530 companies, and counting, have reinvested billions and billions of dollars into their businesses and our Nation's economy. As a result, more than 4 million American workers, and counting, have received major bonuses and/or pay raises and/or benefit increases.

This includes employees at local companies in western Pennsylvania like Erie Insurance, who gave their workers a \$1,000 bonus, and then another \$1,000 to their retirement plan. NextTier Bank did the same thing, \$1,000 to their workers. And PNC Bank, as well. There are a lot of good people who work for national companies, like Home Depot and Walmart. Walmart alone employs 4,000 people in western Pennsylvania.

Energy bills have gone down for more than 87 million of our fellow citizens in 48 States. That is an incredible lowering of their cost of living.

According to the International Energy Agency, the United States is on track to be the world's largest oil producer by 2023. The significance of this is that we no longer have to be held hostage by bad actors around the world when it comes to energy. We will be the biggest exporters of energy in the world. And when we ask other people not to buy from these folks because of their intentions of how to use that money, we can replace what they are not able to buy there with our own homegrown energy. That is an incredible advantage.

Thanks to the most recent National Defense Authorization Act—now, think about this—our sons and daughters who serve in uniform are going to be enjoying their largest pay increase in 8 years.

The facts are clear: America is winning again.

Speaker RYAN was addressing a group the other day, and I want to quote him, because I think this is so appropriate for where we are today: "We are working on reforms to get more people out of poverty and into the workforce. We

need to make sure that workers have the right skills they need to get a job and a good career.”

I am talking about a family-sustaining career, a community-building career, a career that actually allows us to dream.

Right now, our economy is thriving. Americans are right to feel good about how things are going. We have not seen those kinds of optimistic statistics in such a long, long time.

□ 1045

So we are going to keep pushing. We are going to keep pushing to close the skills gap. We are going to close the opportunity gap. We are going to make sure that all these jobs that are being made available are being filled with workers who are getting great careers and good lives and going from poverty and welfare to work.

The dignity of being able to get up in the morning and go to work, to take care of your families, to take care of your community, to take care of your churches and schools, what an incredible lift that is for the American people.

Listen, our Better Way agenda is about one thing and one thing only: it is about building stronger families, about building stronger communities, about building a stronger America. It is what we are in the middle of executing and implementing right now. We are really excited to see the great economic news that comes as a result of all these things that we have been working on.

I want you to think about something, Mr. Speaker. Never, never in at least a decade has America been winning the way we are winning today in every way and every day. America is truly winning again, and we are making America great again.

#### RECESS

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

Accordingly (at 10 o'clock and 46 minutes a.m.), the House stood in recess.

□ 1200

#### AFTER RECESS

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

#### PRAYER

Reverend Andrew D. Singleton, Jr., Victory Apostolic Church, Matteson, Illinois, offered the following prayer:

We worship You, heavenly Father, for Your greatness, goodness, and glory that even the heavens cannot contain. Though You are King of Kings and Lord of Lords, You have given the responsibility of leading this country to these men and women of the House of Representatives.

May they each be led by Your spirit in every legislative decision they

make, for You are the ultimate law-giver and judge.

As they seek Your guidance, give them the wisdom, courage, integrity, faith, and unity necessary to find solutions to the multiple and complex issues facing America today. Those destiny determining issues include, but are not limited to: poverty, racism, injustice, violence, and the ever-looming threat of war.

Only as a nation under God, whose people trust in God, will America be strong and carry out its creedal principles of truth, liberty, and justice for all.

I pray God's continued blessings upon you all.

In Jesus' name, amen.

#### THE JOURNAL

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

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

#### PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from Illinois (Ms. KELLY) come forward and lead the House in the Pledge of Allegiance.

Ms. KELLY of Illinois 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 Ms. Gabrielle Cuccia, one of his secretaries.

#### WELCOMING REVEREND ANDREW D. SINGLETON, JR.

The SPEAKER. Without objection, the gentlewoman from Illinois (Ms. KELLY) is recognized for 1 minute.

There was no objection.

Ms. KELLY of Illinois. Mr. Speaker, I rise today to welcome Reverend Andrew D. Singleton, Jr., pastor of Victory Apostolic Church in my hometown of Matteson, Illinois, as today's guest chaplain.

For more than 20 years, Pastor Singleton has been a powerful and positive force in our community working to improve the lives and futures of our neighbors while tending to their spiritual needs.

Pastor Singleton has a unique gift of communicating a message of faith, justice, and equality across generations. I could not be prouder to welcome him and his inspirational voice to Capitol Hill, especially at this critical time for our Nation.

I hope his words serve as an example and challenge to this Congress to redouble our efforts to uplift and empower families and communities.

Thank you, Pastor Singleton, for joining us and leading us in prayer.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

#### RECOGNIZING LUPUS AWARENESS MONTH

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise in recognition of Lupus Awareness Month because nearly two-thirds of the public know little to nothing about the disease beyond the name.

Lupus is a drastically unpredictable disease. It has no known cause, no known cure, and it can be fatal. An estimated 1.5 million Americans are currently living with lupus, including my lovely stepdaughter, Katharine; and millions more have sadly lost their brave battle with this disease.

I have been proud to work with the Lupus Foundation for many years to raise awareness about lupus and support efforts that bring us one step closer to solving the mystery of this dreadful illness.

I encourage my colleagues to join us in the Congressional Lupus Caucus to help advance lupus research and treatment. Through new scientific breakthroughs, we will better understand this disease and help patients living with lupus.

Mr. Speaker, let us “Pump Up the Purple” this May during Lupus Awareness Month and fight for a day when no one will be diagnosed with lupus.

#### GROWING OPTIMISM AND CONFIDENCE FROM MONTANA SMALL BUSINESSES

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

Mr. GIANFORTE. Mr. Speaker, I rise today to report that optimism among Montana small businesses is strong and on the rise. I recently concluded a tour of Montana's Main Street businesses; and as I listened to business owners, they described their growing confidence.

They talked about how progrowth reforms, which this Congress and our President delivered, are providing them and their small businesses greater certainty. They described how cutting taxes and cutting red tape are leading them to invest, create Montana jobs, and grow.

Their confidence and optimism match the national trends. The U.S. Chamber of Commerce Small Business Index, which gauges optimism, hit new records in the second quarter. A survey from CNBC, which measures small business confidence, remains near its record high for the first quarter.

Mr. Speaker, I am encouraged by the optimism I saw from Montana small businesses, and I will continue working to grow opportunities that improve the lives of all Montanans.

#### HONORING JUDGE RENEE CARDWELL HUGHES

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

Mr. FITZPATRICK. Mr. Speaker, it is my honor to recognize a woman who has worked tirelessly to make our communities back home a better place to live, work, and raise a family. Her decades of experience as a jurist, nonprofit executive, and an author mark a remarkable career of public service.

Judge Renee Cardwell Hughes, just last month, was the 2018 recipient of the Pearl S. Buck International Woman of Influence Award in Perkasio, Bucks County, Pennsylvania. During her tenure, Judge Cardwell Hughes has shown a sustained commitment to justice, presiding over some of Philadelphia's most noteworthy homicide cases. She was also a fierce advocate for fairness in our legal system, founding Philadelphia's mental health court.

Judge Cardwell Hughes most recently served as CEO of the American Red Cross of Eastern Pennsylvania, which serves over 6 million Pennsylvanians.

Mr. Speaker, I would like to extend my gratitude to Judge Cardwell Hughes for her service and congratulate her on this well-deserved award.

#### HONORING ELIZABETH MAE THOMAS DE LAGARDE

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

Ms. PLASKETT. Mr. Speaker, I rise today to acknowledge the outstanding achievements of Mrs. Elizabeth Mae Thomas de Lagarde.

Mrs. de Lagarde, one of four children, was born to Reverend Ernest Thomas and Antoinette Miller Thomas. She married her late husband, Henry W. de Lagarde, and that union brought forth four children, nine grandchildren, and ten great-grandchildren. Mrs. de Lagarde holds a bachelor or arts degree from Howard University and served in many capacities at Charlotte Amalie High School for 31 years.

As a contributor to the quality of life in St. Thomas, she served on numerous boards, including the National Association of Secondary School Principals; American Association of Retired Persons; Delta Sigma Theta Sorority, Inc.; the Cathedral Church of All Saints; and countless others.

The Virgin Islands community and I are grateful for the impact she has had with her career and the indelible mark she has made.

Congratulations, Mrs. de Lagarde, and happy 100th birthday to you and all

of your contributions to the people of the Virgin Islands.

#### INCREASING WORK OPPORTUNITIES FOR PEOPLE WITH DISABILITIES

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

Mr. GROTHMAN. Mr. Speaker, I am proud today to speak about the Workplace Choice and Flexibility for Individuals with Disabilities Act.

This legislation is a solution that will go a long way towards increasing opportunities for people with different abilities and will allow the promise of the Workforce Innovation and Opportunity Act, which was passed in 2014, to be fulfilled.

Unfortunately, since the time that that act was passed, unnecessary roadblocks have been thrown up in the way of people who want to work in work centers for people with disabilities.

These work centers, first of all, frequently provide a great opportunity for people to work; and secondly, provide job training that can be used by people as they get out in the community, which is the goal of so many people.

Let us not put these people in a straitjacket and say that between ages 19 and 25 you cannot or should not be able to work in work centers.

I know many of the employees at these work centers. They do a tremendous job, and it is time to expand options for people with different abilities.

This bill is not threatening WIOA. It is embracing the goals of WIOA.

#### RECOGNIZING HOGAR CREA OF PUERTO RICO

(Miss GONZÁLEZ-COLÓN of Puerto Rico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Miss GONZÁLEZ-COLÓN of Puerto Rico. Mr. Speaker, today I rise to recognize Hogar CREA of Puerto Rico on its 50 years of service to our community, helping people who struggle with substance abuse reclaim their place in society.

Hogar CREA was founded on May 20, 1968, in Puerto Rico by Juan Jose Garcia. The nonprofit organization has over 55 houses and 12 projects, in addition to 32 service proposals that serve more than 2,000 residents daily. Prevention and counseling services were established for communities, schools, municipalities, civic and religious entities, among others.

Moreover, in 1976, Hogar CREA began establishing international homes; and today, it provides service in more than 10 countries throughout Latin America and in several States of the Union.

Hogar CREA's historic mission has been to serve the helpless and to be an instrument to mitigate the suffering of those who live under the influence of alcohol and drugs. Let's recognize Hogar CREA on their 50 years of service.

#### PROTECTING RESIDENTIAL COMMUNITIES

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

Mr. ROHRBACHER. Mr. Speaker, I rise to introduce the Restoring Community Oversight of Sober Living Homes Act of 2018. This bill addresses Federal policies that have resulted in the proliferation of sober living homes in residential neighborhoods.

These so-called homes, which are really businesses in all but name, house drug and alcohol addicts in single-family residences. This infusion of drug addicts and alcoholics into residential communities has had a deleterious impact on the quality of life of local families who now suffer increases in police activity, transient residences next door, and a decline of property values.

Federal law has shielded unscrupulous owners, operators, and inhabitants of these so-called sober living homes from meaningful oversight. The well-being of the neighbors that surround them has been ignored. This is a travesty.

My bill will empower the communities and the States to prohibit such facilities in residential areas if that is the will of the local people. I now submit this legislation and ask my colleagues to cosponsor the bill, which is based on the principle of federalism, protecting local residential communities across our land.

#### THANKING AMERICA'S TEACHERS

(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 during national Teacher Appreciation Week to celebrate America's hardworking, dedicated, and passionate teachers.

Mr. Speaker, I am sure every Member of this House can think of a teacher who had a positive influence on not only their education, but their life. Teachers push students to achieve their best, and they show students how to realize their full potential. Sometimes it is the interest of just one teacher that can transform the life of a young person.

Teachers are often the most underrated, yet powerful professionals in the entire world. They truly do shape young minds and our future.

Teachers lend a caring hand and extend a loving heart. They make differences in the lives of our students academically, emotionally, and physically.

So, Mr. Speaker, during national Teacher Appreciation Week, I rise to say "thank you" to those who educate our children. Thank you for the job you do, for the hours you work, for the patience you show, and for the impact

you have on so many lives. Day in and day out, our teachers are there. We are grateful to them.

□ 1215

#### TEACHER APPRECIATION WEEK

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

Mr. YODER. Mr. Speaker, I rise today during Teacher Appreciation Week to honor the educators in my district, who work tirelessly on behalf of our students.

The public schools in the Third District of Kansas are some of the best in our Nation, and our workforce of qualified, dedicated teachers are a major factor in making our schools so great. As a product of public schools myself, I know the kind of impact teachers can have on the lives of their students. Good teachers are a key to setting our kids and our communities up for a successful future.

I am working hard to give teachers the tools and resources they need to do to their jobs well. I fought to protect the educator expense deduction in tax reform, affirming that our Tax Code should support and reward our teachers. I also supported the recent omnibus funding bill, which included a \$2 billion investment in continuing education and workforce development grants for teachers.

Mr. Speaker, none of us would have the opportunities we have in life without the teachers who gave us the tools and skills to succeed, and we pay special recognition to each of the teachers who made a difference in our lives, and who continue to make a difference in the lives of kids in our districts this week during Teacher Appreciation Week.

#### 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, May 9, 2018.

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 May 9, 2018, at 9:09 a.m.:

That the Senate passed S. 1732.

With best wishes, I am,

Sincerely,

KAREN L. HAAS.

#### PROVIDING FOR CONSIDERATION OF H.R. 3053, NUCLEAR WASTE POLICY AMENDMENTS ACT OF 2017

Mr. NEWHOUSE. Mr. Speaker, by the direction of the Committee on Rules, I

call up House Resolution 879 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 879

*Resolved*, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3053) to amend the Nuclear Waste Policy Act of 1982, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-69. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

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

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

GENERAL LEAVE

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

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

There was no objection.

Mr. NEWHOUSE. Mr. Speaker, on Tuesday, the Rules Committee met and

reported a rule, House Resolution 879, providing for consideration of an important piece of legislation, H.R. 3053, the Nuclear Waste Policy Amendments Act of 2018. The rule provides for consideration of this measure under a structured rule, making three amendments offered by the minority in order. This legislation passed out of the Energy and Commerce Committee on an overwhelmingly bipartisan basis by a vote of 49-4, and has been a comprehensive effort spearheaded by my colleague from Illinois (Mr. SHIMKUS) over several Congresses.

Mr. Speaker, in 39 States and in 121 communities across this country, including in the Tri-Cities community in my home district, in the great State of Washington, the Federal Government continues to fail to meet its obligation to collect and dispose of spent nuclear fuel and high-level radioactive waste. This spent fuel and waste is generated as a result of commercial nuclear power production, and as a byproduct of our Nation's nuclear defense activities, including used fuel from nuclear-powered submarines and aircraft carriers and from the legacy waste created from uranium and plutonium development as nuclear weapons deterrents.

No one knows the magnitude of impact stemming from the development of these nuclear deterrents more than the Tri-Cities community, where the Hanford Site played a major role within the Manhattan Project during World War II to develop the first atomic bomb. It was because of the extraordinary work of the more than 50,000 workers at Hanford that we were able to end World War II, and later the Cold War.

However, this work came with great repercussions. The Hanford Site contains 56 million gallons of high-level radioactive waste, and is one of the world's largest nuclear cleanup efforts. Fifty-six million gallons, Mr. Speaker, enough to fill this room that we are standing in today more than 20 times.

This amount of radioactive waste has been a legacy issue in my district since the 1940s. My constituents fully understand the impacts holding this waste has on the region. The Federal Government must keep its commitment to collect and dispose of it to a permanent repository.

Thankfully, Mr. Speaker, H.R. 3053, the Nuclear Waste Policy Amendments Act of 2018, would make great strides in addressing this very problem. H.R. 3053 would, rightfully, move forward with the licensing of the Yucca Mountain facility in Nevada as the first permanent geological repository for spent nuclear fuel and high-level radioactive waste.

First designated by Congress in 1987 as the location for these materials to be disposed of, the site has undergone extensive scientific and technical evaluations. In 2002, the U.S. Department of Energy concluded that Yucca Mountain met all of the requirements to serve as a permanent repository. In



2008, DOE applied to construct the repository, but the Obama administration illegally terminated the effort for what appeared to be political, rather than scientific, reasons. Fortunately, for our Nation, and for the communities like the Tri-Cities, this administration has stated its firm commitment to getting this project back on track and moving forward.

Not only does central Washington continue to store the legacy waste from Hanford, but it is also home to the only nuclear power plant in the Pacific Northwest, the Columbia Generating Station. While H.R. 3053 provides for a path forward for a long-term solution for waste disposal at Yucca Mountain, it also authorizes DOE to contract with a private company to temporarily store spent nuclear fuel for the very first time.

Communities that host nuclear power production sites across the country have, for far too long, been held responsible for the management of spent fuel, even though, under law, it is the legal obligation of the Federal Government to collect and dispose of it. This legislation directs DOE to initiate a program to consolidate and temporarily store commercial spent nuclear fuel during the development, construction, and initial operation of a repository.

H.R. 3053 provides for other innovative and necessary management tools for waste, including encouraging DOE to take ownership of spent nuclear fuels from facilities that have ceased commercial operation, and allowing the Department to enter into contract with private storage facilities.

The legislation also protects taxpayers by reducing legal liabilities. Consumers of nuclear energy across the country have paid over \$42 billion into the nuclear waste fund, with nearly \$40 billion still waiting to be spent to dispose of nuclear waste. This includes more than \$200 million from Washington State ratepayers.

What have they received from the Federal Government for paying of these fees, Mr. Speaker?

Absolutely nothing. Not one ounce of waste has been collected, which is the very purpose of the fund.

This legislation will reform the fund to protect ratepayers by assuring there is a definite answer on the Yucca Mountain repository prior to restarting the fee collection.

Mr. Speaker, I have had the privilege of visiting the Yucca Mountain facility. While it may seem to some like just a dusty 5-mile tunnel bored 1,000 feet deep in a remote Nevada desert, I found it to be an impressive site and full of potential. The Federal Government has spent decades, and billions of American taxpayer dollars, studying the best place for a repository. The conclusion was that Yucca Mountain is now the legal repository for spent nuclear fuel and high-level radioactive waste under the law.

I cannot express more ardently the importance of moving this effort for-

ward, both for my district and districts around the Nation. This legislation takes a great leap forward for a long-term solution, while also tackling serious impacts and disparities of the current situation facing these communities.

Mr. Speaker, this is a straight-forward rule, allowing for considering of H.R. 3053, the Nuclear Waste Policy Amendments Act of 2018. I encourage my colleagues to support the rule, as well as the underlying legislation, to address this vital issue for our entire Nation.

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

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

I thank my good friend, the gentleman from Washington (Mr. NEWHOUSE) for yielding me the customary 30 minutes for debate.

Mr. Speaker, I rise today to debate the rule for consideration of this measure, H.R. 3053.

As my good friend alluded to, this legislation has bipartisan support and takes an important step towards permanently securing nuclear waste in our country.

□ 1230

Thirty-six years ago, Congress passed the Nuclear Waste Policy Act. In doing so, this institution created a formal process for constructing a permanent geological repository for the growing amount of nuclear waste across our country.

This particular provision established a scientifically based, multistage process for selecting an eventual site of permanent storage for highly radioactive nuclear waste, delineated the Federal Government's responsibilities for the transportation of spent nuclear fuel, and created a dedicated funding source for disposing of nuclear material.

Five years after passing the NWPA and following significant congressional review of the Department of Energy studies, it was determined that the facility be built at Yucca Mountain. However, after many subsequent years of planning, licensing, and construction, the project has stalled—at a cost of tens of billions of dollars.

The question of how to dispose of spent nuclear fuel and nuclear waste has been an ongoing problem in our country for decades. Even with the statutory requirements put in place by the NWPA nearly four decades ago, no permanent solution is currently available for safely storing high-level radioactive waste in a consolidated, secure location. Rather, spent nuclear fuel is stored at nuclear reactors across the country. Many of these facilities have been shut down, or soon will be, without any solution to the long-term problem.

For obvious reasons, the issue of nuclear waste storage at plants across the country is of great concern to the surrounding communities, especially as

some nuclear plants are shuttered early. The longer we wait, the greater the problem will become.

H.R. 3053, the underlying legislation, directs the Secretary of the Department of Energy to create a program to consolidate and temporarily store commercial spent nuclear fuel during the development, construction, and initial operation of a national repository. The legislation provides the Energy Department with consolidated storage options to help fulfill the Federal Government's obligations to take possession of spent nuclear fuel in other States that are waiting for a permanent repository.

This bill, although I have some concerns, is a good step forward. This is a complicated issue, and I believe this institution has come together to present at least a viable option for addressing a very serious need.

Mr. Speaker, in taking up this legislation, the Rules Committee has acted for the second time in just a few weeks to bring bipartisan legislation to the House floor. While the bill we are debating today is certainly not perfect, it is, nonetheless, an example of what can be accomplished through compromise and bipartisan cooperation. This type of process should not be the exception to the rule. It should be the standard operating procedure for the House of Representatives.

I mention this because we all know this is, by and large, not the case. Instead of working together, we have witnessed dozens of controversial and partisan bills pushed through the House through a closed process designed to silence the minority and even voices within the Republican majority. That is wrong, and for the sake of this institution, it cannot continue.

Using the closed process, my Republican friends recently pushed through one of the largest tax giveaways in American history. They did so at the expense of middle class families across the country, passing the bill without so much as a single hearing or bipartisan conversation.

According to the latest survey by the National Association for Business Economics, the massive tax cuts have not made any difference in businesses' hiring plans. Rather, almost every week, we hear of corporations using their millions of dollars in handouts to buy back stock and pad the pockets of their investors. It is no wonder most Americans haven't seen their paychecks go up.

In a few years, when the tax breaks expire—that is right, they are only temporary—the few families across the country who benefit will recognize the tax scam for what it really is: an empty bag of goods that added nearly \$2.5 trillion to the national debt.

My friends on the other side are even contemplating paying for part of their tax plan by retroactively eliminating funding for a number of programs, and the children's healthcare program is one of them.

Let me say that again. In order to pay for the tax cuts for millionaires and large corporations, my Republican colleagues are suggesting cutting billions of dollars from healthcare programs for vulnerable children.

How dare they.

The closed process isn't just about what is being rammed through the House; it is about what is being blocked altogether.

Americans across our Nation continue to be victims of gun violence, yet Congress has failed to pass even basic commonsense reforms like banning bump stocks or fixing our background check system.

More than 26,000 children and teens have been killed in gun violence since 1999. This year alone, 500 teens and over 100 children have been killed or injured by guns. People are killed every single day, and this body has done nothing but prevent sensible reforms from even being considered.

Another example is DACA. Eighty-three percent of Americans say they favor continuing the DACA program, as do a majority of the Members of this House, and that includes Republicans and Democrats; yet the majority refuses to bring up the Dream Act for a vote.

Just put it down here for a vote; that is all. The 26 measures for guns that are reasonable, put it down here for a vote. If it doesn't pass, then at least we can say to the American people that we tried to do something about gun violence and we tried to do something about the Dream Act.

Mr. Speaker, it is our responsibility to the American people to consider legislation in a transparent and serious manner, and the legislation that we are considering today is exactly that kind of situation, something that doesn't happen nearly enough. I commend my colleagues for their bipartisan work on H.R. 3053, but it is absurd that bipartisan work is such a rarity, and that is worthy of comment.

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

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

Mr. Speaker, I thank the gentleman from Florida for joining me in support of this important legislation.

Mr. Speaker, getting back to my State of Washington and the legacy of the Federal Government's work at Hanford, like I said, they left behind 56 million gallons of radioactive and chemical waste that is currently being stored in 177 underground tanks in temporary storage.

I had the fortune of being able to join a bipartisan congressional tour of Yucca, of the Yucca Mountain site, to see firsthand what we were talking about. Under the law, Yucca is the Nation's permanent nuclear repository.

What I saw deep beneath the mountain in a remote desert that is between, I think, 90 and 100 miles north of Las Vegas—it has been referred to as the most studied site on Earth. But imag-

ine this: being inside a 5-mile-long tunnel with 1,000 feet of rock above your head and 1,000 feet of rock below your feet. That is what we are talking about.

The Federal Government has spent \$15 billion over decades preparing the site as the Nation's sole permanent nuclear repository. Yucca has been deemed safe by the Nuclear Regulatory Commission, the NRC. A recent safety evaluation found that the site could safely isolate spent nuclear fuel for 1 million years.

Mr. Speaker, the prospect is that Yucca could stand in two different ways: it could be a monument to billions of dollars in government waste instead of being a monument to a solution that we promised every American in this country.

I hope it is the latter, Mr. Speaker, and I reserve the balance of my time.

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

Mr. Speaker, few people in this body understand the dynamics of Yucca Mountain as do the Members from the State of Nevada. One of my good friends is on the Transportation and Infrastructure Committee and on the Foreign Affairs Committee, and I have had the pleasure of being on the Rules Committee and hearing her make presentations with reference to this matter. She speaks very clearly.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Speaker, I thank the gentleman for those kind words and for yielding to me.

Mr. Speaker, I represent Las Vegas, which is the heart of southern Nevada. We have over 2 million people, and we welcome 40 million people from around the world every year. Let me give you a different perspective.

I have been fighting Yucca Mountain since the 1980s. I do know these issues. I appreciate some of the points that have been made, but some of them are just incorrect. H.R. 3053 is a flawed piece of legislation, and it just doubles down on bad policy and bad politics.

I testified in front of the Energy and Commerce Committee on this bill when it was first introduced last year and noted many of the flaws in the legislation, flaws that remain in the bill.

I also presented a map that showed that, if this waste is taken to Nevada, it will go through over 300 of our Members' districts: past their schools, past their churches, past their businesses, in their backyards. So I want them to keep that in mind as they focus on Nevada.

Other flaws with the bill: First, the bill would bust the cap for the amount of highly radioactive nuclear waste that would be dumped in Nevada. The bill arbitrarily increases the amount by 37 percent, 37 percent over what was authorized in 1987. But what is more, not one of the environmental impact studies, the five-volume safety evaluation report, or any scientific document that relates to Yucca Mountain has

studied the impact of increasing that original 70,000-metric-ton cap. So this would not only increase it, they haven't even studied what the impact of the increase would be.

The bill also deems approved changes in the EPA's radiation protection standards for Yucca Mountain prior to the NRC's final licensing document. This leads one to conclude that, no matter what challenge they face, they will just figure out a way to get around it regardless of what the science says.

Proponents of this legislation also say that, well, you will get generous host benefits if you take this facility. Well, that is just another falsehood. The provisions in the bill that were changed after it passed the committee in order to bring down the cost of the bill and address the massive scoring issues make our getting those benefits much less likely.

These benefits have to be approved by future Congresses appropriating hundreds of millions of dollars. You don't really think they are going to do that, do you? They shut down the government twice just this year alone over disagreements on spending.

If this legislation were about good policy or addressing the issue or getting the technicalities correct, I would be standing here supporting it, but I just cannot do that the way it is written.

Mr. Speaker, the Congress first passed the Nuclear Waste Policy Act, as you heard, in 1982. It was amended in 1987 just to look at Nevada, not any of the other sites. We call that the "Screw Nevada" bill.

Well, we call it that because you didn't have Nevada wanting it to come there. You didn't have the science to put it there. You just screwed Nevada and stuck it there.

□ 1245

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

Mr. HASTINGS. I yield the gentlewoman from Nevada an additional 1 minute.

Ms. TITUS. Well, this is just more of the same. It is politics, pure and simple. It is three decades later. We have heard we spent \$15 billion. All you got is a hole in the ground. This is "Screw Nevada 2.0."

I am going to offer an amendment that allows for consent-based decision-making, which was the Blue Ribbon Commission's recommendation, and I hope that we can go in that direction. You allow consent-based for interim storage, why not for permanent storage? That would be the way to solve this problem. That would be the way to move us forward. We wouldn't waste billions more and decades more in terms of time.

So I urge a "no" vote on the rule and a "no" vote on the bill.

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

Let me quote the ranking member of the Energy and Commerce Committee,

the gentleman from New Jersey (Mr. PALLONE), who said that:

Overall, this legislation is a balanced step in the right direction that will benefit ratepayers, taxpayers, and those living near nuclear facilities housing nuclear waste.

So I am happy to have his support for this legislation as well.

And just a couple of points from the gentlewoman from Nevada, whom I deeply respect and take her perspective on this with a great deal of gravity.

The transportation issue has been brought up several times. Nuclear waste is transported in this country already, and I have just got to tell you, the vessels, the containers that I have witnessed that this waste is being temporarily stored in and used for transportation, literally, is missile-proof. I mean, it is in containers that are very solidly contained and in such a way that the safety factor is many times over to ensure that, in case of any incident, that there would be no contamination.

As far as the language, it is true that the bill would allow the potential increase of storage capacity at Yucca Mountain. However, there is a strict process of approval that would have to be gone through in order to increase the amount of nuclear waste stored at Yucca Mountain, so it is not a given, passing this legislation. It would be something that would go through a very long, strict process.

I just have to say that we would gladly have entertained any amendments to clarify or perfect language along those lines as far as the storage amounts in Yucca Mountain.

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

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

When debating a bill as significant as this one, it is imperative that the people's House allow as much debate and as open a process as possible. Sadly, the Rules Committee did not even allow all Members from Nevada, whose State this bill will impact the most, to offer their amendments on the House floor.

Once again, this majority picked winners and losers and limited debate to just a select few amendments. This is unfortunate but all too common an event during the 115th Congress.

To block a Member from offering an amendment to a bill that would impact their district, in particular, is to block a Member from representing their constituents. I might add, there were five Members, Democratic and Republican, from the Nevada delegation who were present at the Rules Committee last night.

Mr. Speaker, if we defeat the previous question, I am going to offer an amendment to the rule to allow the people's House to debate and vote on Representative ROSEN of Nevada's amendment, which was blocked by the Rules Committee.

Her amendment, which is a thoughtful proposal, would delay licensing,

planning, or construction of the nuclear repository at the Yucca Mountain site until the Director of OMB studies the economic viability and job-creating benefits of alternative uses of the Yucca Mountain site.

It is bothersome to me that we have had most of the discussion here already without talking about reprocessing; and I asked last night how much research is being done, of the distinguished chairman of the committee, who, I believe, has done an incredibly good job in offering up bipartisanship.

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

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

There was no objection.

Mr. HASTINGS. As I said previously, the members of the Nevada delegation know more about this issue than all the rest of us combined. So to discuss our proposal, yet another clear voice that came to the Rules Committee last night and her amendment was not made in order.

I yield 3 minutes to the gentlewoman from Nevada (Ms. ROSEN), a member of the Armed Services Committee, and the Science, Space, and Technology Committee.

Ms. ROSEN. Mr. Speaker, if today's vote on the previous question fails, we have the opportunity to vote on my amendment, the Jobs, Not Waste amendment, a proactive and innovative proposal to turn Yucca Mountain into something useful, a project that would create jobs without threatening the health and safety of Nevadans and other Americans across this country.

My amendment would prohibit the Department of Energy from moving forward with its current plan to ship nuclear waste by truck and rail through 329 congressional districts to Yucca Mountain until the Federal Government considers a number of other job-creating alternatives, including defense activities, like a command facility for unmanned aircraft systems, scientific research, the development of a secure electronic data center, or renewable energy generation.

One of the arguments I regularly hear from proponents of Yucca Mountain is that it will create jobs and that we have already invested billions in building a repository at this site. Well, I am here to say that we can still create jobs without having to take on monumental health and safety risks that come with transporting over 100,000 metric tons of hazardous and lethal nuclear waste.

Congress should have the opportunity to vote on my amendment because it would give Members a chance to find a smart, strategic solution that repurposes this dangerous and costly project. This amendment gives us an opportunity to convert Yucca Mountain into a facility that could still pro-

vide economic opportunity, drive innovation, and create new, good-paying jobs.

Relaunching the failed Yucca Mountain nuclear waste storing experiment will also cost the taxpayers an additional \$80 billion to complete, minimum. Let me repeat that: \$80 billion, minimum.

Instead of spending billions more of hard-earned taxpayer dollars on the project that is destined to fail, that will inevitably put Nevada families and your families in your districts at risk, let us consider these forward-thinking opportunities.

I strongly urge you to do what is smart and fiscally responsible, what is right for the health and safety of all of our constituents, by making my amendment in order. I therefore ask all Members to vote "no" on the previous question.

Mr. NEWHOUSE. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. SHIMKUS), who has been carrying the banner for the Yucca Mountain project for many Congresses.

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

Mr. SHIMKUS. Mr. Speaker, I want to thank the Rules Committee for bringing this bill to the floor tomorrow. I appreciate the due diligence they did on scrutinizing those amendments that could be additive to it and also the one from my colleague, Representative TITUS, so we can really put aside this debate on a consensus-based issue because we need to help educate the American people. We need to help educate our colleagues.

In the State of Nevada, 90 percent of all the land is owned by the Federal Government, and a big portion of that is at this location.

When people say "not in my backyard," we think they are talking about the Rayburn Building. Not in my backyard, in this debate, we are talking about Baltimore. But in between here and Baltimore, there is desert; and in the 60-mile radius is a fenced-in enclosure where we used to set off atomic weapons and groundbursts. So there is a place in this land that is called Yucca Flats, and some of us have seen that. Yucca Flats is where we did atomic testing.

We need to make sure people understand this debate. Big area of land, Federal Government, really, the local consensus is us. It is the Federal Government. We are the landowners of this property.

This is a tough decision. No one wants nuclear waste or defense waste. I am glad my colleague, Mr. NEWHOUSE, is managing this bill, because I have been out to his location. In Hanford, we have a lot of defense waste there.

So what are we trying to do? We will flesh this out more, obviously, tomorrow, but this issue is a multigeneration debate which we in this Chamber get a chance to move forward again after a long delay.

This goes back to World War II. This goes back to the atomic age. This goes back to winning the Cold War. This goes back to our weapons programs. When that occurred, they said: Now we have got this technology; let's use it for civil electric generation.

The government wanted to encourage that because we wanted to have nuclear scientists and we wanted to have energy generation, but we also wanted to have the experience and the expertise of nuclear scientists and engineers who could move back and forth from the private sector to the defense sector for our Nation's security, and, hence, we agreed.

In 1982, we had to address the spent nuclear fuel at nuclear power sites and we had to address the defense waste that is predominantly in Congressman NEWHOUSE's district, a lot of it in South Carolina. There is a little bit in New York. We have some left in Colorado. That is just the defense waste, not including the 39 States and 121 locations that have nuclear fuel—a national issue, a national concern, and we are moving forward to a national solution.

In 1982, under the Reagan administration, they said: Well, how are we going to pay for this? So they decided to charge ratepayers who are using electricity that has been generated by nuclear power a fee, a fee-based system to help the industry find a location to store their spent fuel and for us to clean up the defense sites—pretty good proposal.

Years later, they are trying to find the location. They do three analyses. Yucca Mountain was on the top three of these three. Then, as I will mention tomorrow, Senator JOHNSON and a guy named John Dingell said: Yucca Mountain, we need to move forward.

So that was in 1987. Then we started generating the movement to get to a point where, under the law, the State of Nevada could say, "We reject the proposal," which they did. The law then said the Federal Government could veto their objection, which we did.

□ 1300

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

Mr. NEWHOUSE. Mr. Speaker, I yield an additional 2 minutes to the gentleman from Illinois.

Mr. SHIMKUS. Mr. Speaker, we had an administration that put a pause on that for about 8 years, and now we are ready to move forward again. We have got an administration that wants to fund the licensing process.

I see my good friend from California (Ms. MATSUI) is on the floor, and she has worked on interim; what do we do with the waste before we put it in the final repository?

There are what I call dead plants—probably not the proper word—we have plants that are no longer generating electricity, but they have waste on site.

Can't we consolidate those for the benefit of the Nation and get them away from some of our more pristine areas?

The answer is "yes." That is what we tried to with the bill. We are going to accept a couple amendments that have been brought forward by some Democrat colleagues on, I think, financing, or evaluation of the money and what do we do to the cities and how do we help them redevelop. And I will encourage my colleagues to support those when we have that debate.

Mr. Speaker, I know it is not an easy process in the Rules Committee. This is a step to get it to the floor. I appreciate the kindness that was shown to me yesterday, and I look forward to joining with you all tomorrow.

Mr. HASTINGS. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Ms. MATSUI), my good friend, who serves on the Energy and Commerce Committee, and is a former member of the Rules Committee, so she understands our process extremely well and has done extraordinary work on the Energy and Commerce Committee.

Ms. MATSUI. Mr. Speaker, I thank Mr. HASTINGS for yielding me time.

Mr. Speaker, I rise today in support of H.R. 3053, the Nuclear Waste Policy Amendments Act.

We worked in a bipartisan manner in the Energy and Commerce Committee to ensure there is language in this bill that provides a responsible path forward for consolidated interim storage.

When this bill was first presented in committee, the licensing of an interim storage facility was linked to a final decision on Yucca Mountain.

As someone who is critical of Yucca Mountain and its chances of ever being completed, I found that to be unacceptable. It meant that our Nation's nuclear waste could continue to be stranded at decommissioned plants in California and across the country. That is not sustainable.

However, through bipartisan negotiations, we were able to successfully agree on language that creates a separate path to interim storage, decoupling it from a permanent repository.

That is the primary reason why I am supporting the bill today.

This is an issue that directly impacts my constituents and many others across the country. My local utility, the Sacramento Municipal Utility District or, as we call it, SMUD, currently maintains the decommissioned Rancho Seco nuclear power plant. SMUD has reiterated how important it is for the redevelopment of the site, that we have a plan for consolidating spent fuel at a safe, licensed facility.

Moving spent fuel will enable SMUD to expand their adjacent solar development or environmental mitigation area.

Consolidated interim storage is currently the most viable solution to our Nation's spent fuel challenge. And there are private applicants that want to take this fuel. Today's bill strength-

ens the regulatory pathway that allows them to do so.

This bill also funds transportation safety, ensuring that we build on our country's decades-long history of safely moving spent fuel.

While I don't believe every provision of H.R. 3053 is ideal, it is a balanced step in the right direction, and that is why I will vote "yes" for this legislation.

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

Mr. Speaker, I would like to close by again commending the committees involved in presenting this legislation, and for doing so in a bipartisan manner.

While the underlying bill we are debating today is not perfect, it is, nonetheless, an example of what can be accomplished through bipartisan work.

In bringing up this bill, the Republican leadership has, perhaps, tipped its hand. It has demonstrated that it is capable of working with the minority and allowing for mature debate and compromise worthy of this institution. I hope this trend continues. I suspect that it will not.

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

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

Mr. Speaker, let me say, it is a pleasure to manage a rule with my friend from Florida (Mr. HASTINGS), and my hands are wide open, not tipped whatsoever.

Mr. Speaker, the American people have spent over \$15 billion in research and development of the Yucca Mountain project. It would be utterly foolish, in my estimation, to literally flush this time, energy, and capital down the drain, particularly as the Department of Energy has deemed that the site has met all the requirements to move forward with the licensing process.

The rule we have debated here today provides for consideration of very, very important legislation, H.R. 3053, the Nuclear Waste Policy Amendments Act of 2018, which would jump-start this vital effort to move the Yucca Mountain plan forward.

Mr. Speaker, I am very proud to speak in favor of this rule, and I urge all of my colleagues to support House Resolution 879 and the underlying legislation to provide relief and a long-term plan for communities like those in my district and those in Mr. HASTINGS' State of Florida, and the rest of our districts around the Nation.

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

AN AMENDMENT TO H. RES. 879 OFFERED BY  
MR. HASTINGS

At the end of the resolution, add the following:

SEC. 2. Notwithstanding any other provision of this resolution, the amendment specified in section 3 shall be in order as though printed as the last amendment in the report of the Committee on Rules accompanying this resolution if offered by Representative

Rosen of Nevada or a designee. That amendment shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent.

SEC. 3. The amendment referred to in section 2 is as follows:

**SEC. 206. STUDYING THE ECONOMIC BENEFIT OF ALTERNATIVE USES OF YUCCA MOUNTAIN SITE**

(a) IN GENERAL.—The Secretary of Energy may not take any action relating to the licensing, planning, development, or construction of a nuclear waste repository at 6 the Yucca Mountain site until—

(1) the Director of the Office of Management and Budget submits to Congress, and makes available to the public, a study on the economic viability and job-creating benefits of alternative uses of the Yucca Mountain site as outlined in GAO Report 11-847, published on September 16, 2011, including—

- (A) defense activities, such as a command facility for unmanned aircraft systems;
- (B) a secure electronic data center;
- (C) the development of renewable energy sources; and
- (D) scientific research; and

(2) Congress holds a hearing on the alternative uses under subparagraphs (A) through (D) of paragraph (1).

(b) DEFINITION. In this section, the term “Yucca Mountain site” has the meaning given such term in section 2 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101).

**THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS**

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

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

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

vious question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

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

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

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

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

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 223, nays 189, not voting 16, as follows:

[Roll No. 173]

YEAS—223

- Abraham
- Aderholt
- Allen
- Amash
- Amodei
- Arrington
- Babin
- Bacon
- Banks (IN)
- Barietta
- Barr
- Barton
- Bergman
- Biggs
- Bilirakis
- Bishop (MI)
- Bishop (UT)
- Black
- Blackburn
- Blum
- Bost
- Brady (TX)
- Brat
- Brooks (AL)
- Brooks (IN)
- Buchanan
- Buck
- Bucshon
- Budd
- Burgess
- Byrne
- Calvert
- Carter (GA)
- Carter (TX)
- Chabot
- Cheney
- Coffman
- Cole
- Collins (GA)
- Collins (NY)
- Comer
- Comstock
- Conaway
- Cook
- Costello (PA)
- Cramer
- Crawford
- Culberson
- Curbelo (FL)
- Curtis
- Davidson
- Davis, Rodney
- Denham
- Blum
- DeSantis
- DeJarlais
- Diaz-Balart
- Donovan
- Duffy
- Duncan (SC)
- Duncan (TN)
- Dunn
- Emmer
- Estes (KS)
- Faso
- Ferguson
- Fitzpatrick
- Fleischmann
- Flores
- Fortenberry
- Fox
- Frelinghuysen
- Gaetz
- Gallagher
- Garrett
- Gianforte
- Gibbs
- Gohmert
- Goodlatte
- Gosar
- Gowdy
- Granger
- Graves (GA)
- Graves (LA)
- Graves (MO)
- Griffith
- Grothman
- Guthrie
- Handel
- Harper
- Hartzler
- Hensarling
- Herrera Beutler
- Hice, Jody B.
- Higgins (LA)
- Hill
- Holding
- Hollingsworth
- Hudson
- Huizenga
- Hultgren
- Hunter

- Hurd
- Issa
- Jenkins (KS)
- Johnson (LA)
- Johnson (OH)
- Johnson, Sam
- Jordan
- Joyce (OH)
- Katko
- Kelly (MS)
- Kelly (PA)
- King (IA)
- King (NY)
- Kinzinger
- Knight
- Kustoff (TN)
- LaHood
- Lamborn
- Lance
- Latta
- Lesko
- Lewis (MN)
- LoBiondo
- Long
- Loudermilk
- Love
- Lucas
- Luetkemeyer
- MacArthur
- Marchant
- Marino
- Marshall
- Massie
- Mast
- McCarthy
- McCaul
- McClintock
- McHenry
- McKinley
- McMorris
- Rodgers
- McSally
- Meadows
- Mitchell
- Moolenaar
- Mooney (WV)
- Mullin
- Newhouse
- Noem
- Norman
- Nunes
- Olson
- Palazzo
- Palmer
- Paulsen
- Pearce
- Perry
- Poe (TX)
- Poliquin
- Posey
- Ratcliffe
- Reed
- Reichert
- Renacci
- Rice (SC)
- Roby
- Roe (TN)
- Rogers (AL)
- Rohrabacher
- Rooney, Francis
- Rooney, Thomas J.
- Ros-Lehtinen
- Roskam
- Ross
- Rothfus
- Rouzer
- Russell
- Rutherford
- Sanford
- Scalise
- Schweikert

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

NAYS—189

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

|               |           |                |          |               |         |             |             |            |
|---------------|-----------|----------------|----------|---------------|---------|-------------|-------------|------------|
| Sires         | Titus     | Walz           | Norman   | Rothfus       | Tipton  | Jones       | Pittenger   | Smith (NE) |
| Smith (WA)    | Tonko     | Wasserman      | Nunes    | Rouzer        | Trott   | Kuster (NH) | Rogers (KY) | Woodall    |
| Soto          | Torres    | Schultz        | Olson    | Russell       | Turner  | Labrador    | Rokita      |            |
| Speier        | Tsongas   | Waters, Maxine | Palazzo  | Rutherford    | Upton   | Messer      | Royce (CA)  |            |
| Suozi         | Vargas    | Watson Coleman | Palmer   | Sanford       | Valadao |             |             |            |
| Swalwell (CA) | Veasey    | Welch          | Paulsen  | Scalise       | Wagner  |             |             |            |
| Takano        | Vela      | Wilson (FL)    | Pearce   | Schneider     | Walberg |             |             |            |
| Thompson (CA) | Velázquez | Yarmuth        | Perry    | Schweikert    | Walden  |             |             |            |
| Thompson (MS) | Visclosky |                | Poe (TX) | Scott, Austin | Walker  |             |             |            |

## NOT VOTING—16

|              |             |            |
|--------------|-------------|------------|
| Castor (FL)  | Kuster (NH) | Rokita     |
| Gutiérrez    | Labrador    | Royce (CA) |
| Harris       | LaMalfa     | Smith (TX) |
| Hoyer        | Messer      | Zeldin     |
| Jenkins (WV) | Pittenger   |            |
| Jones        | Rogers (KY) |            |

□ 1333

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

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

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

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

## RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 224, noes 184, answered “present” 1, not voting 19, as follows:

[Roll No. 174]

AYES—224

|               |                 |              |
|---------------|-----------------|--------------|
| Abraham       | Denham          | Issa         |
| Aderholt      | Dent            | Jenkins (KS) |
| Allen         | DeSantis        | Johnson (LA) |
| Amash         | DesJarlais      | Johnson (OH) |
| Arrington     | Diaz-Balart     | Johnson, Sam |
| Babin         | Donovan         | Jordan       |
| Bacon         | Duncan (SC)     | Joyce (OH)   |
| Banks (IN)    | Duncan (TN)     | Katko        |
| Barletta      | Dunn            | Kelly (MS)   |
| Barr          | Emmer           | Kelly (PA)   |
| Barton        | Estes (KS)      | King (IA)    |
| Bergman       | Faso            | King (NY)    |
| Biggs         | Ferguson        | Kinzinger    |
| Bilirakis     | Fitzpatrick     | Knight       |
| Bishop (MI)   | Fleischmann     | Kustoff (TN) |
| Bishop (UT)   | Flores          | LaHood       |
| Black         | Fortenberry     | LaMalfa      |
| Blackburn     | Foxx            | Lamb         |
| Blum          | Frelinghuysen   | Lamborn      |
| Bost          | Gaetz           | Lance        |
| Brady (TX)    | Gallagher       | Latta        |
| Brat          | Garrett         | Lesko        |
| Brooks (AL)   | Gianforte       | Lewis (MN)   |
| Brooks (IN)   | Gibbs           | LoBiondo     |
| Buchanan      | Gohmert         | Long         |
| Buck          | Goodlatte       | Loudermillk  |
| Bucshon       | Gosar           | Love         |
| Budd          | Gowdy           | Lucas        |
| Burgess       | Granger         | Luetkemeyer  |
| Byrne         | Graves (GA)     | MacArthur    |
| Calvert       | Graves (LA)     | Marchant     |
| Carter (GA)   | Graves (MO)     | Marino       |
| Carter (TX)   | Griffith        | Marshall     |
| Chabot        | Grothman        | Massie       |
| Cheney        | Guthrie         | Mast         |
| Coffman       | Handel          | McCarthy     |
| Cole          | Harper          | McCaul       |
| Collins (GA)  | Harris          | McClintock   |
| Collins (NY)  | Hartzler        | McHenry      |
| Comer         | Hensarling      | McKinley     |
| Comstock      | Herrera Beutler | McMorris     |
| Conaway       | Hice, Jody B.   | Rodgers      |
| Cook          | Higgins (LA)    | McSally      |
| Costello (PA) | Hill            | Meadows      |
| Cramer        | Holding         | Mitchell     |
| Crawford      | Hollingsworth   | Moolenaar    |
| Culberson     | Hudson          | Mooney (WV)  |
| Curbelo (FL)  | Hultgren        | Mullin       |
| Curtis        | Hunter          | Newhouse     |
| Davis, Rodney | Hurd            | Noem         |

|                   |                |             |            |            |               |             |             |             |                 |                   |                   |             |            |
|-------------------|----------------|-------------|------------|------------|---------------|-------------|-------------|-------------|-----------------|-------------------|-------------------|-------------|------------|
| Ratcliffe         | Reed           | Reichert    | Renacci    | Rice (SC)  | Roby          | Roe (TN)    | Rogers (AL) | Rohrabacher | Rooney, Francis | Rooney, Thomas J. | Ros-Lehtinen      | Roskam      | Ross       |
| Adams             | Aguiar         | Barragán    | Bass       | Beatty     | Bera          | Beyer       | Bishop (GA) | Blumenauer  | Blunt Rochester | Bonamici          | Boyle, Brendan F. | Brady (PA)  | Brown (MD) |
| Brownley (CA)     | Bustos         | Butterfield | Capuano    | Carbajal   | Cárdenas      | Carson (IN) | Cartwright  | Castro (TX) | Chu, Judy       | Ciilline          | Clark (MA)        | Clarke (NY) | Clay       |
| Cleaver           | Clyburn        | Connolly    | Cooper     | Correa     | Costa         | Levin       | Lewis (GA)  | Lieu, Ted   | Lipinski        | Loebsack          | Lofgren           | Lowenthal   | Lowey      |
| Lujan Grisham, M. | Luján, Ben Ray | Lynch       | Maloney,   | Carolyn B. | Maloney, Sean | Matsui      | McCollum    | McEachin    | McGovern        | McNerney          | Meeks             | Meng        | Moore      |
| Moulton           | Murphy (FL)    | Nadler      | Napolitano | Neal       |               |             |             |             |                 |                   |                   |             |            |

## NOES—184

|                   |                |             |               |                |               |             |            |            |           |          |              |         |           |
|-------------------|----------------|-------------|---------------|----------------|---------------|-------------|------------|------------|-----------|----------|--------------|---------|-----------|
| Gallego           | Garamendi      | Gomez       | Gonzalez (TX) | Gottheimer     | Green, Al     | Green, Gene | Grijalva   | Hanabusa   | Hastings  | Heck     | Higgins (NY) | Himes   | Huffman   |
| Jackson Lee       | Jayapal        | Jeffries    | Johnson (GA)  | Johnson, E. B. | Kaptur        | Keating     | Kelly (IL) | Kennedy    | Khanna    | Kihuen   | Kildee       | Kilmer  | Kind      |
| Krishnamoorthi    | Langevin       | Larsen (WA) | Larson (CT)   | Lawrence       | Lawson (FL)   | Lee         | Levin      | Lewis (GA) | Lieu, Ted | Lipinski | Loebsack     | Lofgren | Lowenthal |
| Lujan Grisham, M. | Luján, Ben Ray | Lynch       | Maloney,      | Carolyn B.     | Maloney, Sean | Matsui      | McCollum   | McEachin   | McGovern  | McNerney | Meeks        | Meng    | Moore     |
| Moulton           | Murphy (FL)    | Nadler      | Napolitano    | Neal           |               |             |            |            |           |          |              |         |           |

## PRESENT—1

Amodei

## NOT VOTING—19

|             |          |              |
|-------------|----------|--------------|
| Castor (FL) | Cohen    | Davidson     |
| Doggett     | Duffy    | Gutiérrez    |
| Hoyer       | Huizenga | Jenkins (WV) |

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SMITH of Nebraska. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 174.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 774

Mr. DESJARLAIS. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H. Res. 774.

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

There was no objection.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 774

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H. Res. 774.

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

There was no objection.

## CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE ACTIONS OF THE GOVERNMENT OF SYRIA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 115-118)

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 the actions of the Government of Syria declared in Executive Order 13338 of May 11, 2004—as modified in scope and relied upon for additional steps taken in Executive Order 13399 of April 25, 2006, Executive Order 13460 of February 13, 2008, Executive Order 13572 of April 29, 2011, Executive Order 13573 of May 18, 2011, Executive Order 13582 of August 17,

2011, Executive Order 13606 of April 22, 2012, and Executive Order 13608 of May 1, 2012—is to continue in effect beyond May 11, 2018.

The regime's brutal war on the Syrian people, who have been calling for freedom and a representative government, not only endangers the Syrian people themselves, but also generates instability throughout the region. The Syrian regime's actions and policies, including pursuing and using chemical weapons, supporting terrorist organizations, and obstructing the Lebanese government's ability to function effectively, continue to foster the rise of extremism and sectarianism and pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue in effect the national emergency declared with respect to this threat and to maintain in force the sanctions to address this national emergency.

In addition, the United States condemns the Assad regime's use of brutal violence and human rights abuses, and calls on the Assad regime to stop its violent war, uphold the Cessation of Hostilities, enable the delivery of humanitarian assistance, and negotiate a political transition in Syria that will forge a credible path to a future of greater freedom, democracy, opportunity, and justice.

The United States will consider changes in the composition, policies, and actions of the Government of Syria in determining whether to continue or terminate this national emergency in the future.

DONALD J. TRUMP.  
THE WHITE HOUSE, May 9, 2018.

□ 1345

#### STANDARD MERGER AND ACQUISITION REVIEWS THROUGH EQUAL RULES ACT OF 2018

Mr. GOODLATTE. Mr. Speaker, pursuant to House Resolution 872, I call up the bill (H.R. 5645) to amend the Clayton Act and the Federal Trade Commission Act to provide that the Federal Trade Commission shall exercise authority with respect to mergers only under the Clayton Act and only in the same procedural manner as the Attorney General exercises such authority, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 872, the bill is considered read.

The text of the bill is as follows:

H.R. 5645

*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 "Standard Merger and Acquisition Reviews Through Equal Rules Act of 2018".

#### SEC. 2. AMENDMENTS TO THE CLAYTON ACT.

The Clayton Act (15 U.S.C. 12 et seq.) is amended—

(1) by striking section 4F and inserting the following:

#### "SEC. 4F. ACTIONS BY ATTORNEY GENERAL OF THE UNITED STATES OR THE FEDERAL TRADE COMMISSION.

"(a) Whenever the Attorney General of the United States has brought an action under the antitrust laws or the Federal Trade Commission has brought an action under section 7, and the Attorney General or Federal Trade Commission, as applicable, has reason to believe that any State attorney general would be entitled to bring an action under this Act based substantially on the same alleged violation of the antitrust laws or section 7, the Attorney General or Federal Trade Commission, as applicable, shall promptly give written notification thereof to such State attorney general.

"(b) To assist a State attorney general in evaluating the notice described in subsection (a) or in bringing any action under this Act, the Attorney General of the United States or Federal Trade Commission, as applicable, shall, upon request by such State attorney general, make available to the State attorney general, to the extent permitted by law, any investigative files or other materials which are or may be relevant or material to the actual or potential cause of action under this Act.";

(2) in section 5—

(A) in subsection (a) by inserting "(including a proceeding brought by the Federal Trade Commission with respect to a violation of section 7)" after "United States under the antitrust laws"; and

(B) in subsection (i) by inserting "(including a proceeding instituted by the Federal Trade Commission with respect to a violation of section 7)" after "antitrust laws";

(3) in section 11, by adding at the end the following:

"(m)(1) Except as provided in paragraph (2), in enforcing compliance with section 7, the Federal Trade Commission shall enforce compliance with that section in the same manner as the Attorney General in accordance with section 15.

"(2) If the Federal Trade Commission approves an agreement with the parties to the transaction that contains a consent order with respect to a violation of section 7, the Commission shall enforce compliance with that section in accordance with this section.";

(4) in section 13, by inserting "(including a suit, action, or proceeding brought by the Federal Trade Commission with respect to a violation of section 7)" before "subpoenas"; and

(5) in section 15, by inserting "and the duty of the Federal Trade Commission with respect to a violation of section 7," after "General.";

#### SEC. 3. AMENDMENTS TO THE FEDERAL TRADE COMMISSION ACT.

The Federal Trade Commission Act (15 U.S.C. 41) is amended—

(1) in section 5(b), by inserting "(excluding the consummation of a proposed merger, acquisition, joint venture, or similar transaction that is subject to section 7 of the Clayton Act (15 U.S.C. 18), except in cases where the Commission approves an agreement with the parties to the transaction that contains a consent order)" after "unfair method of competition";

(2) in section 9, by inserting after the fourth undesignated paragraph the following:

"Upon the application of the commission with respect to any activity related to the consummation of a proposed merger, acquisition, joint venture, or similar transaction that is subject to section 7 of the Clayton Act (15 U.S.C. 18) that may result in any unfair method of competition, the district courts of the United States shall have juris-

dition to issue writs of mandamus commanding any person or corporation to comply with the provisions of this Act or any order of the commission made in pursuance thereof.";

(3) in section 13(b)(1), by inserting "(excluding section 7 of the Clayton Act (15 U.S.C. 18) and section 5(a)(1) with respect to the consummation of a proposed merger, acquisition, joint venture, or similar transaction that is subject to section 7 of the Clayton Act (15 U.S.C. 18))" after "Commission"; and

(4) in section 20(c)(1), by inserting "or under section 7 of the Clayton Act (15 U.S.C. 18), where applicable," after "Act,".

#### SEC. 4. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.

(a) EFFECTIVE DATE.—Except as provided in subsection (b), this Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

(b) APPLICATION OF AMENDMENTS.—The amendments made by this Act shall not apply to any of the following that occurs before the date of enactment of this Act:

(1) A violation of section 7 of the Clayton Act (15 U.S.C. 18).

(2) A transaction with respect to which there is compliance with section 7A of the Clayton Act (15 U.S.C. 18a).

(3) A case in which a preliminary injunction has been filed in a district court of the United States.

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

After 1 hour of debate, it shall be in order to consider the amendment printed in House Report 115-664, if offered by the Member designated in the report, which shall be considered read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for a division of the question.

The gentleman from Virginia (Mr. GOODLATTE) and the gentleman from New York (Mr. NADLER) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

PERMISSION TO POSTPONE PROCEEDINGS ON ADOPTING AMENDMENT TO H.R. 5645

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that the question of adopting the amendment to H.R. 5645 may be subject to postponement as though under clause 8 of rule XX.

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

There was no objection.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 5645.

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

There was no objection.

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

In 1914, Congress passed the Federal Trade Commission Act, marking the

beginning of a dual antitrust enforcement regime in the United States.

Because both Department of Justice and the Federal Trade Commission enforce our Nation's antitrust laws, companies may, and often do, have different experiences when interacting with one agency relative to the other. One area in which the disparity can be the most striking and troubling is in the merger review process.

When a company wishes to merge with or purchase another company, it must notify both antitrust enforcement agencies of the proposed transaction. The Department of Justice and the Federal Trade Commission then determine which agency will be responsible for reviewing the transaction. As there are no fixed rules for making this determination, it can appear that the decision is made on the basis of a flip of a coin.

There are two substantial differences that companies face based on the identity of the antitrust enforcement agency that reviews the companies' proposed transaction.

The first difference arises if the agency seeks to prevent the transaction by pursuing a preliminary injunction in Federal court. A different legal standard is applied to a preliminary injunction request based solely on the identity of the requesting antitrust enforcement agency.

The second difference lies in the process available to each antitrust enforcement agency to prevent a transaction from proceeding. The FTC may pursue administrative litigation against a proposed transaction, even after a court denies its preliminary injunction request. In contrast, DOJ cannot pursue administrative litigation.

There is no justification for these disparities in the merger review processes and standards. The bipartisan Antitrust Modernization Commission recommended that Congress remove these disparities, and the bill before us today, the Standard Merger and Acquisition Reviews Through Equal Rules Act, or the SMARTER Act, does just that. I applaud Representative HANDEL for introducing this important legislation that will enhance the transparency, predictability, and credibility of the antitrust merger review process.

By enacting the SMARTER Act into law, Congress will ensure that companies no longer will be subjected to fundamentally different processes and standards based on the flip of a coin. Notably, the legislation has garnered the support of former and current FTC commissioners, including former Chairman David Clanton, former Commissioner Josh Wright, and current Commissioner Maureen Ohlhausen.

The SMARTER Act is an important step toward assuring that our Nation's antitrust laws are enforced in a manner that is fair, consistent, and predictable.

Mr. Speaker, I urge my colleagues to vote in favor of this good government bill, and I reserve the balance of my time.

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

Mr. Speaker, I rise in opposition to H.R. 5645, the Standard Merger and Acquisition Reviews Through Equal Rules Act. This bill would significantly undermine the Federal Trade Commission's ability to enforce the Nation's antitrust laws, which help protect Americans from anticompetitive behavior in the marketplace. In the guise of harmonization with the Department of Justice, it would eliminate the FTC's administrative litigation enforcement authority with respect to corporate mergers and other transactions. It would also change and potentially increase the burden the FTC must demonstrate in court when seeking a preliminary injunction against the proposed merger.

In doing so, the bill would undercut a critical tool that the FTC relies on to promote competition. It also risks sacrificing the fundamental nature of the FTC as an independent administrative agency, rather than an executive department, subject to the political whims of the President. This blatant attack on the FTC's congressionally mandated independence contravenes more than a century of legislative intent.

In 1914, Congress responded to a wave of mergers and corporate abuses by establishing the FTC as an independent body of experts tasked with developing and advancing competition policy free from political pressure. In doing so, Congress specifically gave the Commission broad enforcement and investigatory authorities, including the power to challenge anticompetitive mergers and other conduct through administrative litigation.

This broad grant of statutory authority was not accidental. Louis Brandeis, a visionary architect of our Nation's competition system, advocated for the embrace of administrative litigation during Congress' consideration of the FTC Act, and President Woodrow Wilson said such authority was critical to the FTC's mission "to warn where things were going wrong and assist instead of check."

As former Republican FTC Chairman William Kovacic warned: "Without a substantial, effective administrative litigation program, the aim of making the Commission an influential competition policy tribunal could not be accomplished."

Nevertheless, this bill would eliminate this critical tool for promoting competition and, in the process, would erode the Commission's unique qualities and independence.

To further undermine the Commission's independence, the bill would also require the FTC to meet the same standard in court that the Justice Department meets when seeking a preliminary injunction against the proposed merger. But the FTC and the DOJ are two different agencies with different missions and different traditions.

Under current law, the Commission, by statute, must show that a preliminary injunction "would be in the public interest." The Justice Department, on the other hand, has no statutory standard and must simply meet the common law preliminary injunction standard, such as the balance of equities and the risk of irreparable harm.

As our Nation's leading antitrust enforcers have previously testified, there is no practical difference between the standards or evidence that the Commission has abused its authority. So it is entirely unclear what problem the bill is attempting to solve. But in making this change, this bill could cause unnecessary confusion for the courts or could signal a desire to increase the burden on the agency to demonstrate the harms of an anticompetitive merger. That result alone is unacceptable.

But even more fundamentally, this legislation is a step in the wrong direction for our economy and for the prosperity and security of all Americans. The decline of antitrust enforcement over the past several decades has been an economic catastrophe for millions of workers who have lost their jobs or seen their wages lowered. It has resulted in fewer choices and higher prices for consumers, including increased costs for healthcare, prescription drugs, and other essential goods and services.

The importance of robust antitrust enforcement is not simply a question of preventing higher prices for consumers. In the absence of competition, employers have the power to suppress the wages and mobility of American workers through anticompetitive contracting practices, such as noncompete clauses and no-poach agreements.

And when large corporations run amok, locally owned businesses, the economic lifeblood of our communities, wither on the vine. Concentrated economic power is also a serious threat to our vibrant democracy. Large corporations with an outsized role in the policymaking process are able to further entrench their dominance through favorable rules and enforcement decisions.

And when a large corporation with market power has the ability to control the flow of information, it also has the power to shape public opinion in ways that erode democratic values and undermine the voice of the many in favor of the outsized profits of the few.

By further weakening our antitrust laws, H.R. 5645 would accelerate this disturbing trend. Accordingly, I must oppose this legislation and urge my colleagues to vote against this very bad bill.

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

Mr. GOODLATTE. Mr. Speaker, I yield as much time as she may consume to the gentlewoman from Georgia (Mrs. HANDEL), the chief sponsor of the legislation.

Mrs. HANDEL. Mr. Speaker, I thank Chairman GOODLATTE for the opportunity to bring this bill forward. I rise



today in support of H.R. 5645, the Standard Merger and Acquisition Reviews Through Equal Rules Act, or the SMARTER Act.

Mr. Speaker, the SMARTER Act is a much-needed piece of legislation to harmonize and modernize our antitrust procedures. Despite the shared responsibilities for the antitrust review between the FTC and the DOJ, both agencies follow dramatically different review processes, meaning that businesses are held to conflicting standards and procedures, depending on which agency actually conducts the review. And that review, as Chairman GOODLATTE pointed out, is essentially a coin toss.

We can do better than that. The SMARTER Act in no way weakens or undermines our antitrust review process. It does not prevent or hinder either agency from conducting a full and thorough review.

Rather, the SMARTER Act actually strengthens the antitrust review process by injecting greater consistency, more transparency, and enhance consumer protection when we have these mergers and acquisitions.

With that, I urge my colleagues to support the SMARTER Act.

Mr. NADLER. Mr. Speaker, I yield 6 minutes to the the gentleman from Rhode Island (Mr. CICILLINE), the distinguished ranking member of the Regulatory Reform, Commercial and Antitrust Law Subcommittee.

Mr. CICILLINE. Mr. Speaker, I thank the gentleman from New York for yielding.

Mr. Speaker, I rise in strong opposition to H.R. 5645, the so-called SMARTER Act, an assault on the Federal Trade Commission's ability to vigorously promote competition through merger enforcement.

□ 1400

Over a century ago, Congress responded to waves of consolidation by creating the Federal Trade Commission to promote, development, and protect competition and the antitrust laws.

There is longstanding, bipartisan consensus that the Commission's use of administrative litigation to address anticompetitive mergers and conduct is core to this mission. This includes the former Republican and Democratic chairs of the Commission under George W. Bush and the Obama administrations, who have each raised serious concerns about this legislation, precisely because it eliminates a tool that has been critical in combating anticompetitive mergers and conduct, including mergers that would have raised Americans' cost of healthcare.

Top Republican antitrust enforcers have long supported the use of administrative litigation in merger enforcement to promote competition and develop the antitrust laws.

In 2003, Joseph Simons, who was appointed by President Trump and recently confirmed as the chairman of

the Commission, stated as director of the FTC's Bureau of Competition that administrative litigation has "substantial public policy benefits." He also referred to this tool as "an instrument for developing the law" that "increases the transparency of Commission decisionmaking through carefully written opinions that accompany a Commission final litigated order can give considerable guidance to the bar and the business community on applicable standards and enforcement policy."

And in 2004, Barry Nigro, who also served as a director of the FTC's Bureau of Competition under the George W. Bush administration, and was appointed by President Trump to serve in the Justice Department's Antitrust Division, stated that the "volume of administrative litigation is no accident. It reflects our belief in administrative litigation as a way to take advantage of the FTC's expertise in the development of antitrust jurisprudence, particularly in the kind of complex matters that the FTC was created to address."

Nevertheless, proponents of the SMARTER Act argue that the outcome of a transaction should not depend on a "coin flip" to determine which antitrust agency will review a transaction. But this claim is untethered from how antitrust enforcement actually works in the vast majority of cases. In fact, the determination of the moving party is determined by each agency's jurisdictional district, or areas committed by statute, and consistent with a well-developed body of case law, and not by a coin toss.

In the most comprehensive study of administrative litigation to date, Republican FTC Commissioner Maureen Ohlhausen debunked procedural concerns with administrative litigation as "mostly anecdotal or theoretical," concluding it has been a transformative tool for advancing competition policy.

And last Congress, Jonathan Jacobson, a leading antitrust attorney, who currently serves as the chair of the American Bar Association's section on antitrust law, testified that, in his decades of practice, he has never seen a merger that turned on the differences that the SMARTER Act seeks to address. In fact, less than 2 percent of all mergers are blocked by the antitrust agencies, and an even smaller percentage of these cases go to trial.

The FTC also has a pristine record when using this authority. It has won six out of seven cases before the Supreme Court, and five of these were brought through administrative litigation.

We should, therefore, be deeply skeptical about baseless speculation and support of the bill. Empty rhetoric is no substitute for evidence that the SMARTER Act actually solves a real problem.

But even more importantly, this bill is a major step in the wrong direction on making our economy work for ev-

erybody. There is overwhelming evidence that concentrated economic power is at historic levels in this country, and has structurally weakened competition on an economy-wide basis.

This lack of competition is a fundamental threat to the economic opportunity of hardworking Americans who want lower prices, more and better services, and better wages. We need more competition, not less.

As the nonpartisan Open Markets Institute notes, "Given the severity of the concentration problem in America today, and its economic and political consequences, Congress should be looking to enhance the powers of all of America's antimonopoly agencies."

House and Senate Democrats have proposed a better deal to enhance competition to reduce lower prices and more choices for consumers.

Instead of undermining antitrust enforcement on the basis of purely speculative harms—as H.R. 5645 would do—we should be giving the antitrust agencies the resources and tools they need to robustly enforce the law.

In closing, I urge my colleagues to oppose this legislation, which does nothing to reduce concentrated economic power or address the economic challenges working people face every day and, in fact, will make the problem worse. It will make it easier to consolidate economic power in the way that undermines consumer choices, consumer costs, and will ultimately undermine hardworking American families.

Mr. Speaker, I urge my colleagues to vote "no," and I thank the gentleman for yielding.

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

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

Mr. Speaker, the nonpartisan Open Markets Institute, in its opposition to H.R. 5645 states: "Given the severity of the concentration problem in America today, and its economic and political consequences, Congress should be looking to enhance the powers of all of America's antimonopoly agencies."

I strongly agree: Congress should be strengthening, not weakening, our competition system to protect economic opportunity, innovation, and choice. That is why I have joined several of my Democratic colleagues—Representatives JOE CROWLEY, DAVID CICILLINE, and KEITH ELLISON—in introducing a package of bold economic measures to strengthen protections that will help ensure that hardworking Americans have more economic opportunity by ending anticompetitive employment practices.

This package includes H.R. 5642, the Restoring and Improving Merger Enforcement Act, legislation that I introduced to prohibit the consideration of false economic efficiencies—like corporate layoffs, actually costing employment—to justify anticompetitive mergers.

But rather than address these important measures, which would actually

help American workers and consumers, or give the antitrust agencies the resources they need to really promote competition, this bill would do the opposite by undermining the FTC's ability to vigorously enforce antitrust laws under the guise of attempting to solve a problem that does not exist.

I would submit that an economy in which we are down to four major airlines and two major railroads, and going in the same direction in almost every other segment of the economy, we should not be weakening our antitrust laws and our antitrust enforcement, we should be strengthening them. This bill goes in exactly the wrong direction and is guaranteed to further increase the concentration of economic power in our economy, and to further decrease the bargaining power that workers have to get decent wages and working conditions.

Mr. Speaker, this is a deeply anti-employee bill, it is a pro-monopoly bill, and it is a very anti-economic growth bill. I urge my colleagues to oppose this deeply flawed measure, and I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, this is a good bill, I urge my colleagues to support it, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in opposition to H.R. 5645, the Standard Merger and Acquisition Reviews Through Equal Rules Act—otherwise known as the SMARTER Act.

Mr. Speaker, this bill is not about creating equal rules or implementing “smarter” legislation.

Rather, it is about attacking the administrative authority of the Federal Trade Commission (FTC).

H.R. 5645 is an unnecessary measure that would fundamentally undermine the FTC's independent enforcement authority and ability to prevent anti-competitive mergers.

As we all know, the FTC was created by Congress with the specific intent of creating an independent antitrust enforcement agency and supplemental authority to the Department of Justice (DOJ).

Specifically, if enacted, the SMARTER Act would strip the FTC of its power by eliminating the agency's authority to enforce antitrust laws in larger merger cases, and by blocking its ability to use its administrative proceedings to stop a harmful merger transaction.

The bill seeks to do so by requiring that the FTC use the same enforcement process as the DOJ.

This proposed sweeping change undercuts the FTC's administrative litigation process for contested mergers or acquisitions and effectively removes the very core and functioning character of this agency.

Moreover, reducing the FTC's independence directly conflicts with Congress's intent in creating this antitrust enforcement agency and policymaking body as a distinct and independent shield from political and executive interference.

As enforcers of Section 7 of the Clayton Act, both the FTC and the DOJ have the authority and responsibility to prohibit mergers and acquisitions that would “substantially lessen competition” or “tend to create a monopoly”.

Under this enforcement authority, these agencies serve to complement each other, and have developed over the years to specialize in particular industries and markets.

Based upon historical experience and coordinated developments, the FTC serves to protect consumers and consumer spending. For example, healthcare, pharmaceuticals, professional services, food, energy, and certain high-tech industries like computer technology and internet services.

Whereas, the DOJ typically assumes a specialized focus on larger corporate industries like telecommunications, banks, railroads, and airlines.

Thus, while the FTC and the DOJ have operated with a shared responsibility of enforcing federal antitrust laws, these two federal agencies are unique and each retain exclusive authority of certain conduct.

Serving as joint enforcement agencies for over 100 years, the FTC and DOJ rely upon each other to coordinate agency jurisdiction and harmonized standards and practices.

The SMARTER Act is simply unnecessary as it fails to put forth any meaningful effort to enhance or rectify any expressed concerns governing these longstanding agency operations.

In particular, in 2002 Congress sought to review and amend antitrust laws and policies in light of the changing economy and rise in technological advances.

In 2007 a report issued by the Antitrust Modernization Commission (AMC) set forth specific recommendations for the FTC to eliminate real or perceived disparities in the review process for merger transactions.

According to the AMC, Congress should seek to ensure that the same or comparable standard is used when seeking a preliminary injunction against a potentially anticompetitive transaction.

However, the SMARTER Act goes beyond this recommendation and seeks to chip away and carve out the entire administrative adjudication authority of the FTC.

In order to identify potential violations of the Clayton Act, the FTC and the DOJ review proposed merger transactions pursuant to the Hart-Scott-Rodino Antitrust Improvements Act (the HSR Act), which provides advance notice and sets forth guidelines on large merger and acquisition transactions.

The heart of this concern is the alternate means by which the FTC and DOJ carry out their enforcement roles during this HSR pre-merger process.

Namely, H.R. 5645 is curiously motivated by the preliminary injunction process utilized by the FTC and the DOJ to halt proposed transactions that would violate the Clayton Act if completed.

Additionally, the DOJ typically consolidates the preliminary and permanent injunction proceedings, while the FTC typically only pursues preliminary injunctions.

While some argue that proposed transactions reviewed through the FTC would be treated more leniently than those reviewed through the DOJ, this assertion has not been fully substantiated by the AMC.

The pre-merger review process and the injunction standards utilized by the FTC and DOJ are the very procedural steps that characterize and distinguish the respective enforcement roles of these agencies.

This supposed area of concern addresses only a small fraction of proposed transactions,

as the vast majority of merger and acquisition proposals are found to not be in violation of the Clayton Act upon undergoing the review process.

The FTC and DOJ review over a thousand merger filings every year.

Yet 95 percent of those merger filings present no competitive issues or challenged transactions.

As reported by the American Antitrust Institute (AAI), the overall concerns purported by the bill's sponsors are simply without foundation.

In contrast, the overall work of the FTC has an incredible impact on American consumers, communities and corporations and will be severely impacted if disrupted.

As highlighted by the FTC Chairwoman Edith Ramirez in her testimony before the House Judiciary Subcommittee on Regulatory Reform, Commercial and Antitrust Law, the FTC prioritizes the protection of consumers and the prevention of anticompetitive market practices.

In fact, the FTC exists to ensure fair competition and to prevent enormous concentrations of economic power that hurts consumers and small businesses.

For example:

In the past year, the FTC has challenged over 28 mergers, (although in most it was able to negotiate a remedy to allow the merger to proceed).

At the consumer level in my home state of Texas, the FTC secured an \$82,000 settlement against an auto-dealer found in violation of the Fair Credit Reporting Act in September 2017.

Also last year, the FTC ordered the largest divestiture ever in a supermarket merger, requiring Albertsons and Safeway to sell 168 supermarkets in 130 local markets throughout several states, ensuring that communities continue to benefit from competition among their local supermarkets.

The FTC has also taken an aggressive stance on stopping anticompetitive mergers and conduct in the healthcare market by halting such practices through administrative litigation.

In September 2017, the FTC secured a \$1.1 million settlement to consumers who lost money to a health insurance telemarketing scam.

And in the last two years, the FTC took action in 13 pharmaceutical mergers, ordering divestitures to preserve competition for drugs that treat diabetes, hypertension, and cancer, as well as widely used generic medications like oral contraceptives and antibiotics.

Last year, on March 18, 2016, after a thoroughly vetted investigation, the FTC approved a final order preserving competition among outpatient dialysis clinics in Laredo, Texas.

That is, the FTC cleared U.S. Renal Care, Inc.'s (the country's third largest outpatient dialysis provider) \$640 million purchase of dialysis competitor DSI Renal, on the condition that three of DSI's outpatient clinics in Laredo, Texas be handed over to a third party.

Absent this agreed divestiture, the acquisition would have led to a significant increase in market concentration and anti-competitive effects.

The likely result, according to the FTC, would have included the elimination of direct competition between U.S. Renal Care and DSI Renal, reduced incentives to improve services

or quality for dialysis patients, and increased ability for the merged company to unilaterally increase prices.

Notably, the DOJ has also been successful in securing investigations and halting suspected harmful merger practices on a much larger scale (in the health care and airline industry as of late).

In June 2016, the DOJ put pressure on several multibillion dollar health insurers seeking to engage in large merger transactions with near certain suppression of market competition in the healthcare industry.

In August 2016, the DOJ issued civil investigative demands on several major US airlines seeking to halt any potential unlawful mergers.

These cases demonstrate the need for continued protection of the FTC and its ability to effectively carry out injunctions on harmful merger and acquisition activities, as well as, anticompetitive business conduct that harms consumers and restrains market activity.

The ability of the FTC to function independently is necessary to the success of both the FTC and DOJ.

The far-reaching and elusive SMARTER Act fails to keep the foundational integrity of these agencies and should be opposed.

I urge my colleagues to vote against this serious threat to our fundamental protections of consumers and fair economic competition.

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). All time for debate on the bill has expired.

AMENDMENT NO. 1 PRINTED IN HOUSE REPORT  
115-664 OFFERED BY MR. GOODLATTE

Mr. GOODLATTE. Mr. Speaker, I have an amendment at the desk.

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

The text of the amendment is as follows:

Page 2, line 9, strike "7" and insert "15".

Page 3, strike lines 2 through 10, and insert the following:

(A) in subsection (a) by inserting "or a proceeding brought by the Federal Trade Commission under section 15" after "United States under the antitrust laws"; and

(B) in subsection (i) by inserting "or a proceeding instituted by the Federal Trade Commission under section 15" after "antitrust laws";

Page 3, strike lines 11 through 22, and insert the following:

(3) Section 11 of the Clayton Act (15 U.S.C. 21) is amended—

(A) in subsection (b) by striking "Whenever" and inserting "Except as provided in subsection (m), whenever", and

(B) by adding at the end the following:

"(m) The Federal Trade Commission may not use the procedures for administrative adjudication set forth in subsection (b) of this section to prevent the consummation of a proposed merger, acquisition, joint venture, or similar transaction that is subject to section 7, unless the complaint is accompanied by a consent agreement between the Commission and a party to the transaction that resolves all the violations alleged in the complaint. The Federal Trade Commission may institute proceedings in a district court under section 15 to prevent the consummation of such a transaction. In any such proceeding the district court shall apply the same standard for granting injunctive relief as applicable to a proceeding brought by the United States attorneys under section 15. The Federal Trade Commission may issue an administrative complaint under this section if the complaint is accompanied by a

consent agreement between the Federal Trade Commission and a party to the transaction settling the alleged violations.";

Page 3, line 23, strike "(including" and insert "or".

Page 4, beginning on line 1, strike "with respect to a violation of section 7)" and insert "under section 15".

Page 4, strike lines 3 through 5, and insert the following:

(5) in section 15, by inserting "and the duty of the Federal Trade Commission with respect to the consummation of a proposed merger, acquisition, joint venture, or similar transaction that is subject to section 7 and not yet consummated," after "General".

Page 5, strike lines 12 through 14, and insert the following:

(4) in section 16(a)(2)—

(A) in subparagraph (D) by striking "or" at the end,

(B) in subparagraph (E) by adding "or" at the end, and

(C) by adding at the end the following:

"(F) under section 15 of the Clayton Act (15 U.S.C. 25);".

The SPEAKER pro tempore. Pursuant to House Resolution 872, the gentleman from Virginia (Mr. GOODLATTE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Speaker, this amendment makes a series of useful technical and clarifying changes suggested by the Federal Trade Commission.

At the FTC's request, the amendment adds language stating explicitly that the agency retains independent litigating authority in merger cases brought under the Clayton Act. This makes clear that the FTC is not forced to rely on the Department of Justice in these cases.

The amendment also strikes language referring to the FTC's authority to issue civil investigative demands in merger cases. This is because the reference is unnecessary and could create a negative inference that the FTC does not enjoy such authority in other contexts.

The amendment makes further technical improvements in several places in the bill that refer to the FTC bringing an action under section 7 of the Clayton Act. The FTC's authority to bring an action in court actually derives from section 15 of the act, so the amendment updates that citation.

Furthermore, the amendment changes the phrase "including" FTC proceedings to "or" FTC proceedings in several places in the underlying bill. This is to underscore that FTC settlements are distinct from DOJ antitrust settlements and, thus, are not subject to the judicial review provisions of the Tunney Act.

The amendment also refines language in the underlying bill that ensures the same legal standards are applied to FTC and DOJ injunctions, and that preserves FTC authority to use administrative adjudication as part of a settlement agreement.

Specifically, the changes more clearly define the circumstances in which the FTC may seek an injunction and

more clearly state that the FTC must proceed in Federal court, not administratively. The amended language also more accurately reflects the FTC's practices for administrative settlements, more clearly states that the district courts must apply the same standard in those cases as it would apply when the Department of Justice seeks injunctions, and more clearly provides that the new rules change only administrative adjudications, not investigative procedures.

Finally, the amendment clarifies that the FTC's duty to use the courts, rather than administrative procedures, to block anticompetitive behavior, extends only to the merger-type actions that this bill is intended to cover.

Again, these changes are of a technical nature and were all recommended by the FTC itself. Accordingly, I urge my colleagues to support this amendment.

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

Mr. NADLER. Mr. Speaker, I claim the time in opposition to the gentleman's amendment.

The SPEAKER pro tempore. The gentleman from New York is recognized for 5 minutes.

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

This amendment makes several technical revisions to clarify that the bill does not apply to consummated mergers and other transactions. While this change marginally addresses one concern with the bill, it does nothing to change the most fundamental flaw with the bill, which is that it eliminates the Federal Trade Commission's administrative litigation authority in merger cases.

As we noted during consideration of this bill in the Judiciary Committee last year, and in prior Congresses, the SMARTER Act is overbroad as currently drafted and applies to both unconsummated and consummated transactions.

According to John Jacobson, a leading antitrust attorney, who served as commissioner of the Antitrust Modernization Commission, this bill could easily be "construed as prohibiting a challenge to the consummation of any merger in administrative proceedings, even a post-merger challenge, notwithstanding the term 'proposed.'"

Technical feedback by senior staff at the FTC, under both Democratic and Republican administrations, confirmed this view.

While the amendment makes the useful clarification that H.R. 5645 would not apply to already consummated transactions, the bill would still eliminate the FTC's ability to use administrative litigation in proposed mergers, striking at the core of the Commission's independence and congressionally mandated design, without any evidence that such a change is warranted or desirable.

As Mr. Jacobson has also noted in his testimony in opposition to a similar

version of this legislation considered by the Senate, eliminating the “FTC’s ability to conduct administrative proceedings in pre-consummation merger challenges is harmful to the sound administration of the antitrust laws.”

At a time when there is an increasing desire across the ideological spectrum to strengthen antitrust enforcement in the face of extreme concentrations of corporate power in industry after industry, the SMARTER Act proposes to go in the opposite direction. Congress was wise to establish an independent agency in 1914 to ensure strong antitrust enforcement, and we would be wise today not to undermine that choice.

Mr. Speaker, this amendment essentially puts lipstick on a pig. It does not change my basic opposition to a bill that is fundamentally flawed in its conception. Therefore, I must oppose this amendment, and I reserve the balance of my time.

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

Mr. NADLER. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, as a practical matter, the FTC only challenges a handful of proposed mergers, on average, per year. These transactions present some of the largest, most complex, and potentially most concerning issues. But in most of these cases, the parties either abandon the transaction or negotiate a settlement.

Nonetheless, in those few instances where the FTC does challenge a transaction, it is in a position to answer novel questions of law and, thereby, develop expertise and guidance for future applications. Indeed, that is the whole point of having an FTC, and that is the whole point of administrative adjudication authority.

As the Antitrust Institute has noted in its opposition to the SMARTER Act to this bill, “the FTC’s use of administrative powers should be carefully safeguarded, because it has contributed critically to the effective shaping of U.S. merger policy without detracting from the speed or effectiveness of merger review.”

□ 1415

In addition, Republican FTC Commissioner Maureen Ohlhausen’s 2016 study on administrative litigation debunks the claim of procedural bias against merging parties. Her study found that the FTC’s appellate success and case work “do not support a narrative that the Commission blindly supports ill-conceived cases because of systemic bias. To the contrary, they show a recent history of solid, well-supported enforcement actions.”

Even where the FTC does not use administrative adjudication, the potential use of this tool is invaluable in the agency’s ability to successfully get emerging parties to agree to structural remedies, such as divestitures, to address concerns with a proposed merger.

It is unthinkable to remove the FTC’s administrative litigation authority, as this amendment would continue to do, when such authority is only used to protect against the most anticompetitive mergers that are certain to substantially lessen competition, harm consumers, raise prices, and hurt workers.

For these reasons, I urge my colleagues to oppose this amendment.

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

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

The arguments we have heard against this bill are without merit.

It has charged that the SMARTER Act would make it more difficult for the FTC to fulfill its consumer protection mandate. This is incorrect.

The FTC’s consumer protection powers are completely independent from the antitrust laws. The SMARTER Act deals only with the antitrust piece, so, by its terms, does not impact the FTC’s ability to prosecute “unfair or deceptive acts or practices.”

As for harm to consumers from proposed mergers, the SMARTER Act does not, in any way, affect substantive antitrust law; it does not amend, in any form or fashion, section 7 of the Clayton Antitrust Act or any of the FTC’s consumer protection powers.

Opponents also claim that the SMARTER Act removes an important tool from the FTC by eliminating its ability to pursue administrative litigation. This, too, is a red herring.

The SMARTER Act only removes the FTC’s administrative litigation authority in the very narrow context of proposed transactions. A report from the bipartisan Antitrust Modernization Commission determined that any benefit from such authority was marginal and “significantly outweighed by the costs.”

The FTC can still pursue administrative litigation in conduct cases and in actions against consummated mergers. Indeed, the AMC report stated specifically that: “Elimination of administrative litigation in . . . merger”—review—“cases will not deprive the FTC of an important enforcement option.”

Opponents also charge that enacting the SMARTER Act will make it more difficult for the antitrust enforcement agencies to stop a merger, but the SMARTER Act only changes the process; it does not have any substantive impact on merger reviews.

But don’t take my word for it. A letter from 15 leading antitrust professors states: “The SMARTER Act does nothing to undermine the FTC’s authority; it simply ensures that the merger review processes and standards are equally applied to merger parties regardless of which agency reviews the transaction.”

But perhaps the most ironic argument brought against the bill is that it is unnecessary because the FTC rarely initiates administrative litigation

after a court denies a preliminary injunction request. Administrative adjudications may be rare, not because regulators use the powers sparingly, but because the mere prospect of this protracted, costly process may prompt companies to abandon the merger even though they prevailed in court. That hardly seems fair.

Parties to a merger should receive the same treatment and have the same process regardless of the reviewing antitrust agency, and the SMARTER Act accomplishes that goal.

This legislation will help America continue to serve as a leader and innovator in competition law, and I urge my colleagues to support it.

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

The SPEAKER pro tempore. Pursuant to the rule, the previous question is ordered on the bill and on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE).

The question is on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE).

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

#### MOTION TO RECOMMIT

Mr. DOGGETT. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DOGGETT. Strongly.

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

The Clerk read as follows:

Mr. Doggett moves to recommit the bill (H.R. 5645) to the Committee on the Judiciary, with instructions to report the bill back to the House forthwith with the following amendment:

At the end of the bill, add the following:

#### **SEC. 5. PROTECTING CONSUMERS AGAINST HIGH PRESCRIPTION DRUG COSTS.**

Notwithstanding any other provision of this Act—

(1) the amendments made by this Act shall not apply to mergers that would unreasonably increase the costs of pharmaceutical drugs; and

(2) the Clayton Act (15 U.S.C.12 et seq.) and Federal Trade Commission Act (15 U.S.C. 45 et seq.) as in effect immediately before the date of the enactment of this Act shall apply to mergers that would unreasonably increase the costs of pharmaceutical drugs.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas is recognized for 5 minutes in support of his motion.

Mr. DOGGETT. Mr. Speaker, I offer this motion to recommit because Republicans have been motionless when it comes to acting on the spiraling drug prices that are harming so many Americans.

The willingness of this Congress to sit on its hands, stand idle in the face of the prescription price gouging that so many of our neighbors face, is nothing short of appalling, and there is

nothing “smarter” in this bill about dealing with that terrible problem.

Of course, President Trump has told us it is going to be “beautiful,” but every time you turn around, he is cozying up with some pharmaceutical lobbyists that are raising prices and putting some of their people in charge of his drug agenda.

All that this motion does is to take the very modest step of reducing the possibility that, through further mergers of drug companies, we will see the sick and dying extorted even more than they are today with skyrocketing prices that are made even worse when these mergers occur.

If this motion passes, it won't kill the bill or slow it down a moment.

What it will do is to give life to an effort to contain these mergers and see that prescription prices don't soar even further. Yes, it is not the principal issue on drug prices. Unfortunately, there is no wonder drug to stop prescription price gouging, but this is one of the only ways to get the issue to the floor of this House because our Republican colleagues in every committee are determined to remain silent and see no action whatsoever.

I continue to hear from my neighbors back in Texas who care about this a lot more than my Republican colleagues. They tell me they cannot afford their prescriptions or they are burdened with immense debt to do it.

I think of Elaine in San Antonio, who has suffered with glaucoma for a number of years. She is fighting to save her eyesight, but now her copays on three different necessary drops are costing \$400, \$227, \$178 per month. She says she wants to finish her senior years in dignity but is burdened down by these outrageous prices.

The choice should not be blindness or rent for a senior who has worked and saved all their lifetime.

Even in the face of the opioid epidemic, where we are about to hear about a whole lot of bills on the floor that don't do a whole lot, but in the face of that crisis, a devastating national public health emergency, the price of naloxone, a lifesaving overdose reversal drug, has been spiked by almost 600 percent.

Even an effective drug is 100 percent ineffective when it is unaffordable.

Too many drugs are ineffective for too many people because drug prices have soared at a rate of ten times the rate of inflation. But where some see a crisis like that, others see a revenue opportunity.

Brand name pharmaceutical manufacturers rely upon government-approved monopolies to charge monopoly prices, whatever they can get out of the sick and dying. They utilize as many maneuvers as possible to perpetuate their monopolies as long as possible while pouring their money, not into research and development of new drugs, but into lobbying this Congress and the administration.

Drug manufacturers spent \$171 million last year in Federal lobbying,

more than insurance, oil and gas, electronics, or any other industries. They had more lobbyists than we had Members of Congress. In fact, they could have a two-on-one defense to assure that this Congress is quiet, it is inactive, it is unresponsive to people.

Let's pass this motion and ensure that when the pharmaceutical companies use the \$80 billion tax windfall, that they were just rewarded by the Republicans to pay for more mergers, that consumers don't get caught in the middle and see their prices spike even further.

We need to commit ourselves to action by approving this motion to recommit, to commit ourselves to putting consumers first over Big Pharma.

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

Mr. GOODLATTE. Mr. Speaker, I claim the time in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. GOODLATTE. Mr. Speaker, this motion is unnecessary because this bill does nothing to undermine substantive antitrust enforcement. It might even hold up mergers that the court already found procompetitive and could help lower drug prices.

This is simply a dilatory tactic used by my friends on the other side of the aisle to hold up this important legislation.

For decades, American antitrust laws have been a shining example of how to protect against anticompetitive activities in a consistent, predictable, and fair manner.

Other countries have looked to our laws as the template for the creation of their own competition laws. Let us continue to be a model of proper antitrust enforcement.

The SMARTER Act is a common-sense process reform that ensures fairness and parity in the narrow field of merger reviews. The bill was recommended to Congress by a bipartisan commission and is supported by former top antitrust enforcement officials and past and present FTC Commissioners of both political parties.

Mr. Speaker, accordingly, I urge my colleagues to do the smart thing by opposing this bill and supporting the underlying bill.

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

The SPEAKER pro tempore (Mr. KUSTOFF of Tennessee). Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

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

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

Mr. DOGGETT. 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 pro-

ceedings on this question will be postponed.

#### CITIZENS' RIGHT TO KNOW ACT OF 2018

Mr. GOODLATTE. Mr. Speaker, pursuant to House Resolution 872, I call up the bill (H.R. 2152) to require States and units of local government receiving funds under grant programs operated by the Department of Justice, which use such funds for pretrial services programs, to submit to the Attorney General a report relating to such program, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 872, the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, is considered as adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 2152

*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 “Citizens’ Right to Know Act of 2018”.*

#### SEC. 2. REPORTING REQUIREMENT FOR DEPARTMENT OF JUSTICE GRANT RECIPIENTS USING FUNDS FOR PRETRIAL SERVICES PROGRAMS.

(a) *IN GENERAL.*—For each fiscal year in which a State or unit of local government receives funds under any grant program operated by the Department of Justice, including the Edward Byrne Memorial Justice Assistance grant program under subpart I of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.), and which uses funds received under such program for a pretrial services program, the State or unit of local government shall submit to the Attorney General a report which contains the following:

(1) *The name of each defendant participating in a pretrial release program administered by the pretrial services program, and whether, as applicable, each occasion on which such defendant failed to make an appearance.*

(2) *Information relating to any prior convictions of each defendant participating in the pretrial services program.*

(3) *The amount of money allocated for the pretrial services program.*

(b) *PUBLICATION REQUIREMENT.*—Subject to any applicable confidentiality requirements, the Attorney General shall, on an annual basis, make publicly available the information received under subsection (a).

(c) *REDUCTION IN FUNDING.*—The Attorney General shall, for State or unit of local government which fails to comply with the requirement under subsection (a) for a fiscal year, reduce the amount that the State or local government would otherwise receive under each grant program described in subsection (a) in the following fiscal year by 100 percent.

(d) *REALLOCATION.*—Amounts not allocated to a State or unit of local government under subsection (c) shall be reallocated under each such grant program to States and units of local government that comply with the requirement under subsection (a).

(e) *DEFINITION.*—The term “failed to make an appearance” means an action whereby any defendant has been charged with an offense before a court and who is participating in a pretrial release program for which funds received under a

grant program referred to in subsection (a) are used as a condition of pretrial release—

(1) does not appear for any court date regarding such charge;

(2) does not appear for any one appointment with the pretrial services program; or

(3) does not appear for any post-release appearance the court may require.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.

The gentleman from Virginia (Mr. GOODLATTE) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

#### GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2152.

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

There was no objection.

□ 1430

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

I rise in support of H.R. 2152, the Citizens' Right to Know Act of 2018, introduced by the gentleman from Texas (Mr. POE).

A little over 50 years ago, there were three pretrial options for defendants accused of a crime: they were released on their own recognizance, granted commercial bail, or remanded to custody.

When considering the options on whether to grant ROR, set a bail amount, or remand, the judge considers a number of factors, including the severity of the crime charged, the suspect's criminal record, the danger posed to the public if the suspect is released, and the suspect's ties to community, family, and employment. Commercial bail ensures the appearance of the defendant in court at no cost to the taxpayer.

The situation for defendants began to change in the 1960s. The first U.S. pretrial services program, the Manhattan Bail Project, was established in 1961. The Manhattan Bail Project was intended to help defendants who were financially unable to post the surety bond conditions set in New York City.

The program interviewed defendants to gather information on community ties to determine a defendant's likelihood to appear in court. Based on these interviews, low-risk individuals were recommended for release on their own recognizance or the defendant's promise to appear without financial obligation.

Unfortunately, over the last four decades, pretrial release programs have expanded well beyond their original scope and purpose. Today, there are over 300 pretrial release programs na-

tionwide, whose participants routinely include violent and repeat offenders, many of whom are able to post a commercial bond and have done so in the past. In many instances, the Federal Government has become a major source of funding for pretrial release programs.

Currently, these pretrial release programs funded by the taxpayers are not required to report any information about the defendants released through their programs into the communities. Basic information on defendants is neither collected nor reported in any systematic fashion.

H.R. 2152 requires jurisdictions that receive grant money from the Department of Justice to operate a pretrial release program to report certain information concerning the defendants to the Attorney General.

The bill requires the jurisdiction to submit the criminal histories of the defendants and the number of times the defendant has failed to appear as ordered by the court. It also requires the Attorney General to make public the information the Department of Justice receives. In my mind, that isn't a whole lot to ask these jurisdictions.

In fact, this bill is beneficial because citizens have the right to know what types of defendants are being released prior to their trial. If a defendant has a long history of criminal behavior or frequent failures to appear in court, the community should know that. Likewise, residents should be aware if their community is running a successful pretrial services program where defendants are regularly making it to their court appearances.

Simply put, no matter what side of the bail or no-bail debate you find yourself on, you should support this bill. Information like this, in the hands of the public, is never a bad thing. It will also be helpful to those of us who make policy on these matters.

I want to thank Mr. POE for introducing this legislation, and I urge my colleagues to support H.R. 2152.

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

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

Mr. Speaker, I thank the gentleman, and I thank the ranking member of the committee, Mr. NADLER, and the chairman of the committee, Mr. GOODLATTE, who is now managing the bill; and I certainly acknowledge my fellow Texan and know that he has all good intentions on important legislation dealing with the question of safety and security.

H.R. 2152, unfortunately, has been noted possibly to have requirements that would undermine the privacy of those who participate in the program, who are disproportionately poor Americans, and discourages the use of pretrial service programs in communities across the country because of the punitive measures in this bill. I rise to oppose H.R. 2152 because it is flawed and

needs to address the disparate treatment of poor Americans.

I believe the consideration of the issues underlying the bill is timely but, unfortunately, not directed in the right way. The House should examine pretrial services and bail issues with the goal of reforming our Nation's bail system, not for the purpose of protecting the use of money bail which is unfair to the indigent, unproductive, and expensive for American taxpayers.

In fact, in Harris County, we have a money bail system, and a Federal judge, Judge Lee Rosenthal, indicated that it was disproportionately unfair to poor constituents in the State of Texas and, particularly, Harris County. We have been working to come together and have an agreement in our local community on recognizance bonds for individuals who work, and put a certain criteria in.

Mr. Speaker, I can assure you, we are as concerned about the safety and security of our constituents, but it would be inappropriate for us to enhance the commercial bond industry, which I certainly appreciate—they create jobs and they are businesses—in contrast to individuals who simply cannot afford a money bond.

In this instance, this bill would penalize those entities, those communities that use Federal funds for pretrial release programs if they don't provide all of this data. Now, it might be important to provide this data for someone who is particularly dangerous, but, Mr. Speaker, you know just like I do, those individuals do not get a bond.

So, as I indicated, the Citizens' Right to Know Act would require a State or local government that uses Justice Department grant funding to pay for pretrial services, which are important programs, to report, annually, certain information to the Department of Justice about defendants who participate in the pretrial services program.

The very fact that you are in the program is an indication, in most jurisdictions, that you are not a violent felon. You would hope that you are not a person accused of sex crimes, sex trafficking, human trafficking. Those are matters that can be fixed.

Information that will be required to be reported includes the name of each defendant participating in the pretrial release program and each occasion that the person failed to make an appearance, the record of prior convictions of each participant, and the amount of money allocated for the pretrial services program.

If a unit of government fails to comply with the reporting requirement, it would lose its entire funding under the relevant program for the following fiscal year, penalizing smaller communities, innocent communities that didn't have the wherewithal to provide all that data. Certainly, it would be better spent on making sure that they use the pretrial program efficiently and safely and secure.

The requirements in this bill largely mirror legislative initiatives being advanced by ALEC, the American Legislative Exchange Council, in the States, under the false guise of transparency.

Citizens have a right to know what their government is doing. I absolutely agree with that, and I support the reporting of information that will educate us as to what is taking place. As for H.R. 2152, however, I question whether the categories and information that must be reported under the bill are designed to do that or are adequate to tell us about the efficacy of these programs. In addition, the bill requires that this information be made publicly available by the Attorney General.

The Leadership Conference on Civil and Human Rights, the ACLU, NAACP, Human Rights Watch, and Color of Change have written to us opposing the bill and expressing concerns about this publication requirement and the harm to individuals resulting from a sharing of criminal records and personally identifying information. I share these concerns. The groups that I have named have been historic organizations that have dealt with the civil rights, civil liberties, privacy, and constitutional rights of Americans, no matter who they are.

Although the Judiciary Committee adopted an amendment to eliminate the reporting of arrest records of the participating defendants, I see no need to compile and make public information about prior convictions and the failures to appear in connection with identifier-specific defendants—maybe over all numbers, but this would be unnecessary and unproductive.

The main crux of what we should be about is that a pretrial program is a secure and safe program. The levels of a person who can participate should be utilized with guidelines, restrictions, and, certainly, local monitoring. But to penalize an organization, entity, a governmental entity trying to do its best and to be fair and balanced in the criminal justice system based on money bail is something that I would raise the question.

You can document, in Harris County, that we have had an enormously disproportionate impact on individuals with small offenses who have had to go no other route but either jail or money bail. They have no money bail. They are in jail. They could have a legitimate job. They could be a teacher.

We just had an incident with a mother who was placed in—she was, unfortunately, at least the allegations are, that she was driving, unfortunately, in a school zone and had a minute amount of marijuana. Whatever our positions are on that, she was sent to the Harris County jail, of course, lost her job. She was gainfully employed and is, obviously, distraught.

I hate to say it; her allegations are that she was raped in the Harris County jail, sad to say that. But the point is, just think if she could have been re-

leased on her own recognizance and/or a small amount in a pretrial release program. Not given that opportunity, she was taken in and, unfortunately, suffered these unfortunate consequences.

Members submitted amendments to the Rules Committee to address some of these concerns and also to encourage States to eliminate monetary bail, but none were made in order for consideration on the floor today. That is unusual, a closed rule on a Judiciary Committee bill that is the arm of decency as relates to decency, dignity, liberty, justice, and freedom.

Those are very important elements to the American people, and, certainly, the amendments should have been at least given consideration for the Representatives of the people of the United States in the people's House to debate these amendments. That was not the case, so we have a closed rule. I am baffled by that.

Instead of considering this bill, the House should be taking up legislation to encourage States to end the practice of requiring money bail, a practice that disparately impacts the poor and most vulnerable in our society.

For instance, I am a cosponsor of H.R. 1437, the No Money Bail Act of 2017, which would reduce Justice Department grant awards to States that do not eliminate money bail and would also eliminate bail at the Federal level. Instead of considering H.R. 2152, we should be advancing legislation such as H.R. 1437, or, minimally, both bills should be on floor at the same time.

Again, this is no attempt to undermine how we secure our communities. I certainly take no backseat to the fact that our families, communities, police officers, and people in the criminal justice system should be protected, and those who have been given the benefit of a pretrial release should adhere to the rules that are there; but I can see no reason to be punitive to the local governmental entities as relates to not reporting names and all those details, including prior convictions, et cetera, et cetera.

What is the Federal Government going to do, say, if you have two prior convictions, you can't be in the pretrial release program? That is a local, State issue as opposed to a Federal issue, and what you are doing is connecting desperately needed criminal justice dollars from the Department of Justice to communities that may be trying to do their best.

With the version of H.R. 2152 that was reported out of the Judiciary Committee, we are not doing that, unfortunately. Therefore, I oppose the bill and hope that the House will soon take steps to do something about the real problem: our Nation's unjust money bail system.

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

Mr. GOODLATTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. POE), the chief sponsor of this legislation.

Mr. POE of Texas. Mr. Speaker, I thank Chairman GOODLATTE for bringing this legislation to the floor.

I have several comments that I would like to make in response to my friend from Houston, Ms. JACKSON LEE, about this legislation and about what it is and, more importantly, what it is not.

I served 22 years on a criminal court in Houston, Texas, felony cases, saw about 25,000 people work their way through my court. Before that, I was a prosecutor for 8 years in State court. Mr. Speaker, I saw a lot of people charged with criminal conduct, and this legislation is necessary because of some problems that the system has created.

As the chairman pointed out, pretrial release is a relatively new concept in our justice system. When a person comes and is charged with a crime, generally speaking, in most jurisdictions, there are four ways in which that individual can be released until their day in court:

One way is to put up a cash bond, where they put up the cash to the sheriff's department sometimes, and after the case is over with, they get that cash back.

Another way is to go through a bonding agency where they pay a bonding agency a percentage and they, the bond company, are responsible for making sure the person appears in court. If they don't appear, the bonding company loses the entire bond money.

There is a personal recognizance bond, where an individual comes to court and tells the judge and promises: Judge, I will come back to court for my trial.

□ 1445

It is an agreement between the judge and the individual.

And then there is the pretrial release system.

The pretrial release system is similar to personal recognizance, except the person is supposed to be supervised by a government agency, usually called the pretrial release agency, that makes sure that that person abides by certain conditions, doesn't leave town, and that pretrial release agency is usually run by the local judiciary or the justice system like the county, four different ways.

This legislation deals only with the pretrial release programs in our Nation, the 300 pretrial release programs.

The Citizens Right to Know Act is really not reforming pretrial release, it is an accountability portion of pretrial release to let people know how the Federal money is being used to operate.

Each year, millions of dollars in Federal grant money goes to State and local pretrial release agencies to operate those programs. These programs allow the accused individual to be released and await trial, usually to stay in the jurisdiction.

However, some jurisdictions overuse the programs and release many repeat and dangerous individuals with no

oversight by anybody. They are just reeled into the community.

Some of these released individuals disappear from the justice system indefinitely. We don't know how many do because there is no reporting of people under the pretrial release program to the Federal Government when they receive Federal funds.

In many cases, repeat, violent, and hardened criminals participate. As a result, in jurisdictions across the country, taxpayers are literally bailing out individuals with a long criminal record on a new criminal offense.

All across America, terrible crimes are being committed by individuals who are bailed out on a pretrial release program because there is no accountability of the program.

This bill is an accountability bill. Who is being released? What types of cases are being released? How many people repeat a crime while they are out on pretrial release?

We don't know because those records are never kept. So if the taxpayers are going to fund pretrial release programs, as they should in local jurisdictions, let the pretrial release program report back to the Federal Government the results of the program. Is it working? Is it not working? That is what we need to know, and we have no idea today.

It doesn't have anything to do with determining who is released on pretrial release, it just wants these organizations to report back to the Federal Government because the public has the right to know if the program is working.

Right now, that is neither collected or reported in any systematic fashion.

Why not? Why don't these pretrial release programs in the country say: Yes. It is working. Everybody comes back, or a great percentage comes back. Or: No. It is not working. People disappear. They commit crimes. We don't know, Mr. Speaker.

All this bill does is help pretrial release let us know and let them know and the public know, is the pretrial release program working in that jurisdiction?

You are using Federal money to operate the program, therefore, report back to the Federal Government on how that program is working or not working.

It doesn't change the pretrial release program, except it requires accountability. For too long, we have not allowed or required accountability of what takes place under the pretrial release program.

It does not collect data on each pretrial release defendant to determine if these agencies are effective in ensuring that defendants adhere to their pretrial requirements and whether the defendants actually show up for trial. It collects it on all defendants that the pretrial release program must report to the Federal Government.

Congress must be able to determine the effectiveness of these programs,

and without basic information like this, Congress can't ensure that the programs are working around the country.

Mr. Speaker, the taxpayers need to know if their resources are being spent wisely, and that communities are being protected.

There have been numerous cases where individuals were released on pretrial release bonds, and they had a long criminal record, and they commit another offense.

Mr. Speaker, I include in the RECORD a letter regarding pretrial release programs.

OCTOBER 27, 2017.

Hon. BOB GOODLATTE,  
*Chairman, House Judiciary Committee,*  
*Washington, DC.*

Hon. CHARLES GRASSLEY,  
*Chairman, Senate Judiciary Committee,*  
*Washington, DC.*

GENTLEMEN: We are writing to express our strong support for HR 2152, the Citizens Right to Know Act, sponsored by Rep. Ted Poe (R-TX). The legislation has been referred to the House Judiciary Committee.

This legislation is long overdue. It requires pre-trial release agencies receiving federal funds to report to the Department of Justice, who participates in their programs, including participant:

Criminal history, including previous charges filed

Previous failures to appear for trial  
Previous and current non-compliance infractions

Currently these pre-trial release programs aren't required to report any information about the defendants released through their programs. Basic information on defendants is neither collected nor reported in any systematic fashion. The DOJ only collects data from pre-trial release agencies related to crime rates and trends in the aggregate. It does not collect data on specific participants and programs. Thus, there is no mechanism to determine if pre-trial release agencies are effective in ensuring that defendants adhere to their pre-trial release requirements or whether these defendants actually show up for trial.

Without this legislation, policymakers and taxpayers have no ability to determine the effectiveness of taxpayer-funded pre-trial release programs. And without such data, hundreds of federally funded pretrial release programs lack sufficient accountability to U.S. taxpayers. This lack of accountability has allowed many repeat and violent offenders to get out of jail on our tax dollars.

Until the 1960's, principal options for the accused were ROR (release on one's own recognizance) commercial bail or incarceration. Commercial bail ensured the appearance of the defendant in court at no cost to the taxpayer. Pre-trial release programs began in the 1960's for the purpose of securing release for indigent, non-violent offenders who couldn't afford monetary bail.

However, over the last four decades, pre-trial release programs have expanded well beyond their original scope and purpose. Today there are over 300 pre-trial release programs nationwide whose participants routinely include violent and repeat offenders, many of whom are able post a commercial bond and have done so in the past. In many instances, the federal government has become a major source of funding for pre-trial release programs.

If Congress continues to fund pre-trial release programs, then Congress must be able to determine the effectiveness of such pro-

grams. Taxpayers deserve to know if their limited resources are being spent wisely and their communities are being protected.

We believe swift passage of H.R. 2152 will provide greater transparency for pre-trial programs, greater accountability for taxpayer funds, and increased public safety for our communities.

Sincerely,

Patricia Wenskunas, Crime Survivors;  
Mark Klaas, Father of Polly Klaas,  
Klaas Kids Foundation; Ronald  
Lampard, Criminal Justice Reform,  
Reform Task Force, American Legislative  
Exchange Council (ALEC); Jim  
Backlin, Christian Coalition; Colin  
Hanna, Let Freedom Ring; Kay Daily,  
Coalition for a Fair Judiciary; Susan  
Carleson, American Civil Rights Union;  
Harriett Salerno, Crime Victims  
United; Beverly Warnock, Parents of  
Murdered Children; Gary Bauer, Amer-  
ican Values; Jim Gilmore, Free Con-  
gress/American Opportunity Founda-  
tion; Beth Chapman, Professional Bail  
Agents Association; Larry Cirignano,  
Children First Foundation.

Mr. POE of Texas. Mr. Speaker, the Citizens Right to Know Act simply states that if a State or local jurisdiction is going to use Federal money for a pretrial release program, they must report to the Federal Government information on who participates in the program, the criminal records of those individuals, the appearance rate at trial, and the previous failure to appear of those programs.

I also want to be clear that any State or local jurisdiction that does not report this information will lose the portion of Federal funds which they use for pretrial release programs only. Other Federal funds will not be affected that go to, for example, Byrne grants. I just want to clear that up because my friend, Ms. JACKSON LEE, mentioned that they are going to lose all Federal funds. No. They just lose the funds that apply to Federal pretrial release programs if they don't report those statistics.

There is some question about the privacy of individuals. If States have a law to protect the privacy of certain persons on pretrial release, this bill does not change that. This bill says that if the State has those privacy laws for individuals, which some do, that is fine. That will not be affected or overruled by this Federal law.

I think that this legislation is necessary to see if these programs are working. If they are working, maybe we ought to expand them. If they are not working, maybe Congress needs to reform the pretrial release program.

This legislation enjoys widespread support. One of those supporters is the National Association of Police Organizations. I include in the RECORD a letter indicating their support.

NATIONAL ASSOCIATION OF  
POLICE ORGANIZATION, INC.,  
*Alexandria, VA, May 9, 2017.*

Hon. TED POE,  
*House of Representatives,*  
*Washington, DC.*

DEAR CONGRESSMAN POE: On behalf of the National Association of Police Organizations (NAPO), I am writing to you to express our support for the Citizens' Right to Know Act of 2017, H.R. 2152.



NAPO is a coalition of police unions and associations from across the United States that serves to advance the interests of America's law enforcement through legislative and legal advocacy, political action, and education. Founded in 1978, NAPO now represents more than 1,000 police units and associations, 241,000 sworn law enforcement officers, and more than 100,000 citizens who share a common dedication to fair and effective crime control and law enforcement.

Each year, millions of dollars in federal grant monies go towards state and local pretrial release programs, which allow accused criminals to await their trial at home, rather than in jail. These programs, which in many cases serve repeat, dangerous criminals, often operate with little oversight, putting public safety at risk. Increased oversight of these programs would decrease the possibility of the accused committing crimes while on pretrial release or simply disappearing to avoid facing justice.

The Citizens' Right to Know Act addresses the lack of oversight of these programs by mandating that federally-funded pre-trial service agencies publicly report on program participants, including if they have a history of criminal behavior, whether they appear for their trial, and whether they have ever previously failed to appear for trial. As federal dollars are going towards bailing out criminals, this Act helps ensure that the accused face justice and our communities are protected.

We look forward to working with you to pass this important legislation.

Sincerely,

WILLIAM J. JOHNSON,  
*Executive Director.*

Mr. POE of Texas. Mr. Speaker, I urge support of this so we can know exactly what is taking place with Federal funds that are being used to keep people and let people, as Ms. JACKSON LEE pointed out, out of jail without having to use some other type of system. And if it is working, let's expand it. If it is not working, maybe Congress needs to be involved to make sure that people do show up for trial, because that is the whole key of a bond, is to release the person under some type of bond, like a pretrial release bond, but we want them to appear in court.

I had cases in my court where people were released on pretrial release bonds; they would show up for trial. I had cases in my court where they were released on pretrial release bonds, and they are still running loose years later.

We don't know the statistics of who is released and who comes back and who is released who never comes back.

This legislation just wants a report to Congress so we can decide on reforms if necessary in the future.

Mr. Speaker, I thank the chairman for yielding me time.

Ms. JACKSON LEE. Mr. Speaker, I thank the gentleman from Texas. He is a dear friend. As we debate this question, I think it is a very important moment as we look at comprehensive criminal justice reform.

Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. JOHNSON), the ranking member of our Subcommittee on Courts, Intellectual Property, and the Internet.

Mr. JOHNSON of Georgia. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, I strongly urge that this body oppose H.R. 2152, which is a classic piece of legislation which poses itself as a solution, but it is in search of a problem. The solution has very ominous consequences for minorities and poor people, and infringes on the constitutional rights of citizens, that they should be presumed to be innocent until proven guilty when they participate in these pretrial release services.

When I was a magistrate court judge in DeKalb County, Georgia, over a period of 12 years, starting in 1989 to a time about 5 years before I came to Congress, it was my duty to commit people to pretrial services.

Everybody knows how it works, everybody knows who is eligible, and everybody knows that it is a roaring success. There are no problems with pre-trial services, which help poor people and basically minorities, who tend to be disproportionately caught up in the criminal justice system.

It helps people who can't afford to make a money bail to be able to get out of jail with some minimal supervision as they await disposition of the charges against them.

It is a simple program administered by State and local authorities around the country. It works. There is no question about it. There is no need for any Federal supervision or oversight of these programs.

What H.R. 2152 does would be to require local governments who receive DOJ funding for pretrial services to send a report to the DOJ, the Jeff Sessions DOJ, detailing the personally identifiable information on those defendants participating in alternative bail/pretrial release programs, which are typically utilized by those who can't afford money bail.

Sending this information to the DOJ will create a permanent record of the defendants who are awaiting trial, and that data will remain in a Federal database, even if the charges against the accused are dropped or the accused is found innocent.

Pretrial service programs are critical in protecting those who are unable to post bond during their pretrial stages, and this legislation would disproportionately impact minorities and poor people.

The presumption of innocence is one of the most sacred elements of our criminal justice system and a pillar of many modern-day criminal justice operations in modern society throughout the world.

H.R. 2152 threatens this right to a presumption of innocence. Pretrial service programs are critical, and poor people and minorities should not be penalized by being permanently marked in a Federal database, and for that reason I ask my colleagues to not approve this solution in desperate search for a problem with ominous implications for poor and minority people.

Mr. GOODLATTE. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. HIGGINS).

Mr. HIGGINS of Louisiana. Mr. Speaker, I rise today in support of H.R. 2152, the Citizens Right to Know Act.

As a cosponsor of this bill, and a law enforcement for over a decade, I believe this bill is common sense and a needed piece of legislation.

May I share respectfully with my colleagues on both sides of the aisle who may be in doubt of this bill, if you are in support of pretrial diversion programs, then you should support this bill.

The existence of pretrial diversion courts is manifested in our Nation due to a righteous need for proper adjudication at all levels of the economic strata and all portions of our culture and society.

But the pretrial diversion program comes after arrest. Arrest is made by the police officer investigating the incident. Innocence is presumed until adjudicated guilty or otherwise, and within 48 hours of arrest, probable cause has to be presented in the form of an affidavit to a magistrate court, and that judge will determine if that American has been rightfully incarcerated, his freedom taken from him, our most precious right as Americans.

We stand in the body which gave birth to the concept of a man and a woman's right to be free, and I support that.

The diversion programs across America, however, through their rather brief history within our judicial system, have failed to provide sufficient data to the jurisdictional authorities that gave birth to them, and that data has not been shared at the Federal level which supports them financially through the harvesting of treasure from the American people that we serve.

I respectfully submit to my colleague that I am a compassionate American man that believes in innocence until proven guilty, and I would like for diversion court programs to continue and grow across our country to better serve the needs of we the people, to recognize the fact that all of us, in some way, are failed and fallen, and we should, of course, with compassion, move forward through the judicial system.

The pretrial diversion programs that exist across our country depend upon a cornerstone of confidence among the jurisdictional authorities that they operate within and the Federal Government that funds them, that they are operating within parameters that are accepted across the country as abiding by laws local, State, and Federal.

□ 1500

To not share data that is readily available by these courts with the Federal Government that funds them is an angle that could be used to defeat these courts that we support. So the compilation of data righteously collected and disseminated is something that we should support if we further support these very court systems.

So this legislation before us today would give Federal and State law enforcement agencies vital data on criminal offenders, repeat or otherwise, who

are placed within the diversion court systems. This information is crucial to both promoting public safety and giving policymakers better insight into the effectiveness of pretrial programs, which I support.

I would like to thank Congressman POE for his leadership on this issue, and I urge my colleagues very respectfully, on both sides of the aisle, to support this legislation.

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

Let me indicate and reemphasize points that I made and, as well, points that Mr. JOHNSON made.

This will have a disparate impact, and what strikes me of great concern is that this amendment was, in essence, a closed rule.

I submitted an amendment that would basically gather data—which, I think, is what the proponent of this legislation wants—to ensure that pretrial release is working, to show that people who would be a threat to the community are not running without restraint, and to show the number of people who would appear for their appearance, if you will, in court who were beneficiaries of the pretrial release program. Those are all good elements, but it concerns me, again, that we don't have any clear parameters of whom this will hurt.

And also, small communities are dependent upon Federal grants. Their structure may not be the best, and so, if you are now asking them for reporting of individual names and past offenses, I beg the question of the value of that information.

What we really should have is aggregate numbers of who, under the pretrial program, is able to or is, in essence, not meeting the criteria and is breaking the agreement and commitment they have to either appear or to stay in a certain area. That is important information, and I think the DOJ could utilize that in an aggregate form.

Why are we giving names that will remain in the DOJ database for someone who may ultimately go back to work, as this mother may go back to her family and her life would hopefully—even though she experienced a tragedy in the jail and lost her job, let's hope that she has a future.

But if she were caught in this bill, would her name now be in the database? I have not researched her case. It seems that this might have been her first offense, but it certainly was a minor offense with a small amount of marijuana. As the facts evidence, it was the jurisdictional, the geographic area that she was in that caused the greatest trouble.

So the other side of it is that money bail is another issue that we should have looked at. We should have put both bills on the floor of the House because there is a movement across the Nation to begin to address, again, disparate treatment of money bail—not on the issue of race, but on the issue of economics.

So the person working in the fast-food place is in jail and, most likely, loses their job. We know that people who work in fast-food are mothers, fathers, grandmothers, and grandfathers taking care of families, and being in jail does not help them take care of their family. You can be assured—unlike maybe other positions where you can say I was on vacation or that you didn't even stay in jail because you had the money to get out of jail—you cannot say you are on vacation for a couple of days or that you were nothing because you are right out back at work. You are fired.

A very evident case is the gentleman who was wealthy in Texas—a very renowned case—found in a hotel room in Galveston. He had decapitated his roommate's head and disposed of it—is my recollection. I stand to be corrected if my recollection is not correct—in the Galveston Bay, and because he could post a \$100,000-plus bond, Mr. Speaker, he was released. Put that on any poor person, and we would be aghast at even how this person got bond set. But he did. Ultimately, he was acquitted in that case. I still shake in my boots.

So the issue is there is more to this than giving names and putting it in a database in the DOJ for persons who may never commit another offense in life. Money bail contributes, again, to the unnecessary detention of many low-risk pretrial defendants, inappropriate release of high-risk defendants who have financial means—as I just indicated, a person who decapitated a person's head—unwarranted financial burdens on low-income communities, and the gamble of placing public safety in the hands of a bail bonding industry that will always profit before the public good, a real point to the unfairness of the money bail.

Yet you would deny funds to small towns that are doing pretrial release, or even big counties and cities that are trying to do their best, but they need these Federal funds. Find another way for us to be able to assess what is going on.

Wealth-based detention has disastrous consequences: overcrowding of local jails, lost jobs, lost housing, poor sanitation and medical care, broken families, and it drains local budgets.

In many cases, an arrestee may be held longer in jail while awaiting trial than any sentence she or he would likely receive if convicted. Right now, in my own county and other big counties around the Nation that have not corrected that, they are doing that right now: causing innocent people to plead guilty to offenses that they did not commit in order to shorten the lengthy pretrial detention. Individuals who are detained are not able to assist their attorneys in the investigation of charges against them, resulting in many wrongful convictions and longer sentences.

So I only offer this thought so that we can have a viable discussion on the

money bail issue and the disparate treatment that this legislation—though, not intended—would bring about when you ask communities to give the names and prior convictions of persons who may have had one or two marijuana or DUI—which all of us abhor—convictions. But the privacy issues are a concern, and the lack of debate on the impact of money bail and its unfairness are not being discussed, and the lack of a rule that allows amendments, I think, concerns me.

Mr. Speaker, I include in the RECORD a letter from the Leadership Conference on Civil and Human Rights, the American Civil Liberties Union, NAACP, Human Rights Watch, and Color of Change, who expressed their opposition to this legislation.

MAY 8, 2018.

VOTE “NO” ON THE “CITIZENS’ RIGHT TO KNOW ACT OF 2017” (H.R. 2152)

DEAR REPRESENTATIVE: On behalf of The Leadership Conference on Civil and Human Rights, the American Civil Liberties Union (ACLU), the NAACP, Human Rights Watch, and Color of Change, we urge you to vote “No” on H.R. 2152, the “Citizens’ Right to Know Act of 2017,” as the House considers this bill. This legislation raises serious privacy concerns for the civil and human rights community given the personally identifiable data that is to be collected and publicly reported by the federal government. The bill also undermines efforts to eliminate or reduce jurisdictions’ reliance on money bail systems. We urge the members to instead consider H.R. 1437, the “No Money Bail Act of 2017,” and other bipartisan efforts to encourage the elimination of money bail systems.

THE CITIZENS’ RIGHT TO KNOW ACT RAISES  
PRIVACY CONCERNS

The Citizens’ Right to Know Act requires jurisdictions receiving funds from the Department of Justice (DOJ) to report to the Attorney General the names, arrest records, and appearance failures for those participating in DOJ funded pretrial services programs. The legislation allows the Attorney General to make public the names, arrest records, and failure appearances that jurisdictions report. Except for a clause that subjects the data “to any applicable confidentiality requirements,” the bill does not provide any explicit privacy protections for those whose personally identifiable information has been collected by the federal government and is subject to public release. The bill requires that the Attorney General penalize noncompliant jurisdictions by denying them 100 percent of the DOJ grant program funds that are used to support pretrial services programs.

While we appreciate the need for the federal government to collect and report data, personal privacy interests must be balanced with public interests. When personally identifiable information is being collected and publicly reported, we believe that such information should be obtained and disseminated only with individuals’ informed consent. We also believe that the potential to harm individual reputations should be considered when arrest records are publicly shared. We are troubled that the Citizens’ Right to Know Act would collect and publicly report personally identifiable information of individuals participating in pretrial services programs—individuals who have not been convicted of a crime given their pretrial status.

THE CITIZENS' RIGHT TO KNOW ACT UNDERMINES  
BAIL REFORM EFFORTS

The Citizens' Right to Know Act is inconsistent with efforts to reform money bail systems, like the No Money Bail Act, which many of our organizations support. By collecting and reporting only certain data about pretrial services programs and those participating in them, the Citizens' Right to Know Act will depict a one-sided picture of pretrial services programs and participants. For example, the legislation's focus on when an individual has failed to appear promises a negative narrative around the pretrial stage. If this bill were serious about measuring the true impact of pretrial services programs, it would collect a more robust data set and not that which is of interest only to the bail bonds industry.

We support bail reform that corrects the injustice of basing a defendant's release on how much money the person has. Instead of considering the Citizens' Right to Know Act, Congress should take up the No Money Bail Act of 2017. This legislation would incentive jurisdictions to reform their money bail systems using federal resources. The No Money Bail Act would build safer communities, stronger families, and a fairer criminal justice system by ensuring that people who are innocent in the eyes of the law are not deprived of their freedom because they cannot afford money bail.

For the above described reasons, we urge members of the House to vote "No" on the Citizens' Right to Know Act. Instead, we encourage the House of Representatives to give serious consideration to bail reform bills through legislative and oversight hearings on the issue.

Sincerely,

The Leadership Conference on Civil and Human Rights, American Civil Liberties Union, NAACP, Human Rights Watch, Color of Change.

Ms. JACKSON LEE. Mr. Speaker, I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, may I inquire how much time is remaining on each side.

The SPEAKER pro tempore (Mr. HIGGINS of Louisiana). The gentleman from Virginia has 13½ minutes remaining. The gentlewoman from Texas has 8½ minutes remaining.

Mr. GOODLATTE. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. POE).

Mr. POE of Texas. Mr. Speaker, when a person is arrested and charges are filed, usually, now, in our country, they don't sit in jail waiting to see a judge for weeks or months. They see a judge within 24 hours. They appear in court. The judge sets bail. This is all public record, including the name and what the person is accused of. It is already public record. So it is not something that is new.

The judge sets bail and determines if the person can afford a lawyer or not and appoints a lawyer right then, within 24 hours. I think that is marvelous in our country. I remember the old days when that did not happen.

This idea that we are denying a person's right of privacy, it is public already, people who are charged with crimes.

My friend from Georgia said pretrial release works. It is a proven thing to work. Well, how does he know that? Because he says so? We don't know if it works or not.

Mr. Speaker, in April of 2017, 26-year-old Christian Rogers was walking along the street in New Jersey and he was shot 22 times. His assailant, Jules Black, a 30-year-old from Vineland, New Jersey, had just been arrested 4 days earlier by the State police and charged with possession of a handgun. He was released on pretrial release and had a long criminal record.

Christian Rogers is just one example of a victim who was killed because of the pretrial release program. So I would disagree with my friend from Georgia that it is working. We don't know the statistics.

I told you this earlier when I spoke. I was a judge in Harris County for 22 years. People were released on pretrial release. The very people who are released on pretrial release are the people that my friend from Texas is talking about: people who can't afford a surety bond, people who can't afford any kind of bond.

So pretrial release serves its purpose and it serves it to a specific part of the community, but we need to know if it is working, if these people come back for their day in court or they don't come back for their day in court or if they commit a crime while they are on pretrial release. We don't know the statistics.

All this legislation says is let's audit pretrial release across the country and see if it is working, see if it is not working, see if we can make improvements. That is all it is. It is an audit. It is not denying anybody any rights under the Constitution.

Mr. Speaker, I think the legislation is a good idea. We need to know if taxpayer money is working. I appreciate the extra time the chairman has given me.

Mr. Speaker, that is just the way it is.

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

Mr. Speaker, I am clear and I think my colleague Mr. JOHNSON is clear on the pretrial release versus the money bail, but in many instances, pretrial release may have a negative impact on a poor, alleged actor of criminal activity as the money bail system. But this will add additional pain and lack of promise.

As I said, my amendment was to have the aggregate number of those who did not appear. That is viable and important information. You could have it by counties, small towns, villages, and cities to indicate what the impact is of pretrial release.

What strikes me as a concern is to have names and prior convictions, because it becomes part of a DOJ database and these persons may never commit another crime. They might have been in the hospital, maybe they get back and say why—I don't know what it means if you didn't make the first one and they got information that Mr. Smith was in the hospital, didn't have a lawyer, is coming back, but his name

has already been sent out. And then you are going to penalize the local jurisdiction for the Federal funds that they are so desperately in need of.

By the way, I am grateful that in the omnibus that we recently passed, we plussed up all of those numbers. And I can assure you, our communities are jumping for joy in the work that they have to do in criminal justice reform or to secure or to make safe their communities, particularly, our police officers for whom I have championed the COPS on the Beat, and I just wish we could really plus that program up because it is a very viable program that we had from the 1990s.

So taking money away is going to be, in this instance, when there could be a positive alternative to giving the information, something that I would be concerned about.

□ 1515

I have already mentioned the issue that wealth-based detention has disastrous consequences: overloading the local jails, the lost jobs, the lost housing, poor sanitation, medical care, broken families, and draining local budgets. So let us have a moment on the floor that we can discuss the reform of money bails, as was done in the Federal court in the Southern District of Texas.

In closing, I would like to reiterate that this bill is, as they say, an effort at finding a problem. It is important that we promote transparency and accountability in government, but this bill does not move in that direction. I am willing to extend my hand of friendship to my friend from Texas. We will see where this bill goes.

But we know what it may really do. The bill was written for the purpose of burdening pretrial services programs, publicizing the sensitive information of defendants who are charged with but not convicted of a crime—and I think that is an important element; you really do deserve privacy if you are just an accused and not yet convicted—and in order to undermine the efforts to reform the money bail system.

That is why civil rights organizations have written to oppose this bill. I would like to think that they would be willing as well to work with us and come halfway to address the question of the money bail disparate treatment, discriminatory impact. By the way, it is not just a racial disparate treatment; it is a poor people's disparate treatment; it is a working people's treatment, when they don't have money.

We have heard the stories. They put up grandmother's house, their house, and it becomes a real tall mountain to climb. The money bail has been harmful and, in some instances, shameful in what it has done to poor, working families. And instead of considering the

bill that would help us reform that, we should be considering—rather, this bill with the ask of private information. I would like to see if we have to have this bill to do it in aggregate. No names on it would be very helpful. And we should be advancing legislation to eliminate the placing of financial conditions on someone's release from jail pending trial, which is taking money away from the local jurisdiction.

The bill today does that, and I think that we can work to do better. And I am not pleased to be opposing, but I would ask my colleagues to consider all that I have said about bail reform and disparate treatment and how we can best handle the needs of finding out who leaves pretrial release and who doesn't. Let's just get the numbers.

Mr. Speaker, I will be voting against this bill. I ask my colleagues to join me, and I yield back the balance of my time.

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

Mr. Speaker, I am baffled by those who oppose this very simple and straightforward legislation. Not a single Member in this Chamber should be opposed to the Citizens' Right to Know Act.

When has more data in the hands of this body ever been a bad thing? We have a number of obligations we owe our constituents. Two of those obligations are to make sure our communities are safe and that tax dollars are spent wisely. This bill accomplishes both. Without the Citizens' Right To Know Act, we and our constituents lack the ability to determine the effectiveness of taxpayer-funded pretrial release programs. Without the required data, hundreds of Federally funded pretrial release programs lack sufficient accountability to U.S. taxpayers. This lack of accountability has the potential to allow many repeat and violent offenders to get out of jail on our tax dollars. We and our constituents deserve to know if resources are being spent wisely and our communities are being protected.

Mr. Speaker, again, I want to thank the gentleman from Texas (Mr. POE) on this very important legislation. I urge my colleagues to support H.R. 2152, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SIMPSON). All time for debate has expired.

Pursuant to House Resolution 872, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

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

#### RECESS

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

Accordingly (at 3 o'clock and 20 minutes p.m.), the House stood in recess.

□ 1545

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 3 o'clock and 45 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

Passage of H.R. 2152;

The motion to recommit with respect to H.R. 5645; and

Passage of H.R. 5645, if ordered.

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

#### CITIZENS' RIGHT TO KNOW ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on passage of the bill (H.R. 2152) to require States and units of local government receiving funds under grant programs operated by the Department of Justice, which use such funds for pretrial services programs, to submit to the Attorney General a report relating to such program, and for other purposes, 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 passage of the bill.

The vote was taken by electronic device, and there were—yeas 221, nays 197, not voting 10, as follows:

[Roll No. 175]

YEAS—221

|             |             |               |
|-------------|-------------|---------------|
| Abraham     | Blum        | Cole          |
| Aderholt    | Bost        | Collins (GA)  |
| Allen       | Brady (TX)  | Collins (NY)  |
| Amodei      | Brooks (AL) | Comer         |
| Arrington   | Brooks (IN) | Comstock      |
| Babin       | Buchanan    | Conaway       |
| Bacon       | Buck        | Cook          |
| Banks (IN)  | Bucshon     | Costello (PA) |
| Barletta    | Budd        | Cramer        |
| Barr        | Burgess     | Crawford      |
| Barton      | Byrne       | Cuellar       |
| Bergman     | Calvert     | Culberson     |
| Bilirakis   | Carter (GA) | Curbelo (FL)  |
| Bishop (MI) | Carter (TX) | Davidson      |
| Bishop (UT) | Chabot      | Davis, Rodney |
| Black       | Cheney      | Denham        |
| Blackburn   | Coffman     | Dent          |

|                 |              |                 |
|-----------------|--------------|-----------------|
| DeSantis        | Kelly (MS)   | Rohrabacher     |
| DesJarlais      | Kelly (PA)   | Rooney, Francis |
| Diaz-Balart     | King (IA)    | Rooney, Thomas  |
| Donovan         | King (NY)    | J.              |
| Duffy           | Kinzinger    | Roskam          |
| Duncan (SC)     | Knight       | Ross            |
| Duncan (TN)     | Kustoff (TN) | Rothfus         |
| Dunn            | LaHood       | Rouzer          |
| Emmer           | LaMalfa      | Royce (CA)      |
| Estes (KS)      | Lamborn      | Russell         |
| Faso            | Lance        | Rutherford      |
| Ferguson        | Latta        | Scalise         |
| Fitzpatrick     | Lesko        | Schweikert      |
| Fleischmann     | LoBiondo     | Scott, Austin   |
| Flores          | Long         | Sensenbrenner   |
| Fortenberry     | Loudermilk   | Sessions        |
| Fox             | Love         | Shimkus         |
| Frelinghuysen   | Lucas        | Shuster         |
| Gaetz           | Luetkemeyer  | Simpson         |
| Gallagher       | MacArthur    | Sinema          |
| Garrett         | Marchant     | Smith (MO)      |
| Gianforte       | Marino       | Smith (NE)      |
| Gibbs           | Marshall     | Smith (NJ)      |
| Gohmert         | Mast         | Smith (TX)      |
| Goodlatte       | McCarthy     | Smucker         |
| Gosar           | McCaul       | Stefanik        |
| Gowdy           | McClintock   | Stewart         |
| Granger         | McHenry      | Stivers         |
| Graves (GA)     | McKinley     | Taylor          |
| Graves (LA)     | McMorris     | Tenney          |
| Graves (MO)     | Rodgers      | Thompson (PA)   |
| Griffith        | McSally      | Thornberry      |
| Grothman        | Meadows      | Tipton          |
| Guthrie         | Mitchell     | Trott           |
| Handel          | Moolenaar    | Turner          |
| Harper          | Mooney (WV)  | Upton           |
| Harris          | Mullin       | Valadao         |
| Hartzler        | Newhouse     | Wagner          |
| Hensarling      | Noem         | Walberg         |
| Herrera Beutler | Norman       | Walden          |
| Hice, Jody B.   | Nunes        | Walker          |
| Higgins (LA)    | Olson        | Walorski        |
| Hill            | Palazzo      | Walters, Mimi   |
| Holding         | Palmer       | Weber (TX)      |
| Hollingsworth   | Paulsen      | Webster (FL)    |
| Hudson          | Pearce       | Westrup         |
| Huizenga        | Perry        | Westerman       |
| Hultgren        | Poe (TX)     | Williams        |
| Hunter          | Poliquin     | Wittman         |
| Hurd            | Posey        | Womack          |
| Issa            | Ratchiffe    | Woodall         |
| Jenkins (KS)    | Reed         | Yoder           |
| Johnson (LA)    | Reichert     | Yoho            |
| Johnson (OH)    | Renacci      | Young (AK)      |
| Johnson, Sam    | Rice (SC)    | Young (IA)      |
| Jordan          | Roby         | Zeldin          |
| Joyce (OH)      | Roe (TN)     |                 |
| Katko           | Rogers (AL)  |                 |

#### NAYS—197

|                 |                |                |
|-----------------|----------------|----------------|
| Adams           | Costa          | Hastings       |
| Aguilar         | Courtney       | Heck           |
| Amash           | Crist          | Higgins (NY)   |
| Barragan        | Crowley        | Himes          |
| Bass            | Cummings       | Hoyer          |
| Beatty          | Curtis         | Huffman        |
| Bera            | Davis (CA)     | Jackson Lee    |
| Beyer           | Davis, Danny   | Jayapal        |
| Biggs           | DeFazio        | Jeffries       |
| Bishop (GA)     | DeGette        | Johnson (GA)   |
| Blumenauer      | Delaney        | Johnson, E. B. |
| Blunt Rochester | DeLauro        | Kaptur         |
| Bonamici        | DelBene        | Keating        |
| Boyle, Brendan  | Demings        | Kelly (IL)     |
| F.              | DeSaulnier     | Kennedy        |
| Brady (PA)      | Dingell        | Khanna         |
| Brat            | Doggett        | Kihuen         |
| Brown (MD)      | Doyle, Michael | Kildee         |
| Brownley (CA)   | F.             | Kilmer         |
| Bustos          | Ellison        | Kind           |
| Butterfield     | Engel          | Krishnamoorthi |
| Capuano         | Eshoo          | Lamb           |
| Carbajal        | Espallat       | Langevin       |
| Cárdenas        | Esty (CT)      | Larsen (WA)    |
| Carson (IN)     | Evans          | Larson (CT)    |
| Cartwright      | Foster         | Lawrence       |
| Castor (FL)     | Frankel (FL)   | Lawson (FL)    |
| Castro (TX)     | Fudge          | Lee            |
| Chu, Judy       | Gabbard        | Levin          |
| Ciçilline       | Gallego        | Lewis (GA)     |
| Clark (MA)      | Garamendi      | Lewis (MN)     |
| Clarke (NY)     | Gomez          | Lieu, Ted      |
| Clay            | Gonzalez (TX)  | Lipinski       |
| Cleaver         | Gottheimer     | Loeb sack      |
| Clyburn         | Green, Al      | Loftgren       |
| Cohen           | Green, Gene    | Lowenthal      |
| Connolly        | Grijalva       | Lowe y         |
| Cooper          | Gutiérrez      | Lujan Grisham, |
| Correa          | Hanabusa       | M.             |

Luján, Ben Ray  
Lynch  
Maloney, Carolyn B.  
Maloney, Sean  
Massie  
Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Nolan  
Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascrell  
Payne  
Pelosi  
Perlmutter

NOT VOTING—10

Deutch  
Jenkins (WV)  
Jones  
Kuster (NH)

□ 1611

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

Mr. BEN RAY LUJÁN of New Mexico changed his vote from "present" to "nay."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

STANDARD MERGER AND ACQUISITION REVIEWS THROUGH EQUAL RULES ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to recommit on the bill (H.R. 5645) to amend the Clayton Act and the Federal Trade Commission Act to provide that the Federal Trade Commission shall exercise authority with respect to mergers only under the Clayton Act and only in the same procedural manner as the Attorney General exercises such authority, offered by the gentleman from Texas (Mr. DOGGETT), on which the yeas and nays were ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

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

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 193, nays 220, not voting 15, as follows:

[Roll No. 176]

YEAS—193

Adams  
Aguilar  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blum  
Blumenauer  
Blunt Rochester

Bonamici  
Boyle, Brendan  
F.  
Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas

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

Rokita  
Wilson (SC)

Cohen  
Connolly  
Cooper  
Costea  
Costa  
Courtney  
Crist  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DeBene  
Demings  
DesSaulnier  
Dingell  
Doggett  
Doyle, Michael  
F.  
Duncan (TN)  
Ellison  
Engel  
Eshoo  
Españillat  
Lynch  
Evan  
Foster  
Frankel (FL)  
Fudge  
Gabbard  
Gallego  
Garamendi  
Gomez  
Gonzalez (TX)  
Gottheimer  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hanabusa  
Hastings  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson, E. B.

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Bergman  
Biggs  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Blackburn  
Bost  
Brady (TX)  
Brat  
Brooks (AL)  
Brooks (IN)  
Buchanan  
Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Costello (PA)  
Cramer

Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Lamb  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lieu, Ted  
Lipinski  
Loeb  
Loftgren  
Lowenthal  
Lowe  
Lujan Grisham,  
M.  
Lujan, Ben Ray  
Lynch  
Maloney,  
Carolyn B.  
Maloney, Sean  
Matsui  
McCullum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Nolan  
Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascrell  
Payne  
Pelosi  
Perlmutter

NAYS—220

Crawford  
Culberson  
Curbelo (FL)  
Curtis  
Davidson  
Davis, Rodney  
Denham  
Dent  
DeSantis  
DesJarlais  
Diaz-Balart  
Donovan  
Duffy  
Duncan (SC)  
Dunn  
Emmer  
Estes (KS)  
Faso  
Ferguson  
Fitzpatrick  
Fleischmann  
Jordan  
Joyce (OH)  
Fortenberry  
Foxy  
Frelinghuysen  
Gaetz  
Gallagher  
Kinziger  
Gianforte  
Gibbs  
Gohmert  
Goodlatte  
Gosar  
Gowdy  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Griffith  
Grothman  
Guthrie  
Handel

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

Harper  
Harris  
Hartzler  
Hensarling  
Herrera Beutler  
Hice, Jody B.  
Higgins (LA)  
Hill  
Holding  
Hollingsworth  
Hudson  
Huizenga  
Hultgren  
Hunter  
Hurd  
Issa  
Jenkins (KS)  
Johnson (LA)  
Johnson (OH)  
Johnson, Sam  
Jordan  
Joyce (OH)  
Katko  
Kelly (MS)  
Kelly (PA)  
King (IA)  
King (NY)  
Kinziger  
Knight  
Kustoff (TN)  
LaHood  
LaMalfa  
Lamborn  
Lance  
Latta  
Lesko  
Lewis (MN)  
LoBiondo  
Long  
Loudermilk  
Love  
Lucas

Luetkemeyer  
MacArthur  
Marchant  
Marino  
Marshall  
Massie  
Mast  
McCarthy  
McCaul  
McClintock  
McHenry  
McKinley  
McMorris  
Rodgers  
McSally  
Meadows  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Newhouse  
Noem  
Norman  
Nunes  
Olson  
Palazzo  
Palmer  
Paulsen  
Pearce  
Perry  
Poe (TX)  
Poliquin

Arrington  
Barton  
Black  
Deutch  
Jenkins (WV)

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

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. ROBY. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 176.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—yeas 230, nays 185, not voting 13, as follows:

[Roll No. 177]

YEAS—230

Abraham  
Aderholt  
Allen  
Amash  
Amodei  
Babin  
Bacon  
Banks (IN)  
Barletta  
Barr  
Barton  
Bergman  
Biggs  
Bilirakis  
Bishop (MI)  
Bishop (UT)  
Black  
Blackburn  
Blum  
Bost  
Brady (TX)  
Brat  
Brooks (AL)  
Brooks (IN)  
Buchanan

Buck  
Bucshon  
Budd  
Burgess  
Byrne  
Calvert  
Carter (GA)  
Carter (TX)  
Chabot  
Cheney  
Coffman  
Cole  
Collins (GA)  
Collins (NY)  
Comer  
Comstock  
Conaway  
Cook  
Costello (PA)  
Cramer  
Crawford  
Cuellar  
Culberson  
Curbelo (FL)  
Curtis

Smith (TX)  
Smucker  
Stefanik  
Stewart  
Stivers  
Tenney  
Thompson (PA)  
Thornberry  
Tipton  
Trott  
Turner  
Upton  
Valadao  
Wagner  
Walberg  
Walden  
Walker  
Walorski  
Russell  
Weber (TX)  
Wenstrup  
Westerman  
Williams  
Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

NOT VOTING—15

Roby  
Rogers (KY)  
Rokita  
Taylor  
Webster (FL)

□ 1619

Gibbs Love  
Gohmert Lucas  
Goodlatte Luetkemeyer  
Gosar MacArthur  
Gowdy Marchant  
Granger Marino  
Graves (GA) Marshall  
Graves (LA) Massie  
Graves (MO) Mast  
Griffith McCarthy  
Grothman McCaul  
Guthrie McClintock  
Handel McHenry  
Harper McKinley  
Harris McMorris  
Hartzler Rodgers  
Hensarling McSally  
Herrera Beutler Meadows  
Hice, Jody B. Mitchell  
Higgins (LA) Moolenaar  
Hill Mooney (WV)  
Holding Mullin  
Hollingsworth Newhouse  
Hudson Noem  
Huizenga Norman  
Hultgren Nunes  
Hunter Olson  
Hurd Palazzo  
Issa Palmer  
Jenkins (KS) Paulsen  
Johnson (LA) Pearce  
Johnson (OH) Perry  
Johnson, Sam Peters  
Jordan Peterson  
Joyce (OH) Poe (TX)  
Katko Poliquin  
Kelly (MS) Posey  
Kelly (PA) Ratchiffe  
King (IA) Reed  
King (NY) Reichert  
Kinzinger Renacci  
Knight Rice (SC)  
Kustoff (TN) Roby  
LaHood Roe (TN)  
LaMalfa Rogers (AL)  
Lamborn Rohrabacher  
Lance Rooney, Francis  
Latta Rooney, Thomas  
Lesko J.  
Lewis (MN) Ros-Lehtinen  
LoBiondo Roskam  
Long Ross  
Loudermilk Rothfus

## NAYS—185

Adams Delaney  
Aguilar DeLauro  
Barragán DelBene  
Bass Demings  
Beatty DeSaulnier  
Bera Dingell  
Bishop (GA) Doggett  
Blumenauer Doyle, Michael  
Blunt Rochester F.  
Bonamici Duncan (TN)  
Boyle, Brendan Ellison  
F. Engel  
Brady (PA) Eshoo  
Brown (MD) Espallat  
Brownlee (CA) Esty (CT)  
Bustos Evans  
Butterfield Foster  
Capuano Frankel (FL)  
Carbajal Fudge  
Cárdenas Gabbard  
Carson (IN) Gallego  
Cartwright Garamendi  
Castor (FL) Gomez  
Castro (TX) Gonzalez (TX)  
Chu, Judy Gottheimer  
Cicilline Green, Al  
Clark (MA) Green, Gene  
Clarke (NY) Grijalva  
Clay Gutiérrez  
Cleaver Hanabusa  
Clyburn Hastings  
Cohen Heck  
Connolly Higgins (NY)  
Cooper Himes  
Correa Hoyer  
Costa Huffman  
Courtney Jackson Lee  
Crist Jayapal  
Crowley Jeffries  
Cummings Johnson (GA)  
Davis (CA) Johnson, E. B.  
Davis, Danny Kaptur  
DeFazio Keating  
DeGette Kelly (IL)

Rouzer O'Halleran  
Royce (CA) O'Rourke  
Russell Pallone  
Rutherford Panetta  
Sanford Pascarella  
Scalise Payne  
Schweikert Pelosi  
Scott, Austin Schrader  
Sensenbrenner Scott (VA)  
Sessions Pocan  
Shimkus Polis  
Shuster Price (NC)  
Simpson Quigley  
Sinema Raskin  
Smith (MO) Rice (NY)  
Smith (NE) Richmond  
Smith (NJ) Rosen  
Smith (TX) Roybal-Allard  
Smucker Ruiz  
Stefanik Ruppertsberger  
Stewart

Arrington Kuster (NH)  
Beyer Labrador  
Deutch Messer  
Jenkins (WV) Pittenger  
Jones Rogers (KY)

## NOT VOTING—13

## □ 1625

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

**AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR AN EVENT TO CELEBRATE THE BIRTHDAY OF KING KAMEHAMEHA I**

Mr. HARPER. Mr. Speaker, I ask unanimous consent that the Committee on House Administration be discharged from further consideration of House Concurrent Resolution 112, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

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

There was no objection.

The text of the concurrent resolution is as follows:

## H. CON. RES. 112

*Resolved by the House of Representatives (the Senate concurring),*

**SECTION 1. USE OF EMANCIPATION HALL FOR EVENT TO CELEBRATE BIRTHDAY OF KING KAMEHAMEHA I.**

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on June 10, 2018, to celebrate the birthday of King Kamehameha I.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

**HOURLY MEETING ON TOMORROW**

Mr. HARPER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

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

There was no objection.

## □ 1630

**CELEBRATING MT. VERNON EXPLORATORY SCHOOL'S 25TH ANNIVERSARY**

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

Mr. COLLINS of Georgia. Mr. Speaker, I rise today in celebration of Mt. Vernon Exploratory School's 25th anniversary.

For 25 years, the teachers and faculty members have strived to uphold their mission of character, competency, and rigor for all by investing in each student who walks through their halls. The school's commitment to supporting students and families has helped the Hall County School District earn the title of "Most Caring Place on Earth."

Mt. Vernon Exploratory holds a special place in my family's heart. My wife, Lisa, has taught at Mt. Vernon since it opened in 1993, and all three of our children have attended the school.

We have enjoyed watching the school grow with each new academic year. From acquiring its charter school status to acquiring a new curriculum that addresses the modern students' needs, Mt. Vernon has cultivated a constructive environment for its students.

I stand with the Mt. Vernon Trojans in celebrating this new milestone for the school and wish the faculty and students well as they finish the school year.

Go Trojans.

**RECOGNIZING MILITARY APPRECIATION MONTH**

(Ms. MICHELLE LUJAN GRISHAM of New Mexico asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, throughout Military Appreciation Month, I join with my fellow Americans to remember the brave servicemen and -women who gave the ultimate sacrifice for this Nation and to honor the servicemembers who are still answering the call to duty today.

New Mexico is the proud home of over 16,000 patriotic servicemembers, who operate the premier military installations at Kirtland, Cannon, and Holloman Air Force Bases, and the Army's White Sands Missile Range.

Thank you for all that you do to keep our country safe and safeguard the freedoms and values that we all cherish.

I also want to recognize the devoted spouses, children, sisters, brothers, and parents of our men and women in uniform for their unending support. This month is dedicated to their service as well.

I hope everyone in this Chamber and those watching at home will take the time to thank a servicemember and their loved ones who continue to sacrifice so much for our country.

#### RECOGNIZING NATIONAL CHARTER SCHOOLS WEEK

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

Mr. PAULSEN. Mr. Speaker, I want to recognize National Charter Schools Week.

Minnesota was a pioneer in the charter school movement, opening the Nation's very first charter school in St. Paul in the fall of 1992.

Charter schools are tuition-free, independent, public schools that are open and welcome to all students, no matter ability or need. They are governed and operated jointly by licensed teachers, parents, and community members.

Today, more than 56,000 Minnesota children are educated every day in charter schools, many of them from low-income families. A child's ZIP Code should not determine the outcome of their education.

As co-chair of the Charter School Caucus, I am pleased with the bipartisan work we have been able to do to strengthen charter schools and enable the replication of successful charter programs nationwide.

Mr. Speaker, I want to recognize the great work being done in charter schools across the country and thank the teachers and community leaders who work so hard educating their children.

#### PRESCRIPTION DRUG PRICES ARE SKYROCKETING

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

Ms. SCHAKOWSKY. Mr. Speaker, the skyrocketing costs of prescription drugs are forcing families to make impossible choices every day.

No one in America should have to decide between putting food on the table and paying for the lifesaving medication their children need, but pharmaceutical corporations will keep raising their prices for one simple reason: because they can.

There are a number of things that we can do, and number one is negotiate prescription drug prices under Medicare; number two, shed light on the pharmaceutical corporations' drug pricing system; number three, end patient system abuse by eliminating tactics that thwart competition; number four, allow safe importation of prescription drugs from other countries; and number five, ensure access to affordable drugs through fair trade agreements.

Lukewarm pharma-friendly approaches just won't work. Failing to

take truly meaningful action could mean the difference between life and death.

#### RECOGNIZING SECOND LIEUTENANT B. LOUISE BODDIE DAWSON

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

Mr. ROTHFUS. Mr. Speaker, I would like to recognize the life and service of 99-year-old Second Lieutenant B. Louise Boddie Dawson, a driven, strong, and remarkable constituent.

A graduate of Freedman Hospital Nursing School in Washington, D.C., Louise proudly served our country during World War II as a nurse in the Army. For her dedicated service, she earned the American Campaign Medal and the World War II Victory Medal.

It was through the Army that Louise met her husband, Lieutenant Colonel Emmett C. Dawson, Jr. The Dawsons married on September 3, 1949, and moved to Sewickley, Pennsylvania, where Louise worked as a nurse until the start of the Korean war.

Always caring for people and wanting to serve better, Louise worked as a head nurse at the former Dixmont State Hospital in Kilbuck Township, while studying psychology at La Roche College.

Louise led an exemplary life of hard work and selfless service towards others. She instilled this work ethic in her daughters, telling them you never fail until you quit and by setting an incredible example for them to follow.

God only knows how long Louise will remain with us, but we always remember her extraordinary life witness to serve, be kind, and persevere.

#### CONGRATULATING FRANKLIN THOMAS SYLVESTER, JR.

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

Mr. MEEKS. Mr. Speaker, I rise today to congratulate Franklin Thomas Sylvester, Jr., on his recent graduation from the University of Connecticut Medical School, where he excelled in his clinical training. Franklin, at 25 years old, is now preparing to embark on the next phase in his preparation for life as a medical doctor.

I am proud to say that the city of New York will be welcoming Franklin as he heads to Mount Sinai Kravis Children's Hospital, where he will do his residency training in pediatrics.

I commend Franklin and all those who are graduating this spring from medical school. As an African-American male, Franklin's accomplishment has an additional significance. Research shows that diversity in the medical field is critically linked to better outcomes, and we also know that there isn't enough diversity in a profession that so often makes a difference between life and death.

Franklin recently said: "Pediatrics is where I can make the most difference. From children's health to their social issues, that is where I want to make an impact where I can."

With that kind of compassion and commitment to his profession, Franklin will serve the children of New York and this Nation in ways that make us all proud. I hope that today some young person listening to my remarks will look to Franklin as an inspiration and strive to similar accomplishments.

#### RECOGNIZING NATIONAL NURSES WEEK

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

Mr. SMUCKER. Mr. Speaker, I rise today to recognize National Nurses Week, a celebration of our dedicated healthcare professionals throughout our country.

National Nurses Week begins each year on May 6 and ends on May 12, which is the birthday of Florence Nightingale, widely considered the founder of modern nursing.

National Nurses Week was first celebrated in 1954, in honor of the centennial anniversary of Ms. Nightingale's renowned humanitarian mission during the Crimean War.

In 1982, President Ronald Reagan signed a proclamation officially proclaiming May 6 as the national day of recognition for nurses.

During my time in Congress, Mr. Speaker, I have had the privilege to meet with nurses and nursing associations from central Pennsylvania and to hear from them about their critical work around the Commonwealth. The tremendous impact that these nurses have on our entire medical system through their passionate work never ceases to amaze me.

I am extraordinarily grateful that Pennsylvania ranks fourth among all States in the number of professionally active nurses, with nearly 220,000 currently serving our great Commonwealth. Hospitals and medical clinics certainly couldn't operate without them. Their tireless dedication to the well-being of our children, parents, spouses, and friends supports and strengthens our local communities every single day.

I would also like to thank the families, educators, and medical facilities that have allowed these wonderful healthcare professionals to flourish in their selfless vocation.

#### HONORING THE LIFE OF LISA PATTERSON

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

Mr. KIHUEN. Mr. Speaker, today I rise to remember the life of Lisa Patterson. Lisa attended the Route 91 festival in Las Vegas on October 1.

Lisa was very active in her community. She coached softball teams, served as the president of the St. John Fisher's PTA and was active in her church.

Lisa was married to her husband, Robert, for more than 20 years, and they enjoyed running a hardwood floor business together. Lisa and Robert had three children together—Robert, Jr.; Amber; and Brooke—and had one dog named Holly Wolf.

Lisa was warm and caring to everyone she met. She had an infectious energy and a fierce love for her family.

I would like to extend my condolences to Lisa Patterson's family and friends. Please know that the city of Las Vegas, the State of Nevada, and the entire country grieve with you.

#### RECOGNIZING MUSKEGON COMMUNITY COLLEGE

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

Mr. HUIZENGA. Mr. Speaker, I rise today to recognize Muskegon Community College, a national leader in 2-year higher education institutions.

MCC, located in Muskegon, Michigan, offers classes at state-of-the-art facilities throughout the west Michigan region.

Under the leadership of my friend President Dale Nesbary, the students, faculty, and staff have all collaborated to reach great heights. As a result of these efforts, MCC was recently ranked the top 2-year college in the State of Michigan.

MCC has excelled, in part, by emphasizing academic achievement, investing in high-quality facilities, and developing apprenticeship training programs. Last year, graduates of the nursing program ranked first in the country on the registered nursing licensing exam, achieving a 100 percent first-time pass rate.

Currently, MCC is seeking to build on its success by investing in the most significant facilities upgrades in its history.

Through its unique apprentice training program, students work to earn a skills trade certificate, with the option to complete further classes to achieve an associate's degree.

Mr. Speaker, I ask my colleagues to please join me in honoring Muskegon Community College as they continue to raise the bar and provide high-quality educational opportunities for students in Muskegon County and all across west Michigan.

#### HONORING ROGERS HIGH SCHOOL WOMEN'S BASKETBALL TEAM

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

Ms. KAPTUR. Mr. Speaker, I rise to honor northwest Ohio's own Rogers High School women's basketball team

on their monumental achievement of winning the Division II State Championship. This breaks a nearly 37-year drought in women's basketball State titles for the city of Toledo.

The joy of their victory is shared by everyone in Toledo: the students, coaches, families, friends, teachers, and loved ones. The city even honored the Rams with a ceremony at Promenade Park.

Well deserved, Rams.

Each member of this team has now chiseled their name into the history books. What a great start for this young generation of future leaders, the players who worked so hard for this.

Go Rams. You have made Toledo proud, as you set your sights on excellence.

I include in the RECORD an article written for the Toledo Blade titled, "Toledo Celebrates Rogers Girls Basketball State Champions."

Thank you, Rams.

[From the Toledo Blade, Apr. 21, 2018]

#### TOLEDO CELEBRATES ROGERS GIRLS BASKETBALL STATE CHAMPIONS

(By Lauren Lindstrom)

The whooping cheers, celebratory signs, and ample crowd Saturday made one thing clear: Toledo loves its championship-winning Lady Rams.

Rogers High School girls basketball players were feted with a parade through the streets of downtown Toledo and a rally at Promenade Park, where they basked in the admiration of their ardent and vocal fans.

The team won the Division II state championship game March 17 in Columbus with a 51-37 victory against Gilmour Academy in Gates Mills, Ohio. First-team all-state guard Zia Cooke scored 33 points, sealing the first girls basketball state title for a Toledo team since 1981.

"I want to thank you for all of the Toledo support," said Miss Cooke, a junior point guard who also thanked her coaches, teammates, and parents. "Toledo may be a small city, but our fan base is bigger than most. Man, it's a blessing to be a state champion in 2018."

Miss Cooke teared up when talking about her grandmother, who died late in the team's season.

"She was my drive to do better, and she still is my drive to be a better person in life," she said. "I made this promise to her, and I kept it."

Rogers head coach Lamar Smith reveled in his team's underdog status.

"They said we couldn't bring this home, we've been hearing it: Rogers is done, Toledo can't win a state championship," he said. "Well, we proved them wrong. I'm very proud of these ladies."

Those who spoke Saturday highlighted not only the players' athletic successes but also their status as role models for younger students.

"It's important as a city that we celebrate our successes; that we have pride in Toledo, pride in TPS, pride in where we come from," said Toledo Public Schools Superintendent Romules Durant. He lauded the girls' success on the court and in the classroom.

"Our ladies represent what Toledo is all about," he said. "The minute they begin to think they can count us out we continue to keep fighting . . . these are our leaders today, our leaders tomorrow, and more importantly [they're] leading the city of Toledo as we move to the future."

Toledo Mayor Wade Kapszukiewicz presented the team with a key to the city and congratulated the players and coaches.

"For an occasion this historic and a moment this important, we're going to go to the big guns," he said as he presented the key. "Post it with pride and—no pressure—let's do this again next year."

Members from the 1981 Libbey High School team were on hand to celebrate the next generation of champions.

"They are going to have a lifetime of memories," said Ann Strong, a center forward and class of 1981. "We still talk after 37 years about our state championship win. They have a lot to look forward to and talk about for years to come. It's a great feeling."

#### RECOGNIZING TEACHER APPRECIATION WEEK

(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, this week is Teacher Appreciation Week.

Teachers inspire millions every day by instilling knowledge, evoking creativity, and motivating students of all ages in the quest for lifelong learning.

Those who have answered this special call to serve in this wonderful profession are among the hardest working and most innovative in our communities. Teachers are special people who lay the foundation for developing critical thinking skills in our children that will serve them throughout their lifetime.

Many of us remember well the teachers who made a big difference in our lives and even encouraged us to take our chosen career path.

I am forever grateful to the teachers who have changed my life, from my kindergarten teacher, Mrs. LePage, to my third grade teacher, Mrs. Huerling. These people have inspired me every day as I think about those wonderful days in elementary school.

Interesting, my son is also a graduate of the same high school and elementary and junior high as I, the New Hartford High School, and graduated some 30 years after I did.

During this week, let's take time to remember teachers and their selfless work and dedication. Mr. Speaker, please join me in recognizing and honoring the thousands of teachers across the 22nd District and the Nation for their love and dedication to this noble profession and this calling that will never be forgotten.

□ 1645

#### PRESCRIPTION DRUGS CRISIS

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

Mr. CICILLINE. Mr. Speaker, prescription drug prices are rising at an unprecedented rate, unsustainable for most American families. In fact, Americans pay double what people in other countries pay for prescription drugs.

Our per capita prescription drug spending is higher than any other country. That is why last July, Democrats outlined a bold new plan to give



the American people a better deal on prescription drug costs. Our plan cracks down on price gouging, allows Medicare to negotiate discounted prices, and requires new levels of transparency for big drug companies.

But more than 10 months since Democrats offered a way forward, President Trump and Republicans are still silent. Instead of addressing this crisis, the President and his allies in Congress have made the problem even worse. They tried to take away healthcare from 23 million Americans on more than one occasion. They gave the pharmaceutical industry a huge tax cut, and they made it even harder for working men and women to get ahead.

Democrats are putting the needs of working people first, ahead of big pharmaceutical companies, and we are going to keep fighting until the American people get a better deal on prescription drugs.

#### GOODWILL INDUSTRIES WEEK

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

Mr. CARTER of Georgia. Mr. Speaker, I rise today to recognize the week of May 6 through May 12 as Goodwill Industries Week.

This week is about the people of Georgia who value hard work and support the right of individuals to provide for themselves and their families. Some members in our communities require additional education, job preparation, skill training, and support services to reach the goal of self-sufficiency.

Goodwill has a rich history of providing essential services for these people to be productive members of our community since 1902. Since 1965, in southeast Georgia, Goodwill has provided community-based services, including career counseling, GED preparation, financial education, resume preparation, and more.

In this time of low unemployment, it is more important than ever for us to reach out to the unemployed and give our businesses the workforce they need to succeed.

Thank you to the employees of Goodwill Southeast Georgia for everything you are doing to keep our national economy strong, and for maximizing individuals' contributions to self, family, and community.

#### ADVANCE PAROLE

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

Ms. BARRAGÁN. Mr. Speaker, on September 5, 2017, President Trump terminated the DACA program, disrupting the lives of nearly 800,000 hard-working DACA recipients. On that same day, the administration decided

to no longer allow DACA recipients to travel abroad under the authority of advance parole.

In the past, DACA recipients have been allowed to take short trips out of the country for humanitarian, educational, or employment purposes. This is no longer the case, and the consequences have been devastating.

In January of this year, the father of my constituent, Mayra—a college student and Dreamer—died in Mexico. She immediately gathered the necessary paperwork, including her father's death certificate, and applied for advance parole. Her request was denied, and then denied again.

Mayra was unable to pay her last respects to her beloved father due to the unconscionable decisions made by this irresponsible and heartless administration.

Mr. Speaker, I urge the administration to immediately reverse this harmful directive.

#### DISASTROUS IRAN NUCLEAR DEAL

(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 to commend President Trump for withdrawing the U.S. from the disastrous Iran nuclear deal.

Iran's pursuit of nuclear weapons—and ballistic missiles capable of delivering them—is a serious threat to its neighbors in the Middle East, as well as eventually the U.S. But the 2015 Iran nuclear deal, hatched by John Kerry and the Obama administration, does little to curb that pursuit.

The fact is, there aren't nearly strong enough measures in place to actually hold Iran accountable for compliance with the deal. It is too bad the Obama administration has already traded billions of U.S. and foreign dollars in exchange for promises Iran clearly has no intention of keeping. We can't get those dollars back either.

Of course, now Iran isn't even using this money for its economy, as reported. Much of it is being funneled directly to active terrorist organizations around the Middle East.

This deal was a danger from the start, and it lets Iran off the hook. We must do better. We must negotiate better than has been done.

#### THREATS TO SNAP PROGRAM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Maryland (Mr. RASKIN) is recognized for 60 minutes as the designee of the minority leader.

Mr. RASKIN. Mr. Speaker, I am delighted to be leading this Special Order hour on the SNAP program and the current threats against it in the farm bill.

SNAP, of course, is America's most important antihunger program, serving

more than 42 million Americans and delivering improved economic, health, and nutrition outcomes for millions of our families, reducing poverty and food insecurity.

To kick us off tonight, I yield to the gentlewoman from the great State of Washington, PRAMILA JAYAPAL, my distinguished colleague.

Ms. JAYAPAL. Mr. Speaker, I thank the gentleman for his continued leadership on these Special Order hours, and also for his leadership in the Progressive Caucus, and on the Judiciary Committee.

I am here to talk about SNAP because I am sort of dumbfounded that we are where we are. I serve as the vice ranking member on the Budget Committee, and I saw firsthand how a Republican tax scam, the tax cut, was pushed through in favor of the top 1 percent and the largest corporations, creating a transfer of wealth from the middle class and working people to the wealthiest; creating what will be a \$1 trillion deficit according to the Congressional Budget Office next year; and then coming back and saying somehow we don't have enough money to feed our kids.

That, to me, is really not just ludicrous, but it is outrageous, and I am deeply saddened by it because the program that we are talking about is the Supplemental Nutrition Assistance Program—that is what SNAP stands for—and it feeds 42 million American families across the country. This is a target of our colleagues on the Republican side, using the farm bill to take this crucial program away from Americans who need it the most. The bill would strip critical food assistance from unemployed and employed workers by shortening the time limits to be eligible for SNAP for millions of people.

My home State of Washington in 2016 received \$1.1 billion in SNAP funding, and there and across the country, as I said, 42 million families benefit from this critical program. These are workers and families who face low wages, unreliable schedules, underemployment, and unstable incomes. They all rely on SNAP to buy groceries and put food on the table.

So we are talking about stripping food assistance from families and individuals with children under 6 if they can't consistently work 20 hours a week. And it would strip food assistance for a whole year if that requirement isn't met.

Cutting SNAP is not magically going to reduce the deficit, a deficit that was dramatically increased by our Republican colleagues when they passed the tax scam, and so this is just an attempt to take resources from the most vulnerable and to leave these 40 million families stranded on the side of the road.

The American Dream isn't just about individuals lifting themselves up by their own bootstraps. It is the idea that we are all better off when we are all

better off; that we need to lift up every person, and make sure every person has bootstraps to be lifted up by.

Today, my office received a call from Dave in my district who works at our University District Food Bank, and he called just imploring Congress not to allow this to happen. Our community food banks in red and blue districts across the country will not be able to keep up with the need if we gut SNAP. Yesterday, I met with Aaron from Food Lifeline, who knows from experience that for every one meal provided by a food bank in our community, SNAP provides 12.

Yesterday, I spoke at a rally and we had a constituent of mine—a woman named Tina—who came out from Washington State. She is a single mom. She has got a 9-year-old kid, and she was just begging and pleading for us to please keep this program.

The reality is that SNAP is one of the most cost-effective public assistance programs. It quickly and directly gets food assistance to those who need it. So why would we wage a war on that program or a war on poor people by cutting these essential benefits?

Mr. Speaker, I know that Mr. RASKIN shares my deep commitment to make sure that we provide these essential benefits for families across the country, and I believe that there are colleagues on the other side who will share this commitment once they understand what this is doing to poor folks in their districts who just need a hand up; kids who need food on the table—fruits, vegetables, healthy foods—so that they can grow and nourish their bodies and their souls, and help contribute to our economy. And that is what SNAP does.

So I urge all of my colleagues on the Republican side to join us Democrats in fighting for our kids and fighting for nutrition, and fighting for this critical program.

Mr. RASKIN. Mr. Speaker, I thank Congresswoman JAYAPAL for her terrific leadership on the SNAP program and for defending the ability of all of our families to not send their kids to bed at night hungry. That is really what this is all about.

People on the SNAP program receive an average of only \$1.40 per meal, and in order to get assistance, of course, they have got to complete a detailed application process with meticulous documentation of their name, their legal status in the country, their identity, their income, their address, and so on. Ninety percent of participants are in households with children under the age of 18, or with elderly people, or with individuals with disabilities.

Mr. Speaker, I am going to yield next to our distinguished colleague from Minnesota (Mr. ELLISON).

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

Mr. Speaker, I have just a few observations. The Supplemental Nutrition Assistance Program is a good program. It is the number one food assistance

program our country has. And it has gotten families through tough times, for sure. The truth is, most people who use SNAP aren't on it very long. They find themselves in a rough patch. They use SNAP. They get off.

Programs that impose artificial timelines and kick people off or deny them or have work requirements, ignore the fact that people do not get on SNAP to stay on SNAP unless they are too young, too old, or too sick to work.

Generally, people are trying to get jobs. The irony of this is that from a Republican standpoint, it seems like they are happy to give really, really rich people money without any expectations. And, yet, if a low-income person needs some help, money from the government, now all of a sudden we have got to put all kind of restrictions and all kind of waits on it.

Why does help and assistance from the government not ruin rich peoples' worth ethic, but it seems in the Republican mind to ruin the work ethic of working people and low-income people? It is totally ironic. It must be premised on the myth that somehow species of humanity are different from one another, and they are just not. People are the same.

I want to just point out as well, that if you really want to do something meaningful, why don't we pass legislation that would stop fast-food companies from conspiring with each other to restrict wages? There are two bills that got introduced. One is an antipoaching law that means that the employers can't come together and agree that they are not going to hire each other's workers if they leave looking for better pay, and the other one is a provision that would ban this process of noncompete clauses for people who work in fast-food.

These two bills together conspired to restrict the pay of working people. They keep wages down. What if we did real antitrust legislation and stopped huge companies from dominating the entire market, creating a single buyer, a monopsony, which then has the power to hold people down?

I just got through talking to some employees at Toys-R-Us. Their company was bought by some private equity firms. A lot of debt was piled on to them. The bonuses were given out to the top management. They took off on their golden parachutes. The company goes through bankruptcy, and now it is closing 800 stores and laying off 30,000 people.

The bottom line is: SNAP helps people in tough economic times. If they are able-bodied, I am sure they want to work. They don't need these punitive kicks to go to work. They just need an opportunity to get back up on their feet. These programs are insulting, demeaning, unnecessary, and they shouldn't exist.

If we really want to give working people an opportunity, let's increase the minimum wage to \$15 an hour. Let's support the Employee Free

Choice Act which can give them a voice on the job so they can negotiate with their employers for better wages.

It seems like Republicans don't want to do anything to meaningfully change the lives of working people, but, work requirements, drug tests, all this sort service moralistic stuff, it doesn't work. It is a waste of money and there are way better ways to do what you say you are trying to do.

Mr. RASKIN. Mr. Speaker, I thank the gentleman from Minnesota (Mr. ELLISON) very much. He makes an excellent point which is, more than two-thirds of SNAP participants are in families with children, and in the majority of those, you have at least one working adult in the house.

□ 1700

So despite efforts to portray this as some kind of welfare, we are talking about millions of Americans who are working but still can't afford to feed their families. That is what the SNAP program is about. It is about helping working families meet the basic nutritional standards of our people.

We are the richest society in the history of the world, and we can certainly support working families, through the SNAP program, to benefit from the great bounty that is the agricultural output of the United States of America, which is the breadbasket of the world.

Mr. Speaker, I yield now to our colleague from California, NANETTE BARRAGÁN. I thank Ms. BARRAGÁN very much for joining us.

Ms. BARRAGÁN. Mr. Speaker, I thank the gentleman from Maryland for yielding.

When we talk about SNAP, I often think about my own childhood. When I was a kid, I remember my parents needing some assistance. We would get a bag of groceries that had block yellow cheese in it; it had things we could use to make some food. It was temporary. It was to get us through a tough time.

SNAP is our Nation's cornerstone antihunger program, providing millions of American households with access to food assistance. Children living in these households are also eligible to receive free school meals, ensuring that they are not worried about going hungry when they should be free to focus on their academics.

In California alone, 4.1 million people rely upon SNAP, with 74 percent of participants being part of families with children and half of participants already being part of working families. In my district, California's 44th Congressional District that covers areas like Compton, Watts, and San Pedro, 17 percent of households depend upon SNAP to assist them in feeding their families. SNAP not only provides families in need with vital nutritional assistance; it also helps to stimulate local economies. For every dollar invested in SNAP, nearly \$2 are generated in economic activity.

That is why the current efforts to “reform” SNAP are so misguided. These include the recent Harvest Box proposal, which would reduce or eliminate a SNAP recipient’s access to nutritious products like fresh produce and meats, taking away their right to choose how best to fulfill their family’s specific nutritional needs. Additionally, the recently unveiled farm bill expands work requirements for SNAP. This would make it harder for our most vulnerable to access food assistance, knocking them back down when we should be offering them a hand up.

I am proud to support SNAP, and I will continue fighting with my colleagues to ensure that no American has to struggle to put food on their table.

Mr. RASKIN. Mr. Speaker, I thank Ms. BARRAGÁN very much for her leadership in defending the SNAP program. She talked about California. I just want to add to her point, a point about my home State in Maryland, where the SNAP program reaches 684,000 residents of my State, which is more than 1 in 10 people who live in the State.

Nationally, of course, it is 42 million people who participate in the SNAP program, which is 13 percent of the total population. And that is not a stagnant, permanent pool of Americans; that is a transient group because people move in and move out according to their economic circumstances.

The SNAP program is a reflection of our investment in ourselves as a people and our determination that here, in the wealthiest country on Earth, nobody should be sending their kids to bed at night hungry.

Mr. Speaker, I am delighted to yield to our distinguished colleague from New Jersey, BONNIE WATSON COLEMAN.

Mrs. WATSON COLEMAN. I want to thank my colleague from Maryland for yielding to me so I might speak on an issue that is very important to all of us.

I want to speak on behalf of the 43 million people who are SNAP recipients, many of whom are working each and every day. I want to talk about the fact that those are individuals whom we consider working poor. Mr. RASKIN mentioned that SNAP was a reflection of something. SNAP is a reflection of the fact that we have so many jobs that don’t pay adequate wages. SNAP is a reflection of the raw deal that our citizens are getting under an administration that would choose to give trillions of dollars worth of money to those people who are already rich, asking nothing in return for that horrible tax scam, and, at the same time, asking those at the lowest income spectrum in the entire United States of America to work so that they can be supplemented with meals that are \$1.40 a meal.

That is hypocrisy. That is disgusting. We should not even be having a discussion about whether or not we should be eliminating, reducing, or changing a SNAP benefit. We should make sure that there is adequacy for every child

and every family to not go hungry in this country; and, at the same time, we should be looking at giving our citizens who have had a really raw deal over these last couple of years a better deal, a better deal with better wages that we would like to proffer so that individuals wouldn’t have to work and get supplemental food assistance as well.

Better jobs. Better skills. Better opportunities.

I am going to close very shortly on this. I was at a hearing today on the issue of SNAP and what we were planning to do with SNAP and what were the recommendations for the SNAP program. And I heard from my colleagues on the other side of the aisle some very disgusting insinuations or accusations about people who were on SNAP who were perhaps sitting on their porch drinking a cup of coffee or whatever. And the assumption was that that person was sitting on his duff as opposed to out there working, and he was a recipient of SNAP. You know nothing about that person’s situation. But that person probably was a member of the minority class.

And we talk about getting a job. Well, I said to those people who came and testified today at our hearing: You have come here with some Pollyanna idea that this country is a country of equality. Well, it may have been working towards equality, but we are experiencing a period right now where we have the greatest sense of inequality we have had in decades, in hundreds of years.

We are underemployed. We are unemployed. The people who are working every day for wages to bring home are the ones who are paying for every tax break that is given to the 1 percent in this country. You can give millions and millions of dollars in the State of New Jersey even to the wealthiest 1 percent and ask nothing in return. If you are an individual, you are asked nothing in return. If you are a corporation, you are not even asked to create a job, a training opportunity, or to increase wages.

Do not talk to me about those people who are on SNAP and what they should be doing. Talk to me about what America should be doing for all of its people, because we are all members of the human race. Some of us just weren’t born rich. Some of us just don’t have the opportunity to go around with a silver spoon in our mouth.

This Congress should be ashamed of itself for not taking care of the needs of those who simply need government to recognize that it represents everybody, not just the very wealthy. I thank Mr. RASKIN for the opportunity.

Mr. RASKIN. Mr. Speaker, I thank Mrs. Coleman for her comments. She has made some very important points, and I wonder if I would pursue a couple with her before she goes, perhaps have a moment for colloquy.

The first is the point she was making about the growing economic inequality in the country. That is something that

has been on the minds of Americans, at the very least, since the Occupy movement took place after the 2008 mortgage meltdown crisis, which cost 11 million Americans their jobs, 12 million Americans their homes, and created an economic dislocation panic across the country, which thankfully President Obama and his administration moved to address, unleashing 60 straight months of economic growth and expansion in the country.

Today we have an administration which vowed to drain the swamp when it came to Washington. It seems like they have moved into the swamp and they are just draining the treasury instead: \$1.5 trillion added to our budget deficit from the tax scam giveaway, which you referenced.

I wonder if she would reflect for a moment on the relationship between a vision of government, which is that it is a money-making operation for a handful of people, and growing inequality and poverty among other parts of the population.

Mrs. WATSON COLEMAN. Mr. Speaker, I thank Mr. RASKIN for raising that issue. I think that that is one of the most prominent issues that people of this country need to understand.

Government has a significant role. That role is to protect the opportunities, rights, and privileges of all people, to create the level playing field. What we have experienced in this administration, in this Republican-controlled Congress, is that we care not. We prioritize the value of human beings based upon how much money they are worth or how much money they can get.

So we are taking resources that should not be taken out of our treasury; we are then giving them in heaps and piles to the very, very wealthy; and then we are talking about deficits that are being created and how we need to make up those deficits. And how do we look to do that? Well, we look to do things like reduce the benefits of Medicaid, mess with Social Security, take away SNAP from people who need supplemental nutritional assistance.

We talk about this America not being one America anymore. This is an America of the haves and the have-nots. Never have we seen this tremendous diversity or disparity between the very, very, very wealthy and those who are struggling.

And those who are struggling get this. My colleagues think of poor people as lazy people who are not doing what they can do. We are poor people in this country—hungry, homeless people—because of our policies, because of our budget, which is the greatest reflection of our priorities and our values. Our values are askew right now, and we need to make sure that we are looking after that responsibility for which we were elected.

Mr. RASKIN. Mr. Speaker, let me ask Mrs. Coleman one final question before she goes. She made a point before which I thought was profound,

which is that millions and millions of people on the SNAP program are working, but they are not making enough money to support their family in a dignified way, in a way that lives up to even the most minimal expectations for health and nutrition. That is what the SNAP program is all about. In a way, you could view the SNAP program as a subsidy to the employers of these people because we are taking care of them because their salaries don't.

Now, I could understand someone saying: Let's get rid of the SNAP program and make those employers pay a real living wage to these people, or let's make them pay a full living wage and give them all healthcare. But that is not the proposal that we are getting from our friends from across the aisle. They want to reduce the SNAP program at the same time that they don't want to increase the minimum wage and give people benefits.

I wonder if she could just explain what the theory is about how these people are going to survive.

Mrs. WATSON COLEMAN. Mr. Speaker, I think that it isn't so much a theory of survival as it is the possibility of not surviving at all. I think that we are finding ourselves in a situation right now where those who have less have the rawest deal they have had in a very long time. And I am proud to associate myself with my Democratic colleagues in this caucus who want a better deal for those people.

We want wages that you can live off of, that you don't have to rely upon assistance from anyone in order to be able to put food on your table, put a roof over your head or heat in your home. We want to make sure that everybody has an opportunity to learn and to have a good job. So we want to see investment in jobs, in training, in apprenticeships, in opportunities to do better.

We could do better with an infrastructure program that not only makes sense because we have a crumbling infrastructure on so many levels, but it also generates jobs. Generates jobs, which generates good incomes. Good incomes generate a desire to purchase. Desire to purchase helps to build our small businesses. We are looking in the wrong places, and we need to look at where we can grow our economy.

Our economy doesn't grow when we just simply continue to enrich the rich to be richer and richer and richest and to put that money overseas somewhere or anyplace that they want to put it but not to invest it in this country, in this economy. We need a better chance for everyone. We need a better deal for all of our citizens.

Mr. RASKIN. Mr. Speaker, I thank Mrs. Coleman for her strong voice and for participating in tonight's Special Order hour.

Mr. Speaker, I am delighted to yield to our distinguished colleague from Connecticut, ROSA DELAURO, who has been one of Congress' leading cham-

pions for the security of America's working people and for building an American middle class that includes everybody.

I am thrilled that Ms. DELAURO could join us, and I yield to her now.

Ms. DELAURO. Mr. Speaker, I want to thank Congressman RASKIN and my other colleagues here this evening as we talk about what is going on in the lives of families in our country today.

I rise to defend the Food Stamp program and to denounce the severe and immoral—I view them as immoral—cuts by the majority's farm bill.

□ 1715

You know, everyone knows that millions of people are struggling in this country. The biggest economic problem we have is that people are in jobs that just don't pay them enough money; they can't pay the high cost of healthcare; they can't afford to put food on the table; they don't take vacations; they don't take retirement; they are barely making it.

And with regard to hunger, it is truly remarkable. Over 15 million children, nearly one in four in our country, live in the heavy shadow of what is going on in working families today. In my district, the Third District of Connecticut—Connecticut is the State that is statistically the richest in the Nation, and that is because of Fairfield County and a whole variety of other issues. But one in seven people in my district don't know where their next meal is coming from. People want to talk about that, they put a nice term around it, "food insecure." That is not food insecurity. It is hunger—hunger in the United States of America.

So, you know, the social safety net programs are vital tools for reducing poverty and hunger, and the food stamp program is one of the most powerful programs we have for ending hunger in the United States. Last year, our Nation's largest nutrition safety net, food stamps, prevented 42.2 million people from going hungry. That includes 20 million children, 4.8 million low-income seniors, and 1.5 million low-income military veterans.

Men and women who go to fight, sacrifice their families, and, in a number of instances, their lives, their families can't make it, and they are on food stamps. And what the farm bill would do was jettison those military families. The country needs to know about this. The food stamp program works. It is for those who need it the most. It has been successful in alleviating hunger and supporting our economy.

In 2014, the program lifted 4.7 million people out of poverty, including 2.1 million children, and it has lifted more than 1.3 million children out of deep poverty. And the benefits go well beyond childhood years, as my colleague knows. We know that there is an 18 percentage point increase in the likelihood of completing high school with disadvantaged households who have had access to the SNAP program, evi-

dence of significant improvements in health and economic self-sufficiency among women.

It is efficient. More than half of the benefits go to households in the deepest poverty. Over 70 percent of all the benefits go to households with children. But, you know, it would appear that our Republican colleagues appear to be more interested in reducing SNAP than in reducing hunger.

We talked—a few minutes ago, you were talking about the tax bill—\$2 trillion tax cut—83 percent of those tax cuts to the richest, wealthiest Americans and corporations. My gosh, I will bet those folks are eating well every day. I bet they have three squares or more, when we have families who are barely able to put food on the table.

Let me just give you a couple of notes about who is benefiting from the farm bill and the several loopholes.

The farm bill eliminates means testing. Now, we all know that the food stamp program, they are means tested, asset tested. They can't be over a certain amount of money in income. They can't have more than a certain amount of dollars in assets. This farm bill allows millionaires and billionaires to get subsidies. It eliminates the means test for some of these folks.

You have, under current law, family members, like siblings and adult children, are eligible for subsidies, but—and that is regardless of whether or not they live or work on the farm. What the House bill does, they make cousins, nieces, and nephews eligible for the subsidies as well. It doesn't limit subsidies to one person per farm.

Quite frankly, as the President proposed, it doesn't require work. It doesn't create work requirements for farm subsidy recipients. And, you know, a number of these folks, they don't till the soil, they don't work the land, they live in Manhattan, and they still get a subsidy. They don't have to work the land for that.

And what we are talking about, food stamp recipients do work, for the most part. And what the farm bill has done is it has said, as well, that funding in the bill only works out to be \$30 per person per month for job training. What kind of job training is that? So that the bill, which requires working, underfunds job training in order for people to be able to go to work.

One other statistic. The bill increases price guarantees by up to 15 percent. It fails to reduce crop insurance premium subsidies from 62 percent to 48 percent, as, quite frankly, the President proposed. It extends insurance company subsidies. It provides \$1.5 billion in annual subsidies to crop insurance agencies, to insurance companies, most of whom are foreign based.

The country needs to know this. And at the same time, they want to deny food to the children in this country. It is unspeakable, the direction that they are going in. It does not reflect the values of this great Nation.

So, you know, if we are serious about reforming in the farm bill, they would

have included limits on agricultural subsidies. And, by the way, the crop insurance program, there are no eligibility caps, no payment limits. You know, it is all bets are off.

I want to end with thanking my colleague for doing this. I am going to continue, as I know he is. I am going to continue, and I know he is going to continue to stand up against what are unconscionable attacks on America's poor working families.

You know, I urge my colleagues on both sides of the aisle: Stand up. Stand with us. Let's ensure that Congress does not endanger families and children by decimating our hunger programs. We need to strengthen the SNAP program. We need not be sabotaging it.

I thank the gentleman for organizing this Special Order tonight. We need to be speaking here morning, noon, and night about what this administration, what this Republican majority Congress is doing to low-income families. The food stamp program is seniors, the disabled, and children.

Mr. RASKIN. Mr. Speaker, I thank Ms. DELAURO, and I would ask if she would be willing to stick around just for a little colloquy.

Ms. DELAURO. Mr. Speaker, I will.

Mr. RASKIN. Mr. Speaker, Ms. DELAURO made some really striking points, and I wanted to explore them a little bit more.

The tax bill, as we know, created a windfall bonanza of hundreds of billions of dollars for the wealthiest corporations and the wealthiest people in the country. Eighty-six percent of the benefit from the tax cut went to 1 percent of the people.

The interesting thing to me was that because it went overwhelmingly to investors, and one-third of the investment in our companies is held by foreigners, a third of the benefit of this tax cut just left the country. It went to foreign investors in Saudi Arabia or China or Mexico or wherever it might be.

Now, does it make sense for us to confer this extraordinary bonanza on the wealthiest people in the country and wealthy people abroad, and then turn around and start cutting the major antihunger assistance program we have got, the SNAP program? I mean, what is the morality of that? What is the logic of that?

Mr. Speaker, I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Speaker, there is no morality. That is it. It is immoral, and we have an obligation and a responsibility. And it is not just a social responsibility. This is a moral responsibility to make sure that in the land of abundance and an abundance of food, that we are going to look at jettisoning millions of low-income families and creating for them a situation where they cannot access food for themselves or their families, I ask the question: Who are we? It is immoral the direction that they are going in.

And with the farm bill—if you wanted to just look at the farm bill—you talked about the tax bill, and we know what direction that went in and who are the beneficiaries there. But again, this farm safety net is filled with loopholes. The top 3 percent of farms, or about 60,000 farms in the United States receive roughly 40 percent of all farm subsidies. Many farms receive more than \$1 million in subsidies annually. They don't pass any income test. They pass no asset test. The largesse is overwhelming.

And the share of subsidies, the largest farms claimed, has increased from 11 percent in 1991 to 34 percent in 2015. You know, they are consistent. Watch what they do in the tax bill. Watch what they do in the farm bill and who benefits. Who has benefited from the tax—the tax scam, which is rigged for the rich? And now we have a farm bill, which is rigged for the rich.

Mr. RASKIN. Mr. Speaker, I would say to Ms. DELAURO that that came out of the Agriculture Committee, as I understand it, on a party line vote.

Ms. DELAURO. Mr. Speaker, he got that right.

Mr. RASKIN. Mr. Speaker, this used to be bipartisan. It used to be a bipartisan commitment, and now, suddenly, it fell apart with no participation from Democrats. It comes flying out with the idea of targeting the SNAP program. What is going on here?

Mr. Speaker, I yield to the gentlewoman from Connecticut.

Ms. DELAURO. Mr. Speaker, Congressman RASKIN makes such a good point. Let me just tell you. I looked very, very hard at this issue over the number of years that I have served here. I served on the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Subcommittee. I chaired that committee for awhile, so I have spent more than 25 years focused in. And the issue of hunger in the United States has become a passion for me, and I tell you why.

I published a book not that long ago called, "The Least Among Us: Waging the Battle for the Vulnerable." And when I did the research for this book, this is what I found: that the social safety net program and the food stamp program was crafted by Democrats and Republicans. George McGovern, Bob Dole, they took a commission across the country.

Mr. RASKIN. Mr. Speaker, they are both from farm States.

Ms. DELAURO. Mr. Speaker, that is right. And they said there is a serious problem of hunger in the United States. They came back to Washington, and Democratic Members and Republican Members came together to say that this challenge—we have to address this crisis of hunger in the United States, and therein lies the genesis of nutrition programs crafted by men and women who came here who understood what their job was and they understood what the power of this institution is.

Unfortunately, we do not have those giants in this body on both sides of the aisle—the people who have left—and I am so proud of our Democrats who have stood together on this farm bill and said: No. This is wrong. We are not going to be complicit in leaving millions of people hungry in the United States.

Robert Kennedy took a commission across this country and went and found children and babies who were hungry and came back, and, again, on a bipartisan basis, helped to craft the programs that we have today. These were men and women who understand and understood why they were elected to the United States House of Representatives and the United States Senate.

□ 1730

Unfortunately, so many of our colleagues on the other side of the aisle have either forgotten their purpose here or never understood their purpose here.

Mr. RASKIN. Mr. Speaker, I want to follow up on something Ms. DELAURO said, which I think is very important.

She pointed out that it was Senator Robert Dole, a Republican from Kansas; and Senator George McGovern, a Democrat from South Dakota, who came together and said: We have this extraordinary agricultural bounty and surplus in America.

We could be feeding the entire world. Certainly we could be feeding the people of America. Most people are able to afford it, but not everybody, and not at every point in their life. We should make sure that, in the wealthiest society that has ever existed, everybody has the opportunity to eat three meals a day for \$1.40.

Ms. DELAURO said that we don't have the giants that we had then. I don't know if that is true. I consider the gentlewoman from Connecticut (Ms. DELAURO) a giant.

But I think what has changed is the public philosophy that is governing in Washington. I think there is a public philosophy that survives in town, which says that government is a moneymaking opportunity for the President and a handful of people: the President's friends and the people who surround the President. People are actually making money coming into government.

Whereas, the traditional ideal—the one I think Ms. DELAURO invoked with Senators Dole and McGovern and the new deal and Franklin Roosevelt—was government is an instrument of the common good to benefit everybody to advance the general will.

What has happened to our concept of government in America?

Ms. DELAURO. Mr. Speaker, I tracked in my research the Food Stamp program and child tax credits, bipartisan; equal pay for equal work, bipartisan; Social Security, Medicare, and Medicaid, when the votes came, they were done in a bipartisan way, the votes were bipartisan.

Now we seem to have lost that sense that the challenges are there for us to take on, on both sides of the aisle, to put aside differences for that common good. That is what we need to get back to. That what we are not about is humiliating people and demeaning people so that we think that that will make them go out and try to work to do a better thing, to tell them that there is no hope for them when they look to Washington and to government.

Mr. Speaker, that is a slap in the face to the years and the work that so many on both sides of the aisle did in Congress, and that is what we have to get back to. That is what should be entrusted to us, as we look at each of these areas that people face in our country.

People want jobs. We define ourselves by our jobs. We get our self-confidence from our jobs. People want to work. Your family looks up to you when you have a job. And, when you don't, you are embarrassed to tell your kids: I don't have a job.

These great people who served said: We need to come together to work on these issues.

For me, that is what I want us to get back to. That is what I try to work at, as you do, every single day. To have people understand that, in times of difficulty, we are accountable to one another, and we have a responsibility. We are not a society that said it is every man or woman for himself or herself, particularly in challenging times.

That is what our social safety net is all about. It reflects the great values of this country. I believe we can get back there. I believe that we can. We were there before, and we are going to get back there again.

Mr. Speaker, I thank Mr. RASKIN for what he is doing here tonight.

Mr. RASKIN. Mr. Speaker, I thank the gentlewoman from Connecticut (Ms. DELAURO) for her leadership, for her vision, and for her writing. It is incisive and useful for us all.

Mr. Speaker, I yield to the gentlewoman from North Carolina (Ms. ADAMS).

Ms. ADAMS. Mr. Speaker, I thank Congressman RASKIN for putting this Special Order hour together. I thank him for his commitment and for his concern.

I join all of my colleagues in opposing what is being proposed in terms of this farm bill.

Three weeks ago, my Republican colleagues on the House Agriculture Committee sat silently while Chairman CONAWAY introduced a partisan farm bill. Then they allowed him to preach about the many reasons why he feels that SNAP should be transformed from a feeding program to a work program, uninterrupted.

Then they voted for this flawed bill that takes food off of the tables of veterans, seniors, and children. Now they want to pass it through the House and push it forward with their agenda to starve our Nation's most vulnerable.

My Republican colleagues ought to be ashamed of this because Proverbs 22:9 says: "The generous will themselves be blessed, for they share their food with the poor."

I have said it once, and I will say it again: I don't believe that the Lord is pleased with what we are considering in this bill.

In my home county of Mecklenburg, North Carolina, more than 162,000 people are considered food insecure. Worse, 50,000 of those are children.

In my community, more than 55,000 families depend on SNAP to help put food on their tables. No one should wonder where their next meal will come from. But, sadly, this is a reality for many, many people.

Last year, North Carolina Republicans introduced a bill on the State level that would have a similar impact to this partisan farm bill. Analysis of that bill shows that roughly 130,000 North Carolinians will lose their SNAP benefits if this bill passes, including 50,000 children.

Nationwide, the impact of this bill would even be worse: kicking 2 million people out of the program and causing an estimated 265,000 children to lose free or reduced lunch at school. So, no work, no eat?

If we are lawmakers and we aren't protecting our Nation's children, then I don't think we deserve to be here.

Republicans continue to push the idea that we need entitlement reform just to appease the Speaker. Well, I understand the Speaker has announced his retirement, and I would like for us to just retire the idea that this so-called reform is just numbers on a page because it is not. Real people depend on SNAP programs and, without it, they will go hungry. No one can expect to work if they are hungry. No child can expect to learn if the child is hungry.

More than \$8 in \$10 in nutrition assistance go to households that include a child, a senior, or a person with a disability. Additionally, many working Americans depend on SNAP to make ends meet in expensive cities where earning the minimum wage doesn't pay all of the bills. People work two and three jobs a day at minimum wage, leave work, and go to a food bank to eat.

Additionally, many American families depend on SNAP. Working hard is not enough if you don't make enough.

Instead of punishing working Americans, let's address the cause of the issue, and let's raise the minimum wage to a living wage.

Mr. Speaker, I join my Democratic colleagues in urging Chairman CONAWAY to scrap this flawed bill and return it to the drawing board. We can, and we should, craft a bipartisan farm bill that benefits all communities.

Mr. RASKIN. Mr. Speaker, I thank Ms. ADAMS so much for her insightful remarks. Before Ms. ADAMS leaves, I would like to ask her a question.

Working in Washington and coming here several days a week, as Members

of Congress do, we are often treated to the spectacle of lifestyles of the rich and famous and political corruption. We see Scott Pruitt, the EPA chief, spending hundreds of thousands of dollars on first-class air travel with a security detail of a dozen people, something nobody has ever seen before for an EPA chief. He built, I think it was, a \$40,000 soundproof booth in his office in order to make secret phone calls.

Last night, we saw on TV, or pick up the paper this morning to read about, millions of dollars flowing into an up-till-now secret bank account that Michael Cohen had. Part of it was used as a slush fund to pay off a porn star, who had a relationship, allegedly, with President Trump. But then hundreds of thousands of dollars flowing in from one of the oligarchs in Russia with U.S. corporations involved.

There is a lot of money in this town. The power elite seems to have a lot of money, and gave hundreds of billions of dollars back to the wealthiest corporations and people in the country in the most recent tax legislation. Yet they get through with that, and then they turn and they want to pound the SNAP program, which is used to give a modicum of dignity and security to the poorest people in the country so that they can feed their families.

What is going on here?

How is it possible that we can see one kind of America operating in the Halls of power with the wealthiest people in the country, and another for the working people of the country who are trying to get by?

Ms. ADAMS. Mr. Speaker, Mr. RASKIN is so absolutely right. I think that is why people have generally lost faith in their government.

I mentioned a Scripture from the Bible, but there are 3,000 references—more than 3,000—that speak to how we should treat the poor. We are, I think, being derelict in terms of our duties. Yes, there seems to be a lot of corruption going on. We are not placing our priorities on the people. We are putting profits over people. That is so unfortunate because we were elected to serve everyone, including the poor.

The poor will be with us always. We have a responsibility to reach out and to give a helping hand, a help up. We are not talking about people who some folks think are lazy and they are not working. They are working, and they are the caregivers of the children.

Children live in poverty because their parents do. We must ensure that we can help those adults who help our children. We want our children to go to school and we want them to do well. Children will not do well if their stomach growls because they are hungry.

Mr. Speaker, I think Mr. RASKIN is right. We have two worlds here: the haves and the have-nots. It is time to give something to those who have not.

Mr. RASKIN. Mr. Speaker, three-quarters of SNAP benefits go to families: households with children in them. That should be what people think of when they think of the SNAP program.

We heard a lot today in the Oversight and Government Reform Committee hearing that was referenced earlier, basically about lazy people sitting around. I tried to alter the image a little bit. I said: You can have lazy people who get a paycheck in public housing and they spend all day watching TV, tweeting, and filing for bankruptcy. You have lazy people in the middle class. You have rich lazy people and you have poor lazy people.

Ms. ADAMS. Mr. Speaker, there are probably some lazy folks in here, too.

Mr. RASKIN. Mr. Speaker, we are not going to be able to eliminate laziness, but maybe we can take care of hunger in America so that kids don't go to sleep without food.

Mr. Speaker, I want to thank Ms. ADAMS for her leadership and her strong voice on these issues. It is very impressive to see how hard she has been fighting.

Ms. ADAMS. Mr. Speaker, I thank Mr. RASKIN for those comments.

One of the reasons that I wanted to serve on the Agriculture Committee was because of the issues that are impacted not only in my district but throughout this Nation. Having so many people who are food insecure gave us an opportunity, I think, to do good in this farm bill. It is my understanding that we have never had a bill that was not bipartisan, and I think we need to think about that. The citizens of this country are looking to us to do what is right because it is the right thing to do.

Mr. RASKIN. Mr. Speaker, in my district, I have urban, suburban, and rural. I have urban places like Rockville, Maryland; I have suburban places like Bethesda and Silver Spring; I have rural places in Frederick County like Middletown and Carroll County. I have sort of the full gamut of America in my district, and there is poverty in all of them. There are people struggling in all of them, just like there are people who have become very prosperous in all of them.

But our job, I think, as Representatives in Congress, is to keep the country unified and see what that beautiful, magical phrase in the beginning of the Constitution "We the people" means. For us to stand together in all of our magnificent diversity of ways of life and different kinds of communities that we have across the country, what is it that binds us together?

I think the goodness of the American people is that we are invested in the success of everybody, not just this or that group, not just our business buddies, not just our partners, not just people in our political party, but we are invested in the success of everyone, and that is our job.

Ms. ADAMS. Mr. Speaker, Mr. RASKIN is exactly right. Hunger is not a partisan issue.

□ 1745

Mr. RASKIN. Mr. Speaker, I thank Ms. ADAMS for participating.

Mr. Speaker, I yield to the gentlewoman from Texas (Ms. JACKSON LEE), my distinguished colleague.

Ms. JACKSON LEE. Mr. Speaker, I am delighted, if I might say, to be with Professor Raskin today, and I would like to use that terminology, or Congressman RASKIN, but it means that he gets into both the theory, the practice, and the passion of an idea. That is what teachers do. They try to instruct their students to look at the holistic concept of a theory.

Mr. Speaker, the loss of food stamps is not a theory, but it has passion in the loss of such. It has a broad landscape of impact. It certainly has a theory of which I don't adhere to, and that is that Americans who have asked for a hand up are the ones deserving of the brunt of an enormous tax cut that has created an enormous deficit that was not asked for by the top 1 percent, who are getting the major aspect, or major benefit, of this tax cut.

As a member of the Budget Committee, we took pains, the Democrats, to parse through the ultimate negative impact of the \$1.4 trillion-plus tax cut.

During the Obama administration, we discussed a corporate rate reduction. Many of us would have considered that on the idea of job creation, coming from the early thirties, if you will, down to about the mid-twenties. We did more than—when I say "we," this bill did 21, unasked for by any corporate entity, which added, again, insult to injury as it relates to those families, disabled, and seniors, children who are dependent upon these programs.

We have many Americans who are dependent upon means-tested programs, 70 percent. The supplemental nutrition program, unlike the 21 percent corporate rate reduction for taxes, is \$1.40 per person.

One of our colleagues in the other body, Senator BOOKER, as we all know who are familiar with him, and I think maybe we should join in that effort, spend that much per meal, all of the Members of the House of Representatives, because what we are dealing with today is the farm bill.

The farm bill takes to shutting down the SNAP program and to cutting it drastically, and to ignore and underfund important programs because we find ourselves in a predicament of the deficit, the tax cut, and what choices do we make.

The decision to limit SNAP is not limited to red States or blue States. Eighty-five of the top 100 counties of individuals receiving SNAP benefits are rural communities, and many of them are, in fact, Republican represented.

The disastrous changes to SNAP would jeopardize the food security of 42 million people, including 30 million children, 4.8 million low-income seniors, and 1.5 million low-income military veterans.

So in conclusion, I came to the floor today to ask the question: Why in the farm bill?

There is something about having a little seniority in this House. I can remember that of all the bills in this Nation that came out of this House and Senate—and I might say, joyfully, because I have been supported by the Farm Bureau. I come from a State of ranchers and farmers. We used to take pride in having that nexus between farmers and the SNAP program and the continuity of such.

So here we are. We have breached it. We have blown it up for no reason other than to pocket the money for the tax cut.

Mr. Speaker, I thank the gentleman for bringing us together. I ask my colleagues to vote against the farm bill, because that would be standing up for maybe a better pathway of that bipartisan farm bill that we have had over the decades to make a difference in the lives of all Americans.

Mr. RASKIN. Mr. Speaker, I thank Ms. JACKSON LEE for her really profound and important remarks tonight.

Mr. Speaker, I would close out our session here by just making an observation about the importance of this SNAP question.

It is important legislatively because our friends across the aisle have broken from a bipartisan tradition going back a very long time now in the passage of the farm bill just to make it a partisan power grab and a push over everybody else in the body, but it also goes to the question: What kind of government are we going to have? Will this be government for the few or will it be a government for everyone?

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

#### HONORING THE LIFE OF THE HONORABLE ZELL MILLER

The SPEAKER pro tempore (Mr. CURTIS). Under the Speaker's announced policy of January 3, 2017, the gentleman from Georgia (Mr. CARTER) is recognized for 60 minutes as the designee of the majority leader.

#### GENERAL LEAVE

Mr. CARTER of Georgia. 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 topic of this Special Order.

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

There was no objection.

Mr. CARTER of Georgia. Mr. Speaker, I rise today to remember the life of a former mayor, of a former Georgia State senator, of a former Governor of Georgia, and of a former United States Senator representing the State of Georgia, Mr. Zell Miller.

Zell Miller passed away on March 23 at the age of 86. He was born on February 24, 1932, in Young Harris, Georgia, in Towns County. He was born to Birdie Bryan and Stephen Grady Miller.

When Zell was 17 days old, his father died. His widowed mother raised her

son and daughter, Jane, alone in Young Harris. Located in the north Georgia mountains, Miller's mother built a home for herself and her children with rocks she had hauled from a nearby stream.

Mr. Speaker, I had the honor and privilege of attending Young Harris College, and I am very familiar with this area and I was blessed to hear about these stories.

I have always heard about the story of how Ms. Miller hauled these rocks up from the stream to build her home. It was that experience, that house, that became symbolic of Zell Miller's rugged independence.

After he graduated from Young Harris College, Zell Miller continued his education at Emory University in Atlanta; but shortly after he arrived there, he found that he wasn't really focusing on his studies. In fact, in one of the many books that he wrote, "Corps Values," he writes about waking up in jail in Young Harris drunk as a skunk. He tells that story in that book. I have read the book, and I remember that story.

Well, shortly after that experience, he enlisted in the United States Marine Corps, in 1953. Later, he attributed much of his success to both the discipline he learned as a marine and the independence that he learned from his mother.

He married Shirley Carver in 1954, and the couple had two sons.

In 1956, he enrolled at the University of Georgia, where he earned a bachelor's and a master's degree in history.

In 1959, he took a teaching position at Young Harris College and returned to his hometown as a professor of history and political science.

Mr. Speaker, members of the Georgia delegation are here tonight, and I am going to yield to them. I am going to pause. I am going to continue on and tell you about the rest of this outstanding gentleman's life, but at this point I am going to pause and I am going to yield to the gentleman from Georgia (Mr. FERGUSON), one of my fellow delegation members from Georgia.

Mr. FERGUSON. Mr. Speaker, I thank my colleague, Representative CARTER from Georgia's First District, for organizing this hour to honor one of Georgia's great leaders, former United States Senator and Georgia Governor Zell Miller.

Governor Miller's leadership in our State led to the creation of something that we hold near and dear to our hearts, and that is the HOPE Scholarship. This scholarship program has helped generations of young Georgians build a bright future for themselves, and that, in turn, has led to a stronger State for our people.

In addition to the HOPE Scholarship and many other policy accomplishments, Governor Miller truly embodied the term "public servant." He devoted his life to serving our fellow Georgians and sought to leave our State better than he found it.

At his funeral, Governor Miller's grandson read a list of 14 life lessons that the Governor had written to mark his 70th birthday. This list included a number of important lessons that he wanted to pass along to his family and to others, and it included such things as reminding folks not to smoke, that it killed his friends way too early. It reminded people to be polite, to be on time.

One of the lessons that struck me in particular and I think really describes how Zell Miller sought to live his life reads this:

Search for your niche. It may take years, although often it occurs early in life. There is something out there that you can do better and easier than everybody else. You will have a knack or talent for it. Find it. It is there. And when you do, others will beat a path to your door to get you to do it for them.

Governor Miller certainly found his niche in his lifetime, and that niche was serving his fellow Georgians. Using his talents, he created a program that helped thousands of students achieve their dream of a college education, a legacy that will live on through each successive class of HOPE scholarships.

We are eternally grateful for his service and his commitment to our great State and to ensuring that future generations will have greater opportunities.

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for his comments.

Mr. Speaker, the gentleman mentioned something about the HOPE Scholarship. Zell Miller was known as Georgia's education Governor. He was the founder of the HOPE Scholarship, and as the gentleman noted, it resulted in a number of students who have been able to complete their college degrees and their college careers as a result of the Zell Miller Scholarship and the HOPE Scholarship.

Before I recognize the next speaker, I want to continue on what I was sharing with you about Zell's early life and the fact that, after he got out of the Marine Corps, he went to Young Harris College and he was a professor of history and political science. But he was something else. He was also a baseball coach. He coached baseball at Young Harris College.

I had the privilege of talking to some of his former players. In fact, we just had homecoming up at Young Harris a few weeks ago, and I had the opportunity to talk to Don Harp, a retired Methodist minister who has served for many years on the board of trustees at Young Harris College. He was one of the best baseball players to ever come through Young Harris.

He was telling me a story about how he was a catcher on the baseball team. They had a lead in the game, and he was calling the signals. They were ahead by one run, with two outs, in the top of the ninth inning. They were about to wrap it up. He said he called for two sinkers in a row. Sure enough,

he got two strikes on the batter and had an 0-2 count. He said then he decided he would call for a fastball. So he called for a fastball, and sure enough, the batter hit it right up the middle, two runs scored, and they got behind by one run.

He said he went back to the bench after that inning. He said they were behind by one run, and he went back to the bench, and he said Zell Miller was coaching and he was sitting on the bench. He said he motioned to him. He said: Come over here.

He said he came over there and he sat beside him, and he said Coach Miller looked at him and he said: If you ever make another call like that, you will be sitting here by me the rest of this game.

He said he understood right then exactly what he was to do.

I also remember talking to one of my colleagues that I served with in the Georgia State Legislature in the Georgia House, Mickey Channell, who played baseball for Zell at Young Harris College. Mickey was from Greensboro, Georgia.

Mickey told me: I didn't get to play very much, but I remember this one time that my dad traveled up to see me and traveled up to see me play, and Zell knew he had come.

He said: Zell let me start that game because he knew my dad was there.

I could tell how much that meant to Mickey, and he had always remembered that.

That is just a glimpse of what we are talking about when we are talking about this great man, this great Georgian, this great American.

In his early political career, as I mentioned, he was a mayor. He was mayor of Young Harris. He held that position for 2 years, and then he was elected as a State senator. He represented the areas up in north Georgia—Towns County, Union County, Rabun County—as a State senator.

A few years after that, he took a leave from his teaching responsibilities at Young Harris College, and he actually went and was executive secretary for then-Governor Lester Maddox during the time that Lester Maddox was Governor from 1968 to 1971.

□ 1800

During the 1970s, Zell Miller was twice named as a delegate to the Democratic National Convention, once in 1972, and again in 1976.

In 1971, he was appointed as Executive Director of the Democratic Party in Georgia, and he served in that capacity until 1973, when he became a member of the State Board of Pardons and Paroles. He served on that board until 1975.

Then in 1975, Zell Miller became Lieutenant Governor of the State of Georgia, and he actually held that post longer than anyone has ever held that post. He held it for 16 years.

In 1980, he ran for statewide office. He ran for the United States Senate,



but he lost in the primary to then the incumbent, Senator Herman Talmadge. Over the next 10 years, as Lieutenant Governor, he really worked on his leadership skills. As Lieutenant Governor, he was the Presiding Officer in the State Senate.

As I mentioned earlier, I had the honor and privilege of serving in the Georgia State Legislature for 10 years; and the stories that we heard, as Members, about Zell Miller as the Lieutenant Governor, and the famous Tom Murphy, who served for so many years as Speaker of the House of the State of Georgia, and the battles that those two would have, Zell as the leader of the Senate and Tom Murphy as the leader of the House. The stories are still told in the Georgia State Legislature and the Georgia State Capital about the battles between these two giants of Georgia politics.

In 1990, Zell ran for Governor of the State of Georgia. He was in a tough race in the Democratic primary. He faced Andrew Young. He won that primary, and then he was elected. He was elected as Governor of the State of Georgia; actually defeated JOHNNY ISAKSON, who now serves as our Senator here, our senior Senator in the United States Senate.

Mr. Speaker, before I go on and tell you about his Governorship, I will pause again and yield to another one of my colleagues from Georgia, Representative DAVID SCOTT, and I will have a story to share about his brother-in-law in just a minute and Zell Miller. I look forward to hearing about him because I know he has got some great stories about "Give 'em hell Zell."

I yield to the gentleman from Georgia (Mr. DAVID SCOTT).

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I say to the gentleman, well, my friend, you got that right.

Zell Miller was my friend, my partner, and my mentor. I got into politics quite a little bit early, just as I graduated from the Wharton School of Finance, University of Pennsylvania, and landed in Atlanta. Two years later, getting down there—you mentioned Andy, getting in his campaign. And then 2 years later, there I am winding up in the Georgia House of Representatives.

So my story intersects on so many different angles and ways with that of Zell Miller, and I can truly stand here and tell each of you that I truly loved this man, and I still do; and I would not be standing here as a Member of Congress if it weren't for that friendship, that partnership, and that mentorship with Zell Miller.

Let me, perhaps, I think, as I tell you about this, I am thinking of a scripture that best sets the story for this great man; that evolves everything, the history and the steps, the many positions, all that he had done.

Before I get to that scripture, Zell Miller helped me. I mean, I got there as a young person. I got over in the Sen-

ate. My two Senate officemates, one was Paul Coverdell, the other Julian Bond. And with us three, Zell Miller called us three his three horsemen.

It was then that he was laying the foundation for that vision, for the HOPE Scholarship. Zell Miller appointed me to be chairman of the Senate Higher Education Committee; first African American at that position.

But more than that, he appointed me at that position at a time when he was giving birth to one of the greatest public affairs programs in Georgia history, the HOPE Scholarship. And for me to be there as the chairman of the Senate Higher Education Committee, in that pivotal position, and then to be able to go across Georgia in churches and schools and help sell the HOPE Scholarship and what it meant, and then that paved the way for me to later become Rules Chairman with Zell's endorsement.

So there I was, as Rules Chairman; as you know, Buddy, nothing gets on that calendar if it don't get through the Rules Committee. And I was there to make sure none of those bills—because you know it was tough. They had other bills coming to try to remove the HOPE Scholarship.

So let me just conclude by sharing with you what his life meant to me and, I think, to the Nation and the world is best captured in God's first psalm.

Blessed is the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, or sitteth in the seat of the scornful. But his delight is in the law of the Lord, and in the law of the Lord he does meditate day and night. And he shall be like a tree planted by the rivers of waters, bringing forth his fruit in his due season. And none of his leaves will ever wither, and everything, everything, whatsoever he does, shall prosper.

Such a man was Zell Miller. God bless you, Zell Miller, and I thank God for sending Zell Miller our way.

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for sharing that. And I want to share one other thing before I call on the next speaker.

I mentioned that Zell Miller was the baseball coach at Young Harris College when he was a professor up there and on the faculty there. Well, they discontinued the baseball program for a long time. And then, when Zell was Governor, they actually restarted the baseball program, and Zell had a big role in that. In fact, he—two stories I want to tell you real quickly.

He invited us all to the Governor's mansion, those of us who were supporting the baseball program and trying to get it started up. And to kick it off, he had none other than Hank Aaron and Mickey Mantle at the Governor's mansion as a benefit to getting the Young Harris College baseball program started again.

Not only has that program started again, but it has been very, very successful, producing players such as Nick Markakis, who plays for the Atlanta Braves now, who played at Young Har-

ris College; Charlie Blackmon, playing for the Colorado Rockies; just a few of the many players that went to Young Harris who are playing in the major leagues right now.

I also want to share with you very quickly his love of baseball because, again, when he was Governor, Phil Niekro, the great knuckleball pitcher of the Atlanta Braves, was inducted into baseball's Hall of Fame. Zell actually hosted a trip to the Hall of Fame in Cooperstown during the time that he was being inducted, and my wife and I and my two oldest sons were honored and able to go on that trip.

I can remember being at the Hall of Fame with Zell Miller, and I can remember the emotions, and how proud he was of a Georgian, of Phil Niekro, of an Atlanta Brave being inducted into the Baseball Hall of Fame. Just another one of the great memories that I have of Zell Miller.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. ALLEN), another member of our delegation, to share with us his remarks.

Mr. ALLEN. Mr. Speaker, I thank Congressman CARTER for putting together this Special Order to honor someone who probably everybody in Georgia has been touched by in some way or another.

Of course, I rise today to honor the life and legacy of what we all consider a true legend in the State of Georgia, former Governor Zell Miller. He was known for his quick wit, and he had a deep love for the State of Georgia and, of course, obviously from the mountain area in north Georgia. He was always willing to do what was right for our State, the State that we all love to call home.

Zell Miller's service to our country began at a young age and, as was mentioned, he served in the United States Marine Corps, where he later attained the rank of Sergeant.

Upon returning home from his military service, Zell received degrees, as has been said, in history from the University of Georgia, and would eventually use that education to teach college at his hometown in Young Harris, Georgia. I did not know that he was the baseball coach, but I was glad to learn that.

After only a few years of teaching, Zell was called to run for public office, as was said, as Mayor, State Senator, Lieutenant Governor, and later Governor, then U.S. Senator. It is hard to imagine who has had a greater impact on the lives of Georgians.

Zell was one of those true conservatives. As Governor, Zell Miller will be remembered for his great accomplishments, as we mentioned, of the HOPE Scholarship program, and funding it with the Georgia Lottery, which has surpassed \$10 billion in total financial aid assistance to Georgia students. Let me repeat that: \$10 billion in total financial aid assistance to Georgia students.

Because of the HOPE Scholarship, Georgia higher education is now a national leader in entry requirements and graduation rates.

A quick story about the University of Georgia. On visiting that campus, we learned—and this was when we were doing our higher education bill, and we were told that graduation rates were 55 to 60 percent across the country. Well, in visiting the University of Georgia now, that has been under the HOPE Scholarship since Governor Miller served his term, we learned that the entry requirement, Buddy, was 1,300 on the SAT, and you had to be at the top of your class to get into the University of Georgia. And the student body is 80 percent of Georgians. They only accept 20 percent from out of State, so you can imagine how much more difficult it is to get into the University of Georgia out of State.

But the amazing statistic is that the graduation rate is 95 percent; and those students either get a job upon graduation, or go on to higher education; an amazing accomplishment for the University of Georgia, and largely because of the opportunities presented to Georgians through the HOPE Scholarship.

Because of the HOPE Scholarship, like I said, Georgia is now a national leader in education. Zell Miller will always be known as the “Education Governor,” and he helped build a foundation that, of course, our State enjoys today.

During his tenure, he also played a pivotal role in bringing the Children’s Medical Center to the Medical College of Georgia at Augusta University. We have a special attachment, our family does, as many families across the State of Georgia do, to the Medical College of Georgia.

Our 12th grandchild was born 8 weeks premature. Her first year of life she spent in that Medical Center, off and on, to deal with being born premature. Our family, among many families in the State of Georgia, thank Zell Miller for his foresight in bringing the Children’s Medical Center of Georgia to the 12th District. It means so much to the health and welfare of families in that area.

□ 1815

Zell Miller established Georgia as a State to watch, and his hard work paid off. Georgia has been named, for 5 years running, as the number one State to do business. You don’t attain that rating unless you have one of the top education systems in the country.

Zell Miller was the Governor who gave Georgia hope. He will be dearly missed, and his legacy will live on forever. I am one person that is glad that I knew him, and I thank him for what he has done for my family and for fellow Georgians.

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for his kind words.

Before I yield to our next speaker, I want to mention one of the things that

Zell was famous for, and that was that he wrote a number of books. He was an author.

In fact, the first book he ever wrote in 1976 chronicled, really, him growing up in the mountains. The name of the book was “The Mountains Within Me.”

That book had a very special meaning to me, personally. You see, he talked about Young Harris College, and he equated Young Harris College to being like a shoe factory because things are coming out of there in pairs. That meant a lot to me, because that is where I met my wife. She was my chemistry lab partner. We came out as a pair and we have been a pair, and in September it will be 40 years.

He also wrote a number of other books. I mentioned earlier that he wrote the book about his experience in the Marine Corps, “Corps Values: Everything You Need to Know I Learned in the Marines.” He wrote that in 1996. There are 12 chapters in that book, and each chapter is devoted to a particular trait that he developed during his years in the Marine Corps, for instance, courage, neatness, discipline, and pride.

He also wrote another book, “Great Georgians,” that was published in 1983.

Another one that he wrote was “They Heard Georgia Singing,” about all the famous singers who came from the State of Georgia—a great book. By the way, in that book he chronicles two musicians who came from Young Harris College, Ronnie Milsap and Trisha Yearwood, both Young Harris College alums.

As you can tell, I am very proud of Young Harris College. It is my alma mater. It changed my life. Zell Miller changed my life.

I will go on later, but before I do, I want to take this time to yield to another Georgian who is here with us to pay his respects, Representative Hank Johnson.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Speaker, I thank my friend BUDDY CARTER for yielding to me.

For the record, I want it to be known that it was he who called me yesterday to find out what color suit and tie I was going to wear.

Mr. Speaker, I rise today to pay tribute to a great Georgian and a great American, former Georgia Governor and U.S. Senator Zell Miller, who died at the age of 86 in March.

He was a north Georgia mountain boy of humble beginnings, who was raised by a single parent after his daddy died when he was just 2 weeks old. He was raised in a house that his momma built with her own hands.

Former Presidents, Governors, and dignitaries from all over the country and the world have honored Mr. Miller, who launched the State’s HOPE Scholarship and led Georgia into the 21st century.

He was a true statesman, who served Georgia and his country as, first, a

United States Marine, then as mayor of Young Harris, later serving as a State senator, thereafter as Lieutenant Governor, and then as Governor, and finally as United States Senator.

Zell Miller dedicated his life to public service. He was a man physically compact and a bit short, but he walked tall and he walked strong, and he left a towering legacy.

A small town mountain boy from the little town of Young Harris, Zell Miller made a big impact on the affairs of Georgia and, indeed, the affairs of the Nation.

Zell Miller left a huge impact on Georgia’s judicial system. He literally changed the face of the State bench.

I include in the RECORD an article I found of particular interest from the Fulton County Daily Report, dated March 23, 2018, by managing editor Jonathan Ringel. The article is entitled, “The Late Zell Miller Diversified the Bench.”

THE LATE ZELL MILLER DIVERSIFIED THE BENCH

(By Jonathan Ringel, March 23, 2018)

The news today that former Georgia governor and U.S. senator Zell Miller has died at age 86 prompts us to look back on the mark he left on Georgia’s legal system—that of being the first governor to appoint a large number of minorities and women to judge-ships.

As a staff reporter here, I wrote the following article, which was published Dec. 28, 1998, a few days before the end of his eight-year tenure as governor.

The Zell Miller Legacy: Diversity on the Bench

When he leaves office next month, Gov. Zell Miller will have appointed 37 percent of Georgia’s 287 trial and appellate court judges. Those numbers include four of the 10 judges now on the state Court of Appeals and five of the seven state Supreme Court justices.

Moreover, Miller changed the face of the state’s bench, carrying out his pledge to concentrate on diversity.

Twenty-five of Miller’s appointments have been black. Forty-two have been women. Eleven have been both, meaning he has added 56 black and female judges to the bench in eight years.

According to Miller’s office, Gov. Joe Frank Harris made 76 judicial appointments in his eight years before Miller. They included 10 black and 11 women, totaling 18 black and female judges.

Even before hearing those numbers, attorneys and court watchers say diversifying the bench will be Miller’s legacy to the law of Georgia.

“That’s a major impact,” says former Attorney General Michael J. Bowers of the judicial statistics.

Criminal-defense lawyer John R. Martin, a harsh critic of Miller when it comes to mandatory minimum sentencing laws, calls Miller’s diversifying the bench “remarkable.”

“That is amazing,” says Paula J. Fredrick, immediate past president of the Georgia Association of Black Women Attorneys.

Miller looks at his role in diversifying the bench as ironic.

Appointing judges, he says, was “the one aspect of being governor I had never thought about” throughout 16 years of being lieutenant governor.

He says he had lots of plans on taking office—such as starting the lottery-funded

HOPE scholarship, but being a nonlawyer, "I had not thought about the judiciary."

That changed when he took office in 1991, because, along with the keys to the Governor's Mansion, Miller inherited a tricky piece of litigation.

In 1988, state Rep. Tyrone Brooks, D-Atlanta, the American Civil Liberties Union and other plaintiffs had filed a voting rights suit against the state. They attacked the picking of judges in circuitwide at-large elections, claiming the system was discriminatory because blacks typically were outvoted by the white majority and that most judges were therefore white. *Brooks v. State Board of Elections*, No. CV288-146 (S.D. Ga., filed July 13, 1988).

They also alleged that, since 1964, the state should have been submitting laws creating new judgeships for review by the U.S. Justice Department, under the federal Voting Rights Act.

On the review issue, a special three-judge panel of the U.S. District Court in Savannah agreed with the Brooks plaintiffs. So when Miller took office, the Justice Department was holding in limbo 48 established judgeships and other judgeships created since the litigation began.

"There was a cloud hanging over the judiciary," recalls Troutman Sanders partner Norman L. Underwood, a former Court of Appeals judge.

Miller asked Underwood to head the Judicial Nominating Commission, which since the days of Gov. Jimmy Carter had screened judicial applicants and recommended shortlists to the governor.

Miller reconstituted the commission, saying he wanted to open up the process for minorities and women. He eliminated four of the five guaranteed slots for representatives of the bar, leaving only the one for the current bar president as an ex-officio member.

Miller allowed the speaker of the House and the lieutenant governor to pick one nonlawyer each for the commission, and he added the attorney general.

The rest of the picks—three lawyers and two nonlawyers—remained Miller's.

According to Miller's 1991 executive order, the commission must always include one woman and one member who is Black, Hispanic, Asian-Pacific American, Native American or Asian-Indian American (Daily Report, Feb 13, 1991).

"The loss of the bar seats was a bit of a disappointment," says Albany litigator William E. Cannon Jr., the current bar president, who disagrees with Brooks' argument at the time that the bar's majority control of the commission perpetuated a "good of boy network."

Underwood says there might have been a perception the prior commissions were not focused on diversity.

That said, the first commission, including three black members and one woman, went about its work.

Later that year, two seats opened up on DeKalb Superior Court, which had no black members.

Faced with mixed race and gender shortlists sent by the commission, Miller chose Michael E. Hancock, then chief Judge in DeKalb Recorder's Court, and DeKalb State Court Judge Linda Warren Hunter, who were both African-American.

Considering that more than 40 percent of DeKalb County is black but the Superior Court had no black judges, Underwood says, "I think the governor just sensed that's unacceptable."

Miller won't discuss any specific decisions. But he says his first appointments of minorities and women encouraged more of each group to apply.

Other factors were at work, as well.

Frederick, a deputy counsel to the state bar who made a shortlist for a state court position, notes that women and minorities have graduated from law school in much greater numbers over the years, adding to the available pool for Miller.

In addition, the Brooks case loomed over Miller's picks throughout most of his administration.

In June 1992, after six weeks of negotiations prompted by U.S. District Court Judge Anthony A. Alaimo, Miller and Brooks hammered out a historic settlement. (Daily Report, June 19, 1992)

To end the case, Miller agreed to appoint 30 black judges and adopt the so-called "Missouri plan of judicial selection, in which judges are appointed and then undergo periodic retention elections.

But in March 1994, U.S. District Court Judge B. Avant Edenfield of Savannah refused to approve the settlement, ruling that Attorney General Mike Bowers lacked the authority to make such sweeping changes to the state's judicial election system and that the requirement to appoint black judges would violate the equal protection clause of the U.S. Constitution. (Daily Report, March 9, 1994)

Brooks appealed unsuccessfully for three years, finally dismissing the case last year. (Daily Report, June 23, 1997)

Robert J. Proctor, who has brought numerous legal challenges to affirmative action policies around the state and opposed the Brooks settlement, says, "I think Gov. Miller implemented the settlement anyway."

Miller came close, appointing 25 black judges. While about 28 percent of Georgia is black, 20 percent of Miller's appointees were black and 33 percent of his appointees have been female.

Brooks says, "I think there's greater trust in the judicial system now."

Clayton County District Attorney Robert E. Keller says, "The bench must represent a cross-section of the society," and credits Miller for his appointments.

But Proctor, a past chairman of the conservative Southeastern Legal Foundation, says judges should not be picked on the basis of race or gender.

"That whole concept is just abhorrent to me," Proctor says.

He adds that Miller's picks do not represent the proportions of the number of black or female lawyers in the state.

The state bar keeps records only on gender, says spokeswoman Jennifer Davis. She says 28 percent of the 29,523 members of the Georgia bar are women.

Miller responds, "I don't think I've done anything in my eight years as governor that pleased Bob Proctor." (Not true, says Proctor, who calls Miller's second term "taxpayer-friendly.")

Miller adds, "You don't choose anybody because they're a female or a minority," noting that there were many times lawyers who were considered front-runners for posts because they were women or minorities did not get the job.

Besides, he adds, "I only got very qualified individuals on the shortlists."

Underwood recalls an opening in a circuit that stretched 90 miles from one end to the other. Miller picked a lawyer who lived in the part of the circuit where there wasn't a judge, and Underwood speculates, "In that case, the factor on the governor's mind was geography."

Fulton Superior Court Judge Cynthia D. Wright was Miller's executive counsel for his first term.

She says, "When you appoint a judge, you have to factor in a whole lot of subjective qualities."

"It is not an objective process."

Mr. JOHNSON of Georgia. Zell Miller was the first Governor to appoint a significant number of minorities and women to the Georgia bench. Zell Miller should be remembered for actually desegregating Georgia's courts. As the Daily Report article outlines, by the time Zell Miller left the Governorship in December of 1998, he had appointed 37 percent of Georgia's 287 trial and appellate court judges. Those numbers include 4 of the 10 judges on the State court of appeals, and 5 of the 7 State supreme court justices.

Zell Miller appointed an African American female as the first African American to ever serve on the Georgia Supreme Court. Twenty-five of Governor Miller's appointments were African Americans; 42 of his judicial appointments were women; 11 were African American women, meaning he added 56 Black and female judges to the bench in his 8 years. It is a fact that Zell Miller appointed more African Americans to judgeships in Georgia than all previous Georgia Governors combined.

In addition, Governor Zell Miller appointed an African American to serve as Georgia's Attorney General, making that African American the first African American State attorney general in the Nation. It is a remarkable record for any Governor, let alone one from the Deep South.

One of the first counties where he began to diversify the bench is my home circuit, the Stone Mountain Judicial Circuit. As Governor, Zell Miller appointed as State labor commissioner the first African American to ever hold a nonjudicial constitutional office in Georgia, and Zell Miller appointed more African Americans to more State boards than any other Georgia Governor.

As executive secretary for Governor Lester Maddox from 1968 to 1971, Zell Miller was credited with exerting a moderating influence on Governor Maddox, a segregationist, and spurring him to appoint Blacks to his administration, which he did.

As Governor, Zell Miller led an unsuccessful effort back in 1993 to remove the Confederate battle emblem from the State flag, and he pushed legislation providing more money for public schools and scholarships for high school students. In fact, Governor Miller raised teacher pay in Georgia by 6 percent for 4 successive years—4 successive years, 6 percent each year. By the time he stepped down after his second term of Governor, Zell Miller was one of the most popular politicians in Georgia's history, leaving office with an astounding 85 percent approval rating.

Mr. Speaker, I thank the gentleman from Georgia's First Congressional District, my friend, BUDDY CARTER, for inviting me here this evening to provide a few remarks about the passing of this Georgia lion, Zell Miller, who did a lot of good for our State and for our people, and I truly appreciate him for that.

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman from Georgia for sharing his thoughts.

Before I yield to our next speaker, I want to speak just for a second on a couple of things about the time that Zell spent as Governor of the State of Georgia.

As you just heard Representative JOHNSON mention, and I think it is important to understand, when he left office, he had an 85 percent approval rating. Who in the world gets an 85 percent approval rating? He was the most popular Governor in the Nation when he left office.

But I do want to share with you that that was not always the case. It was tough because, after all, we are talking about "Give 'Em Hell Zell."

You have heard many of the speakers mention the HOPE Scholarship. And, again, we are talking about Georgia's education Governor here, the father of the HOPE Scholarship. But remember, the HOPE Scholarship came about as a result of the Georgia State Lottery, which there were a lot of people who were opposed to that.

Remember I told you about being at Young Harris College? Young Harris College is a Methodist school. There were a lot of people who supported Zell who were opposed to what some considered to be gambling. Zell pressed on. He knew how important it was. That was his tenacity. That was his ruggedness. He didn't let that get in the way, and thank goodness he didn't.

In 1992, he was very important to Bill Clinton's campaign to secure the Democratic U.S. Presidential nomination. He played an important role in that.

In fact, he also spoke at the Democratic National Convention. That is where they had the posters all throughout the convention that said, "Give 'Em Hell Zell." They were distributed among the delegates, as Miller gave a speech that was critical of U.S. President George H.W. Bush's administration. Later that year, he also actively campaigned for Clinton, and Clinton carried the State of Georgia.

Representative JOHNSON also mentioned something that is very important to remember as well. Zell was not easily elected to his second term. That is because he took it upon himself to do the right thing and to try, although it was unsuccessful at that time, to change the State flag of Georgia and to take the Confederate emblem off of that State flag. Later it was done, many years later, and I can remember Zell saying: Well, we might not get it passed. It might not be attributed to me, but maybe I will get an asterisk.

Well, I don't know if he ever got an asterisk, but I am going to give him an asterisk tonight. He deserves an asterisk for that effort.

Mr. Speaker, at this time, I yield to another great Georgian, another member of our delegation, Representative SANFORD BISHOP.

Mr. BISHOP of Georgia. Mr. Speaker, I thank the gentleman from the First

District of Georgia for yielding to me and for hosting this Special Order to honor my friend and mentor, Zell Miller.

Mr. Speaker, Zell Miller was a titan in Georgia, the man that I was humbled and honored to call a friend and a mentor. He was an extraordinary statesman, a true public servant.

He served as a sergeant in the Marines, the mayor of Young Harris, a Georgia State senator, Lieutenant Governor, Governor, and U.S. Senator for the State of Georgia.

Now, as a newly elected State representative of the 94th district of Georgia in 1977, I had very little to do at the State capitol after the session ended and my committee meetings were over.

Somehow, I found myself hanging out in the office of the Lieutenant Governor, where his press secretary was from my hometown of Columbus, who was on loan from the Columbus Ledger-Enquirer to serve Lieutenant Governor.

I got to know Zell. I got to learn from his example. And from him, I even developed an appreciation for country music. I witnessed in Zell Miller a public servant with extraordinary integrity, courage, and character.

□ 1830

Fourteen years later, he became Governor, and I became a member of the Georgia State Senate. In that term as a State senator, I was appointed to be the chairman of the Senate Appropriations Committee, Subcommittee on Education, K-12 Subcommittee, and I got to work very closely with Zell Miller because, after all, he was the education Governor.

That year, Georgia was the beneficiary of a windfall as a result of a lawsuit with some utilities, and there were several million dollars that were unexpectedly put into the State coffers. Zell Miller had to make a determination of how the State would spend that money. And being the farsighted visionary that he was, he decided that we needed to bring our State into the computer age, and so he used it to create a computer network, statewide, to enhance the educational opportunities for our colleges and universities and our State's public libraries.

He established the Galileo computer network, which provided the groundwork for distance learning and for telemedicine. I was very proud as the chair of the Education Subcommittee of the Georgia State Senate to work with him in making that happen. Not only that, but we worked to establish pilot programs that year for teaching foreign languages in elementary schools.

Zell Miller will perhaps be best remembered for the HOPE Scholarship, as you have heard, which helped to establish scholarship money and to direct money raised from the State lottery to the college tuition for Georgia students. To date, the program has provided over \$10 billion in scholarship funds to 1.8 million eligible Georgia

students. These investments in education are continuing to pay dividends for the State of Georgia.

Zell Miller was a true servant, and he was an advocate for Georgia. He was an advocate for humankind.

My wife, Vivian, and I offer his wife, Shirley, and their family, friends, and loved ones our most sincere condolences for their loss, but we are all so grateful that he touched our lives.

In closing, I just want to quote the words of a poem that I think is so fitting as we remember the life of Zell Miller:

The tree that never had to fight  
For Sun and sky and air and light,  
But stood out in the open plain  
And always got its share of rain,  
Never became a forest king  
But lived and died a scrubby thing.  
The man who never had to toil  
To gain and farm his patch of soil,  
Who never had to win his share  
Of Sun and sky and light and air,  
Never became a manly man  
But lived and died as he began.  
Good timber does not grow with ease:  
The stronger wind, the stronger trees;  
The further sky, the greater length;  
The more the storm, the more the strength.  
By Sun and cold, by rain and snow,  
In trees and men good timbers grow.

Zell Miller was good timber. He left his mark on Young Harris; he left his mark on Georgia; he left his mark on our Nation; and he left his mark on the world.

Lives of great men all remind us: "We can make our life sublime, and, departing, leave behind us footprints on the sands of time." Zell Miller has left some big footprints, and we and the world are better because he passed this way.

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for sharing with us his experiences and how special they were.

Before I yield to our final speaker, I want to go over very quickly about the last part of the 46 years of political service that Zell Miller had that he served.

In 1999, after he finished his last year as Governor, his second term—and he was term limited—he went back to Young Harris College, the University of Georgia, and Emory University as a teacher. The following year, then-Governor Roy Barnes appointed Zell to the United States Senate after Senator Paul Coverdell died. Four months later, he ran for that remaining 4 years on that 6-year term, and he was elected a Senator from the State of Georgia, and he served in that role.

He pledged at that time to carry on the conservative tradition of the late Senator Coverdell, who was a Republican, of course, and he did that. He co-sponsored then-U.S. President George W. Bush's 2001 tax cuts and was adamantly in support of President Bush on the issues of homeland security and the deployment of troops to Iraq at the start of the Iraqi war.

You will remember, also, that he wrote another book, "A National Party No More: The Conscience of a Conservative Democrat." It became a national

best seller in the months before the Presidential election that year. And, of course, in 2004, Democratic Senator from Georgia Zell Miller did something that I am not sure anyone else has ever done. He spoke as a keynote speaker at the 2004 Republican National Convention.

In January of 2005, he retired from the United States Senate and he returned to Georgia. He resumed his teaching career and continued to write. In fact, in 2005, he wrote, "A Deficit of Decency."

In 2008, Zell B. Miller Learning Center was established at the University of Georgia and dedicated in his honor. In 2017, Miller's family announced that he suffered from Parkinson's disease and he was retiring from public life.

Mr. Speaker, I am going to pause now and yield to another member of the Georgia delegation, one of my good friends. He and I served together for 10 years in the Georgia General Assembly. He is truly one of my best friends here in Washington, and I value our friendship. I know that he has got a lot of experience with and a lot of stories about Zell Miller as well.

I yield to my friend, Representative BARRY LOUDERMILK.

Mr. LOUDERMILK. Mr. Speaker, first let me thank my good friend Representative CARTER from the great city of Savannah and the great State of Georgia for his vision to have this time to honor a true statesman, a legend in the State of Georgia, Zell Miller.

It is sad that we wait until someone has left this life to sing their praises and to recognize the tremendous impact that they have had not only on our lives, but our children and their future lives. That really defines Zell Miller.

I never had the opportunity to work directly with Zell Miller or even serve with Zell Miller, although I served with other Governors, but I knew of Zell Miller. I think that says a lot about someone that, even though you don't personally know them but you know of them, signifies the impact that they are having on lives.

Zell Miller's death was a tremendous blow for a lot of people in our State. I knew of him from my involvement in politics, and I knew as Representative CARTER said, that he was one of the few, if not only, to be a keynote speaker at both the Democrat and Republican National Conventions. That means he was truly bipartisan.

What does that mean? Well, it doesn't seem to mean a lot today, but what it meant back then was: I care more about the people of the State. I care more about the people of this Nation and defending the rights and liberties and those things from which I believe in than I do a single party.

That was Zell Miller.

If you were to go to the place where Zell was laid to rest, you would see a headstone. As you see on most headstones, you will find the date of his birth, February 24, 1923. There will

be a dash, followed by the date of his death, March 23, 2018. What is interesting, it isn't the date of his birth or the date of his death that matters, but it is the dash in between those dates that really matters.

I think it is important that we ask ourselves: What are we going to do with that dash? Because we have all been given a dash. Zell Miller used that dash for the good and the rights of people. You see, his dash continues today as, literally, thousands of Georgians were able to complete or actually receive a college education because of his vision for the HOPE Scholarship, which is still alive and well today. That dash is part of their lives and their future and their children's lives.

Another part of that dash in Zell Miller's life was the titles that he obtained. I believe titles say a lot about us and say a lot about what we do. His titles included mayor, because he was mayor of the town of Young Harris. He was Lieutenant Governor. He was Governor.

Another title that he proudly used, as my good colleague BUDDY CARTER uses, he was a Georgia Bulldog. And for those of you who aren't from Georgia, it is not d-o-g. It is d-a-w-g, dawg.

But also, from knowing of this incredible gentleman, there is another title that I believe if we were to talk to him today, it wasn't mayor, Lieutenant Governor, Governor, or even U.S. Senator that he would be most proud of of his accomplishments. It would be that of a United States Marine.

You see, his dash is a dash that is living on because of the lives that it affected for so many people. And while so much has been said about Zell Miller, let me close my remarks by saying this: There are very few people today who, across our globe or even across our country, can be categorized as a true statesman. One of those is Paul Coverdell. When Paul Coverdell died in office, the Governor of the State of Georgia at that time looked for another statesman to fulfill that seat that was vacated by Paul Coverdell's death, and that statesman was Zell Miller.

If there is one thing that we can gather from all of these tremendous stories that we heard about Zell Miller today, it is that he loved his country. He loved his State. He loved the people of this country. He loved his God, and he fought for those principles and ideas that he believed in. Even though he may have disagreed with others on certain policy issues, Zell Miller was a statesman who believed in liberty. He believed in freedom for all, and his life is a legacy.

Mr. Speaker, I hope that one day when I am laid to rest that that dash between my birth and my death will just have a portion of the meaning of that of Zell Miller.

HONORING THE INMAN FAMILY

Mr. LOUDERMILK. Mr. Speaker, I also want to thank, again, my dear colleague and friend from Savannah,

Georgia, for yielding me this time and allowing me to honor another Georgian who passed 18 years ago.

It was 18 years ago, in June, as Georgia heat blanketed the Inman family as they packed their car for a family getaway in the mountains of north Georgia. It was the Friday before Father's Day when Billy and Kathy Inman, the parents of their son, Dustin, and their family dog set off to go on a fishing trip for the weekend. As they headed north, making their way along the wooded, hilly highways that make up that part of my home State, they stopped at a traffic light in the little town of Ellijay, Georgia.

□ 1845

As they waited for the light to turn green, the Inman family's lives were suddenly and tragically changed. Traveling well over the speed limit at 62 miles an hour, a car driven by Gonzalo Harrell-Gonzalez slammed in the rear of the Inmans' vehicle. The tremendous impact knocked Billy and Kathy unconscious.

Kathy, Dustin's mom, remained in a comma for 5 weeks. When she finally regained consciousness, she learned that the injuries she sustained in that wreck were so severe she would be wheelchair-bound for the rest of her life. But more tragically, she was told the heartbreaking news that her son, Dustin, was killed by that tremendous impact. Within seconds, their lives were forever changed by the driver who slammed into the rear of their car.

And while Kathy would not recover from her injuries nor would they ever see the smiling face of their dear son again, they could at least ensure justice was served. But soon they would learn that even that would slip through their hands.

The car that killed their son, Dustin, and permanently disabled his mother was driven by Gonzalo Harrell-Gonzalez, a man who had illegally entered this country. Although illegally in this country, Gonzalez was able to obtain a valid North Carolina driver's license, using his Mexican birth certificate and a Mexican Matricula Consular ID card.

When local law enforcement went to the hospital to take Mr. Gonzalez into custody, they found that he had escaped the hospital. As a fugitive from justice, he continued to evade U.S. and local law enforcement and soon emerged back in the streets in Mexico.

Even though the location of Mr. Gonzalez is now known by U.S. and Mexican law enforcement, the family has not been able to get justice for his crime. Under our treaty with Mexico, Mexico does not recognize vehicular homicide as an extraditable offense.

The Justice Department has informed the Inman family that there is nothing else they can do—nothing. After 18 years of grieving the loss of their son and adjusting to a life of permanent disability for Mrs. Inman, Mr. Gonzalez is still evading justice and has yet to pay for his crime.

The tragedy can have easily been avoided if Congress had taken the border threat and security seriously years ago. This car wreck would have never happened, and Dustin would likely still be with us today. Because of the severity of their injuries, Billy and Kathy were not even able to attend their own son's funeral.

Billy will tell you that, yes, he blames the driver of the car for the death of his son—his hunting buddy—but he also blames the government for ignoring our open and porous borders and for allowing someone who was here illegally to obtain a driver's license.

While there have been many speeches given in this Chamber on immigration, we have yet to be able to have a vote or even have a debate on what the majority of Americans are demanding, what the President has committed to, and what we as a legislative body should do, and that is to secure our borders.

How many more innocent victims such as Dustin Inman, Kate Steinle, and Sarah Root—and the list goes on and on—must die before we start taking the safety and security of American citizens seriously and prioritize securing our borders?

Not only are our borders a thoroughfare for human trafficking, they are also a distribution channel for cartels that smuggle contraband, dangerous drugs, and weapons that make their way into our communities. They are a portal for dangerous gangs such as MS-13 that bring terror, drugs, and murder to our streets.

For too long, we have chosen partisan politics over doing what is reasonable and right, and we put our families' livelihoods at tremendous risk. It is beyond time to take action. It is time for Congress to act. It is time for us to enforce our laws, and it is time to secure our borders, not for our own political victories, but for families such as Billy and Kathy Inman.

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for that, and I am thankful that the Georgia delegation was able to pay our respects to a great Georgian, to a great American, Zell B. Miller.

Mr. Miller's knowledge and his broad experience in Georgia enabled him to be one of the most popular and successful leaders ever for this State. With the passing of Zell Miller, Georgia has truly lost one of its most important servants.

Zell Miller was a personal mentor to me. Young Harris College changed my life, as I mentioned earlier. Zell Miller changed my life, as he changed the lives of so many Georgians, of so many Americans. I am so grateful for the wisdom that he shared with all of us. His family remains in my thoughts and prayers, but his policies, his ideals, and his legacy will live on in the State of Georgia for years to come.

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

#### THE PLIGHT OF THE ROHINGYA MUSLIMS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the Chair recognizes the gentleman from Michigan (Mr. LEVIN) for 30 minutes.

##### GENERAL LEAVE

Mr. LEVIN. 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 subject of my Special Order.

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

There was no objection.

Mr. LEVIN. Mr. Speaker, I rise today to speak about the unspeakable suffering of the Rohingya people. We must do all we can to shine a spotlight on their plight. Last night, the PBS NewsHour presented an hour-long documentary about the brutal campaign against the Rohingyas led by the Burmese military. At times it became intolerable to continue watching footage of young men being beaten, listening to the accounts of young girls and women being raped and killed, and seeing human remains shoved into mass graves.

The facts are well known. Since August last year, nearly 700,000 Rohingya Muslims have fled the violence in Myanmar to neighboring Bangladesh, where they are being housed in deplorable conditions and face an uncertain future. Some of the conversation lately has focused on returning the Rohingya Muslims to Burma, resettling them to a remote island or some third country. However, I believe the most pressing conversation today must be for the Burmese military and civilian government led by Aung San Suu Kyi to confront the issue head-on.

The Burmese leadership must acknowledge ethnic cleansing and acts of genocide that have been inflicted on the Rohingya people. As recently as March, a senior Burmese official reportedly made a series of comments designed to deny or downplay any violence and atrocities against the Rohingya Muslims, saying the vast majority remain in Burma, and "if it was genocide, they would all be driven out."

He went on to declare that the Burmese Government "would like to have clear evidence" of ethnic cleansing and genocide. That clear evidence already exists. Even as Burma has denied international investigators the ability to enter the country to gather evidence of such crimes, the United Nations' fact-finding mission found "concrete and overwhelming" evidence of "human rights violations of the most serious kind, in all likelihood amounting to crimes under international law."

The investigative team found widespread and systematic "State-led violence" and had "numerous accounts of children and babies who were killed, boys arrested, and girls raped."

Various rationales have been suggested for the failures of the Burmese Government to acknowledge and act upon atrocities against Rohingya Muslims. It is said that Aung San Suu Kyi does not control the military and there is a danger that the military would use the present crisis as a way to dismantle the civilian government. It is said that the civilian government is working within a deep traditional bias against the Rohingyas, and some see them as illegal immigrants from Bangladesh.

Others have suggested that pressure on the civilian government could lead to Burma moving closer to the Chinese. Still others point out that talks about the Rohingyas returning to Burma must be afforded time to work out, and the process has only begun.

None of this—none of this—can undermine for a moment the realities of the persecution of the Rohingyas. The PBS documentary "Myanmar's Killing Fields" left no doubt about the extent and nature of the atrocities perpetrated against the Rohingyas. As a U.N. official has stated, it is "a textbook example of ethnic cleansing." Until the Burmese civilian government and military openly acknowledge their role in these atrocities, protection and justice for the Rohingya Muslims will remain out of reach.

There is an overriding need for the Burmese Government and the world to step up to the plight of the Rohingyas. Senator JOHN MCCAIN and Senator DICK DURBIN introduced, on September 7, 2017, a resolution clearly addressing the plight of the Rohingyas. I introduced the same resolution 7 days later.

Subsequent events have darkened still further the plight of the Rohingyas since then. While the basic message in the resolutions remains the same, it would be wise to update them and then that this entire issue be fully and directly addressed by the Congress.

Bishop Desmond Tutu once said: "If you are neutral in situations of injustice, you have chosen the side of the oppressor."

The documentary on "Frontline" last night made it painfully clear that this Congress must not accept neutrality or any shade of it. We must stand tall on the side of justice.

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

#### SENATE BILL REFERRED

A Bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1732. An act to amend title XI of the Social Security Act to promote testing of incentive payments for behavioral health providers for adoption and use of certified electronic health record technology; to the Committee on Energy and Commerce; 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.

## ADJOURNMENT

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

The motion was agreed to; accordingly (at 6 o'clock and 58 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, May 10, 2018, at 9 a.m.

EXECUTIVE COMMUNICATIONS,  
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4754. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Selingsgrove, PA [Docket No.: FAA-2014-0839; Airspace Docket No.: 14-AEA-7] received April 23, 2018, 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.

4755. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class B Airspace Description; St. Louis, MO [Docket No.: FAA-2018-0178; Airspace Docket No.: 17-AWA-3] (RIN: 2120-AA66) received April 23, 2018, 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.

4756. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment, Revocation, and Establishment of Class D and E Airspace; Enid Vance AFB, OK; Enid Woodring Municipal Airport, OK; Enid, OK; and Vance AFB, OK [Docket No.: FAA-2016-9378; Airspace Docket No.: 16-ASW-16] received April 23, 2018, 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.

4757. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification and Revocation of Multiple Air Traffic Service (ATS) Routes; Northcentral United States [Docket No.: FAA-2016-9555; Airspace Docket No.: 16-AGL-2] received April 23, 2018, 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.

4758. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31184; Amdt. No.: 3791] received April 23, 2018, 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.

4759. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2017-0902; Product Identifier 2016-NM-188-AD; Amendment 39-19224; AD 2018-06-04] (RIN: 2120-AA64) received April 23, 2018, 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.

4760. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Depart-

ment's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31185; Amdt. No.: 3792] received April 23, 2018, 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.

4761. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31187; Amdt. No.: 3794] received April 23, 2018, 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.

4762. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31186; Amdt. No.: 3793] received April 23, 2018, 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.

4763. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2017-0908; Product Identifier 2017-NM-103-AD; Amendment 39-19238; AD 2018-07-07] (RIN: 2120-AA64) received April 23, 2018, 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.

4764. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. Helicopters [Docket No.: FAA-2017-0940; Product Identifier 2017-SW-058-AD; Amendment 39-19233; AD 2018-07-02] (RIN: 2120-AA64) received April 23, 2018, 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.

4765. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pacific Aerospace Limited Airplanes [Docket No.: FAA-2018-0285; Product Identifier 2018-CE-010-AD; Amendment 39-19245; AD 2018-07-14] (RIN: 2120-AA64) received April 23, 2018, 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.

4766. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2017-1176; Product Identifier 2017-NM-123-AD; Amendment 39-19237; AD 2018-07-06] (RIN: 2120-AA64) received April 23, 2018, 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.

4767. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters Deutschland GmbH (Type Certificate Previously Held By Eurocopter Deutschland GmbH) [Docket No.: FAA-2017-1011; Product Identifier 2017-SW-004-AD; Amendment 39-19232; AD 2018-07-01] (RIN: 2120-AA64) received April 23, 2018, pur-

suant 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.

4768. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; XtremeAir GmbH Airplanes [Docket No.: FAA-2018-0284; Product Identifier 2018-CE-014-AD; Amendment 39-19246; AD 2018-07-15] (RIN: 2120-AA64) received April 23, 2018, 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.

4769. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Airplanes [Docket No.: FAA-2018-0268; Product Identifier 2017-NM-096-AD; Amendment 39-19242; AD 2018-07-11] (RIN: 2120-AA64) received April 23, 2018, 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.

4770. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honda Aircraft Company LLC [Docket No.: FAA-2018-0223; Product Identifier 2018-CE-007-AD; Amendment 39-19230; AD 2018-06-10] (RIN: 2120-AA64) received April 23, 2018, 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.

4771. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Piper Aircraft, Inc. [Docket No.: FAA-2018-0245; Product Identifier 2018-CE-012-AD; Amendment 39-19234; AD 2018-07-03] (RIN: 2120-AA64) received April 23, 2018, 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.

4772. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Restricted Areas R-2907C; Lake George, FL, R-2910B, R-2910C, and R2910E; Pinecastle, FL [Docket No.: FAA-2018-0103; Airspace Docket No.: 18-ASO-1] received April 23, 2018, 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.

4773. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Massena, NY [Docket No.: FAA-2017-0953; Airspace Docket No.: 17-AEA-15] received April 23, 2018, 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.

4774. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace for the following Missouri Towns; Cape Girardeau, MO; St. Louis, MO; and Macon, MO [Docket No.: FAA-2016-9559; Airspace Docket No.: 16-ACE-11] (RIN: 2120-AA66) received April 23, 2018, 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.

4775. A letter from the Chief Counsel, National Institute of Standards and Technology, Department of Commerce, transmitting the Department's final rule — Rights to Federally Funded Inventions and Licensing

of Government Owned Inventions [Docket No.: 160311229-8347-02] (RIN: 0693-AB63) received April 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Science, Space, and Technology.

#### 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. BISHOP of Utah: Committee on Natural Resources. H.R. 4645. A bill to amend the Wild and Scenic Rivers Act to designate certain segments of East Rosebud Creek in Carbon County, Montana, as components of the Wild and Scenic Rivers System (Rept. 115-666). 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. MCCARTHY (for himself, Mr. COLE, Mr. GRAVES of Georgia, Ms. GRANGER, Mr. WALKER, Mr. RODNEY DAVIS of Illinois, Mr. WOMACK, Mr. POLIQUIN, Mr. PALMER, and Mr. SCHWEIKERT):

H.R. 3. A bill to rescind certain budget authority proposed to be rescinded in special messages transmitted to the Congress by the President on May 8, 2018, in accordance with title X of the Congressional Budget and Impoundment Control Act 1974; to the Committee on Appropriations.

By Mrs. BLACK (for herself, Mr. CROWLEY, Mr. RUIZ, and Mr. HUDSON):

H.R. 5714. A bill to amend title XVIII of the Social Security Act to require Medicare Advantage plans offered under part C of the Medicare program and prescription drug plans offered under part D of such program to provide information relating to the safe disposal of prescription drugs that are controlled substances to certain individuals enrolled under such plans; 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. RENACCI (for himself, Ms. SEWELL of Alabama, Mr. GUTHRIE, and Mr. PETERS):

H.R. 5715. A bill to amend title XVIII of the Social Security Act to provide for certain program integrity transparency measures under Medicare parts C and D; 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. ROSKAM (for himself, Mr. LARSON of Connecticut, Mrs. BROOKS of Indiana, and Mr. WELCH):

H.R. 5716. A bill to amend title XVIII of the Social Security Act to require the Secretary of Health and Human Services to provide notifications under the Medicare program to outlier prescribers of opioids; 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 Mrs. BROOKS of Indiana (for herself, Mr. DEUTCH, Mr. UPTON, Mrs. DINGELL, Mr. FORTENBERRY, Mr. PAULSEN, Mr. COFFMAN, Mr. DENT, Mr. BERA, Mr. COSTELLO of Pennsylvania, Mr. CARSON of Indiana, Mr. MACARTHUR, and Mr. MOULTON):

H.R. 5717. A bill to authorize the Attorney General to make grants to States that have in place laws that authorize the seizure of firearms from dangerous individuals, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH of Missouri (for himself and Mr. HIGGINS of New York):

H.R. 5718. A bill to provide for a technical expert panel to provide recommendations on reducing opioid use in the surgical setting and on best practices for pain management, and for other purposes; 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 Mrs. BLACK (for herself and Mr. O'HALLERAN):

H.R. 5719. A bill to amend title XVIII of the Social Security Act to revise certain measures used under the Hospital Consumer Assessment of Healthcare Providers and Systems survey relating to pain management; to the Committee on Ways and Means.

By Mr. CALVERT (for himself, Mrs. TORRES, and Mr. AGUILAR):

H.R. 5720. A bill to deauthorize a portion of a project in California, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. PEARCE:

H.R. 5721. A bill to direct the Secretary of Agriculture to transfer certain National Forest System land in the State of New Mexico; to the Committee on Natural Resources.

By Mrs. WALORSKI (for herself and Ms. JUDY CHU of California):

H.R. 5722. A bill to direct the Secretary of Health and Human Services to conduct a study and submit to Congress a report containing recommendation on how to improve the use of non-opioid treatments for acute and chronic pain management for individuals entitled to benefits under part A or enrolled under part B of the Medicare program, 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 Ms. TENNEY (for herself, Mr. MCKINLEY, and Ms. DELBENE):

H.R. 5723. A bill to require the Medicare Payment Advisory Commission to report on opioid payment, adverse incentives, and data under the Medicare program; 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. ROHRBACHER:

H.R. 5724. A bill to amend the Fair Housing Act to clarify the applicability of that Act to recovery facilities, and for other purposes; to the Committee on the Judiciary, 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. ROSKAM (for himself, Ms. SÁNCHEZ, Mr. SHIMKUS, and Mr. RUIZ):

H.R. 5725. A bill to direct the Secretary of Health and Human Services to submit to

Congress a report on the extent to which Medicare Advantage plans offered under part C of the Medicare program include supplemental health care benefits designed to treat or prevent substance use disorders; 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. COSTA (for himself, Mr. DENHAM, Mr. MCCLINTOCK, and Mr. GARAMENDI):

H.R. 5726. A bill to authorize the use of certain contributed funds for activities relating to operational documents for non-Federal reservoirs, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CURTIS (for himself and Ms. HANABUSA):

H.R. 5727. A bill to establish the San Rafael Swell Western Heritage and Historic Mining National Conservation Area in the State of Utah, to designate wilderness areas in the State, to provide for certain land conveyances, and for other purposes; to the Committee on Natural Resources.

By Mr. POCAN (for himself, Ms. DELAURO, Mr. NORCROSS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. TAKANO, Ms. KAPTUR, Ms. LEE, Mr. DESAULNIER, Mr. ELLISON, Ms. SCHAKOWSKY, Mrs. WATSON COLEMAN, Ms. WASSERMAN SCHULTZ, Mr. SCOTT of Virginia, Ms. CLARK of Massachusetts, Mr. ESPALLAT, Mr. KHANNA, and Mr. RASKIN):

H.R. 5728. A bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, and for other purposes; to the Committee on Education and the Workforce.

By Mr. KATKO (for himself, Mr. MCCAUL, Ms. JACKSON LEE, and Mr. RICHMOND):

H.R. 5729. A bill to restrict the department in which the Coast Guard is operating from implementing any rule requiring the use of biometric readers for biometric transportation security cards until after submission to Congress of the results of an assessment of the effectiveness of the transportation security card program; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, 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. KATKO (for himself, Mr. MCCAUL, and Mrs. WATSON COLEMAN):

H.R. 5730. A bill to require testing and evaluation of advanced transportation security screening technologies related to the mission of the Transportation Security Administration, and for other purpose; to the Committee on Homeland Security.

By Mr. MCCAUL (for himself, Mr. KING of New York, Ms. MCSALLY, Mr. DONOVAN, Mr. GALLAGHER, Mr. HIGGINS of Louisiana, Mr. FITZPATRICK, Mr. BACON, Mr. BARLETTA, Mr. KATKO, and Mr. PERRY):

H.R. 5731. A bill to require the Department of Homeland Security to develop a strategy to secure elementary schools, secondary schools, and institutions of higher education from acts of terrorism, active shooters, and other homeland security threats, and for other purposes; to the Committee on Homeland Security, 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. LAHOOD (for himself, Mr. COSTELLO of Pennsylvania, Mr. RODNEY DAVIS of Illinois, Mr. RUPPERSBERGER, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. PERRY, Mr. KATKO, Mrs. BUSTOS, and Mr. SMUCKER):

H.R. 5732. A bill to amend the Internal Revenue Code of 1986 to provide for an investment tax credit related to the production of electricity from nuclear energy; to the Committee on Ways and Means.

By Mr. BACON (for himself, Mr. MCCAUL, and Mr. RATCLIFFE):

H.R. 5733. A bill to amend the Homeland Security Act of 2002 to provide for the responsibility of the National Cybersecurity and Communications Integration Center to maintain capabilities to identify threats to industrial control systems, and for other purposes; to the Committee on Homeland Security.

By Mr. BABIN:

H.R. 5734. A bill to amend the Higher Education Act of 1965 to provide for interest-free deferment on student loans for borrowers serving in a medical or dental internship or residency program; to the Committee on Education and the Workforce.

By Mr. BARR:

H.R. 5735. A bill to amend the United States Housing Act of 1937 to establish a demonstration program to set aside section 8 housing vouchers for supportive and transitional housing for individuals recovering from opioid use disorders or other substance use disorders, and for other purposes; to the Committee on Financial Services.

By Mr. BARR (for himself, Mr. KUSTOFF of Tennessee, Mr. GUTHRIE, Mr. MOONEY of West Virginia, Mr. MCKINLEY, Mr. FITZPATRICK, Mr. HARPER, Mr. ROTHFUS, Mr. BUDD, Ms. TENNEY, Mr. CURTIS, Mr. GIBBS, Mrs. BLACKBURN, Mr. ROE of Tennessee, and Mrs. WAGNER):

H.R. 5736. A bill to amend the Public Health Service Act to establish a pilot program to help individuals in recovery from a substance use disorder transition from treatment to independent living and the workforce, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BUSTOS (for herself, Mr. RUSH, Ms. KELLY of Illinois, Mr. LIPINSKI, Mr. GUTIÉRREZ, Mr. QUIGLEY, Mr. ROSKAM, Mr. DANNY K. DAVIS of Illinois, Mr. KRISHNAMOORTHY, Ms. SCHAKOWSKY, Mr. SCHNEIDER, Mr. FOSTER, Mr. BOST, Mr. RODNEY DAVIS of Illinois, Mr. HULTGREN, Mr. SHIMKUS, Mr. KINZINGER, and Mr. LAHOOD):

H.R. 5737. A bill to designate the facility of the United States Postal Service located at 108 West D Street in Alpha, Illinois, as the "Captain Joshua E. Steele Post Office"; to the Committee on Oversight and Government Reform.

By Mr. CARTWRIGHT (for himself, Mr. DENT, Ms. CLARKE of New York, Mr. GRIJALVA, Mr. HASTINGS, Ms. NOR-TON, Mr. SMITH of Washington, Ms. TITUS, and Ms. TSONGAS):

H.R. 5738. A bill to amend the Social Security Act, the Food and Nutrition Act of 2008, and the Low-Income Home Energy Assistance Act of 1981 to require that the value of child's savings accounts be disregarded for the purpose of determining eligibility to receive benefits under such Acts; and for other

purposes; to the Committee on Ways and Means, and in addition to the Committees on Agriculture, Energy and Commerce, 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 Ms. DELAURO (for herself, Mr. DOGGETT, and Ms. MOORE):

H.R. 5739. A bill to establish within the Department of Health and Human Services the Prescription Drug and Medical Device Price Review Board to regulate the prices of certain prescription drugs and medical devices, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on 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 Mr. JOYCE of Ohio:

H.R. 5740. A bill to amend the Food and Nutrition Act of 2008 to permit the State agency to disclose personal identifying information of a household member to a law enforcement officer who provides such member's household electronic benefit transfer card number for the purpose of apprehending such member who is fleeing to avoid prosecution, or custody or confinement after conviction, for a crime; to the Committee on Agriculture.

By Mr. KRISHNAMOORTHY (for himself, Mr. JOHNSON of Georgia, Mr. KHANNA, and Mr. PANETTA):

H.R. 5741. A bill to require annual reporting on the on the research, development, test, and evaluation capabilities of the Department of Defense; to the Committee on Armed Services.

By Mrs. MCMORRIS RODGERS:

H.R. 5742. A bill to provide for a land exchange of Federal and non-Federal land in Whitman County, Washington; to the Committee on Transportation and Infrastructure.

By Mr. NORMAN:

H.R. 5743. A bill to prohibit the National Science Foundation from conducting certain studies on relationships between Members of Congress with respect to the sharing of guidance and informative documents; to the Committee on Science, Space, and Technology.

By Mr. TIPTON:

H.R. 5744. A bill to prohibit surface occupancy for purposes of mineral leasing or development on certain land located in Plata County, Colorado, and for other purposes; to the Committee on Natural Resources.

By Mrs. NAPOLITANO (for herself and Mr. KATKO):

H. Res. 883. A resolution expressing support for the designation of May 2018 as "Mental Health Month"; to the Committee on Energy and Commerce.

By Mr. DEFAZIO (for himself, Mr. MCHENRY, Mr. NEAL, and Mr. KELLY of Pennsylvania):

H. Res. 884. A resolution expressing appreciation of the goals of American Craft Beer Week and commending the small and independent craft brewers of the United States; to the Committee on Oversight and Government Reform.

By Mr. NORMAN:

H. Res. 885. A resolution expressing the sense of the House of Representatives regarding our national debt; to the Committee on Ways and Means.

190. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 682, urging the United States Secretary of Health and Human Services to select the former Naval Air Station Joint Reserve Base Willow Grove and the former Naval Air Warfare Center Warminster and Horsham, Warrington and Warminster Townships for an exposure assessment and study on human health implications of perfluoroalkyl and polyfluoroalkyl substances contamination; to the Committee on Energy and Commerce.

191. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1008, urging the United States Congress to enact legislation amending the Endangered Species Act of 1973; to the Committee on Natural Resources.

192. Also, a memorial of the Legislature of the State of Alabama, relative to Senate Joint Resolution No. 136, urging the Federal Government to provide for continued and expanded access in the Gulf of Mexico in the 2019-2024 National OCS Program; to the Committee on Natural Resources.

193. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1012, urging the United States Congress to enact the Nogales Wastewater Fairness Act; to the Committee on Transportation and Infrastructure.

194. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 41, memorializing Congress of the United States to allow for variances of certain projects regulated by the Clean Water Act and the Rivers and Harbors Act; to the Committee on Transportation and Infrastructure.

195. Also, a memorial of the Legislature of the State of West Virginia, relative to Senate Concurrent Resolution 55, urging the Congress of the United States to pass legislation permitting West Virginia to increase the weight of vehicles permitted to operate on Interstate Highways so that West Virginia may implement a pilot program to study various vehicle configurations and weights; to the Committee on Transportation and Infrastructure.

#### 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. MCCARTHY:

H.R. 3.

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

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth term and conditions governing their use.

#### MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

By Mrs. BLACK:

H.R. 5714.

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

Article 1, Section 8, Clause 18 of the United States Constitution which grants Congress the authority 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. RENACCI:

H.R. 5715.

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

Article I, Section 8, Clause 3 grants Congress the power "to regulate commerce . . . among the several States."

By Mr. ROSKAM:

H.R. 5716.

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

United States Constitution Article I Section 8

By Mrs. BROOKS of Indiana:

H.R. 5717.

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

Article I, Section 8

By Mr. SMITH of Missouri:

H.R. 5718.

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

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution.

By Mrs. BLACK:

H.R. 5719.

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

Article 1, Section 8, Clause 18 of the United States Constitution which grants Congress the authority 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. CALVERT:

H.R. 5720.

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

Article I, section 8 of the United States Constitution, specifically clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress).

By Mr. PEARCE:

H.R. 5721.

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

Article 1 Section 8 Clause 18 of the United States Constitution

By Mrs. WALORSKI:

H.R. 5722.

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

Article I, Section 8, Clause 18 of the United States Constitution

By Ms. TENNEY:

H.R. 5723.

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

Article I, Section 8, Clause 18: The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. ROHRBACHER:

H.R. 5724.

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

Congress has the power to amend laws it has previously enacted. This legislation would amend the Fair Housing Act and Patient Protection and Affordable Care Act of 2010 to restore the power to regulate or prohibit substance abuse recovery facilities in residentially zoned areas to state and local governments. This is consistent with the Tenth Amendment to the Constitution, which reads: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

By Mr. ROSKAM:

H.R. 5725.

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

United States Constitution Article I Section 8

By Mr. COSTA:

H.R. 5726.

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

Clauses 3 and 18 of section 8 and clause 7 of section 9 of article I, of the Constitution of the United States.

By Mr. CURTIS:

H.R. 5727.

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

Article IV, Section 3, Clause 2

By Mr. POCAN:

H.R. 5728.

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

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several states, and with the Indian Tribes.

By Mr. KATKO:

H.R. 5729.

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

Article I, section 8, clause 1; and Article I, section 8, clause 18 of the Constitution of the United States

By Mr. KATKO:

H.R. 5730.

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

Article I, section 8, clause 1; and Article I, section 8, clause 18 of the Constitution of the United States

By Mr. MCCAUL:

H.R. 5731.

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

Article I, Section 8, Clause 18 "To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. LAHOOD:

H.R. 5732.

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

Article I, Section 8, Clause I: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. BACON:

H.R. 5733.

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

Article 1, Section 8, Clause 18 -To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. BABIN:

H.R. 5734 .

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

Article 1 Section 8 of the United States Consitution

By Mr. BARR:

H.R. 5735.

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

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

By Mr. BARR:

H.R. 5736.

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

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

By Mrs. BUSTOS:

H.R. 5737.

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 7 of the United States Constitution.

By Mr. CARTWRIGHT:

H.R. 5738.

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

Article I, Section 8, Clause 3

By Ms. DELAURO:

H.R. 5739.

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 of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. JOYCE of Ohio:

H.R. 5740.

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

Article 1, Section 8

By Mr. KRISHNAMOORTHY:

H.R. 5741.

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

Article I, Section 8, clause 14

By Mrs. McMORRIS RODGERS:

H.R. 5742.

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

Article IV, Section 3, Clause 2

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. NORMAN:

H.R. 5743.

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

Article I, Section 7

By Mr. TIPTON:

H.R. 5744.

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

Article IV, Section 3, Clause 2

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 159: Ms. SHEA-PORTER.

H.R. 233: Mr. SHERMAN and Mr. KIHUEN.

H.R. 247: Mr. GIBBS.

H.R. 303: Mr. CONNOLLY.

H.R. 395: Mr. TIPTON.

H.R. 449: Mrs. BLACKBURN.

H.R. 548: Mr. CURBELO of Florida.

H.R. 750: Mr. COLE, Mr. ESPAILLAT, and Ms. ESTY of Connecticut.

H.R. 820: Mr. MEEKS.

- H.R. 846: Ms. FRANKEL of Florida.  
H.R. 852: Mr. AL GREEN of Texas.  
H.R. 914: Ms. ESHOO.  
H.R. 980: Ms. WILSON of Florida.  
H.R. 1006: Mr. AL GREEN of Texas.  
H.R. 1187: Ms. LOFGREN and Mr. FASO.  
H.R. 1279: Mr. KELLY of Pennsylvania.  
H.R. 1300: Mr. GRIJALVA.  
H.R. 1377: Ms. HERRERA BEUTLER.  
H.R. 1566: Mr. SIRES.  
H.R. 1614: Mr. VELA and Mr. GONZALEZ of Texas.  
H.R. 1810: Mr. BRENDAN F. BOYLE of Pennsylvania.  
H.R. 1874: Ms. BROWNLEY of California.  
H.R. 1880: Mr. GOMEZ and Mr. CAPUANO.  
H.R. 2069: Ms. NORTON and Ms. JACKSON LEE.  
H.R. 2095: Ms. MATSUI.  
H.R. 2234: Mr. LARSEN of Washington.  
H.R. 2358: Mr. QUIGLEY, Mr. PALLONE, and Mr. SIRES.  
H.R. 2556: Mr. CRAMER.  
H.R. 2561: Mr. KUSTOFF of Tennessee, Mr. EMMER, and Mr. JODY B. HICE of Georgia.  
H.R. 2598: Mr. KILDEE.  
H.R. 2652: Mr. KELLY of Pennsylvania.  
H.R. 2913: Mr. HIGGINS of New York.  
H.R. 2917: Mr. MEADOWS.  
H.R. 3026: Ms. DEGETTE.  
H.R. 3057: Mr. MCGOVERN.  
H.R. 3207: Mr. CARTWRIGHT, Mr. COOPER, Mr. KENNEDY, Mr. KILDEE, Mrs. LOWEY, and Ms. PINGREE.  
H.R. 3303: Ms. MICHELLE LUJAN GRISHAM of New Mexico.  
H.R. 3395: Ms. MENG and Mr. BARR.  
H.R. 3528: Mrs. BLACKBURN and Mr. POLIQUIN.  
H.R. 3600: Mr. MCKINLEY.  
H.R. 3635: Mr. DEFAZIO.  
H.R. 3730: Mr. COLE, Ms. MCSALLY, Ms. JUDY CHU of California, and Mr. LUETKEMEYER.  
H.R. 3760: Ms. LOFGREN.  
H.R. 3875: Mr. RYAN of Ohio.  
H.R. 3918: Mr. YOUNG of Iowa.  
H.R. 3945: Mr. DEUTCH and Mrs. NAPOLITANO.  
H.R. 4018: Mr. MCNERNEY.  
H.R. 4099: Mr. KEATING.  
H.R. 4229: Mr. RUSSELL and Mr. LOUDERMILK.  
H.R. 4256: Mr. THOMPSON of Pennsylvania, Ms. ESHOO, Mr. HASTINGS, Mr. PETERSON, and Ms. DELAURO.  
H.R. 4271: Mr. AL GREEN of Texas and Mr. SOTO.  
H.R. 4275: Mr. POLIQUIN and Mrs. BLACKBURN.  
H.R. 4311: Mr. STEWART.  
H.R. 4316: Mr. KIND.  
H.R. 4459: Mr. POE of Texas and Mr. JOYCE of Ohio.  
H.R. 4473: Mr. KATKO.  
H.R. 4518: Mr. SEAN PATRICK MALONEY of New York.  
H.R. 4525: Mr. SCHIFF.  
H.R. 4536: Mr. NORMAN.  
H.R. 4548: Mr. LARSON of Connecticut.  
H.R. 4584: Mr. PERRY and Mr. ROHRBACHER.  
H.R. 4601: Mr. NORMAN.  
H.R. 4647: Ms. SINEMA, Mr. DEFAZIO, Mrs. RADEWAGEN, Mr. CURBELO of Florida, Mr. CARTWRIGHT, Mr. MARSHALL, Mr. COSTELLO of Pennsylvania, and Mr. SCHIFF.  
H.R. 4719: Ms. STEFANIK.  
H.R. 4747: Mr. STIVERS.  
H.R. 4819: Mr. RICE of South Carolina, Mr. CURBELO of Florida, Mrs. BLACK, Mr. KINZINGER, Mr. STIVERS, and Mr. ESPAILLAT.  
H.R. 4838: Ms. JACKSON LEE.  
H.R. 4885: Ms. LOFGREN.  
H.R. 4886: Mr. CRAMER.  
H.R. 4944: Mr. RASKIN.  
H.R. 5011: Mr. HIMES.  
H.R. 5034: Mr. PANETTA, Mr. TED LIEU of California, Mr. SERRANO, Mr. GOMEZ, Mr. HIGGINS of New York, Ms. KAPTUR, and Mr. MCNERNEY.  
H.R. 5067: Mr. WEBSTER of Florida, Mr. ISSA, Mr. BIGGS, Mr. DAVIDSON, Mr. BRAT, Mr. NORMAN, Ms. TENNEY, Mr. KING of Iowa, Mr. JODY B. HICE of Georgia, Mr. GOSAR, Mr. ROE of Tennessee, Mr. ROUZER, Mr. RODNEY DAVIS of Illinois, and Mr. COLE.  
H.R. 5102: Mrs. BLACKBURN and Mr. BLUMENAUER.  
H.R. 5105: Mr. CASTRO of Texas and Mr. GARRETT.  
H.R. 5176: Mrs. BLACKBURN.  
H.R. 5191: Mrs. COMSTOCK.  
H.R. 5197: Mr. POLIQUIN and Mrs. BLACKBURN.  
H.R. 5199: Mr. BRAT.  
H.R. 5202: Mrs. BLACKBURN.  
H.R. 5208: Mr. PRICE of North Carolina.  
H.R. 5241: Mr. GOMEZ, Ms. WILSON of Florida, Ms. SCHAKOWSKY, Ms. ROYBAL-ALLARD, Mr. CORREA, Mr. DESAULNIER, and Mr. MEEKS.  
H.R. 5244: Mr. THOMPSON of Pennsylvania.  
H.R. 5261: Mrs. BLACKBURN.  
H.R. 5287: Mr. TIPTON.  
H.R. 5288: Mr. MACARTHUR.  
H.R. 5306: Mrs. COMSTOCK, Mr. LONG, Mr. ENGEL, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. ROYBAL-ALLARD, Mr. TONKO, Mr. KRISHNAMOORTHY, Mr. SHUSTER, and Mr. BRAT.  
H.R. 5408: Mr. WITTMAN.  
H.R. 5442: Mr. PERRY.  
H.R. 5454: Ms. NORTON, Mrs. CAROLYN B. MALONEY of New York, Mr. LYNCH, Mrs. WATSON COLEMAN, Ms. PLASKETT, Mr. MEEKS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JEFFRIES, Mr. BUTTERFIELD, Mrs. LAWRENCE, Mr. RICHMOND, Mr. CARSON of Indiana, Ms. CLARKE of New York, Ms. FUDGE, Mr. GRIJALVA, Mr. DANNY K. DAVIS of Illinois, Mr. KHANNA, Ms. KELLY of Illinois, Mr. BROWN of Maryland, and Mr. RASKIN.  
H.R. 5460: Mr. BARLETTA.  
H.R. 5473: Mrs. BLACKBURN.  
H.R. 5517: Mr. BRADY of Pennsylvania.  
H.R. 5551: Mr. LOWENTHAL.  
H.R. 5572: Mr. JORDAN.  
H.R. 5624: Mr. CARSON of Indiana.  
H.R. 5625: Mr. CARSON of Indiana.  
H.R. 5627: Ms. LEE, Ms. WILSON of Florida, Mr. ELLISON, Ms. LOFGREN, and Mr. QUIGLEY.  
H.R. 5634: Mr. YOHO.  
H.R. 5640: Ms. TENNEY.  
H.R. 5675: Mrs. BLACKBURN.  
H.R. 5685: Mrs. BLACKBURN.  
H.R. 5686: Mrs. BLACKBURN.  
H.R. 5687: Mrs. BLACKBURN and Mr. POLIQUIN.  
H.R. 5694: Ms. MATSUI, Mr. MCGOVERN, and Mr. RYAN of Ohio.  
H.R. 5698: Mrs. COMSTOCK.  
H.R. 5710: Ms. CLARKE of New York, Mr. GRIJALVA, and Ms. JUDY CHU of California.  
H. Con. Res. 10: Ms. MATSUI, Mr. SMITH of New Jersey, and Mr. SESSIONS.  
H. Res. 401: Mr. YODER.  
H. Res. 718: Mr. RASKIN.  
H. Res. 785: Mr. PERRY, Mr. JOHNSON of Ohio, Mr. HULTGREN, Mr. ARRINGTON, Mr. LAMALFA, and Mr. HUDSON.  
H. Res. 835: Ms. SÁNCHEZ, Mr. JOHNSON of Ohio, Mr. HUDSON, and Ms. ROS-LEHTINEN.  
H. Res. 850: Mrs. LAWRENCE.  
H. Res. 865: Mr. SERRANO, Mr. SWALWELL of California, and Ms. LOFGREN.  
H. Res. 869: Ms. CLARKE of New York, Mr. SWALWELL of California, Mr. MCGOVERN, Mr. AL GREEN of Texas, Ms. SEWELL of Alabama, and Mr. SOTO.  
H. Res. 876: Mrs. MURPHY of Florida and Mr. LEVIN.

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#### 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. Res. 774: Mr. DESJARLAIS and Mr. THOMPSON of Pennsylvania.

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#### PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

101. The SPEAKER presented a petition of the City Commission of Lauderdale Lakes, FL, relative to Resolution No. 2018-032, expressing opposition to the addition of a question regarding citizenship being added to the 2020 United States Census questionnaire; to the Committee on Oversight and Government Reform.

102. Also, a petition of the City Council of South Portland, Maine, relative to Resolve #22-17/18, opposing any plan or legislation that would open the coast of Maine to offshore drilling for gas and oil; to the Committee on Natural Resources.

103. Also, a petition of the City Electors of La Crosse, Wisconsin, relative to a resolution supporting a Constitutional Amendment seeking to reclaim democracy from the expansion of corporate personhood rights and the corrupting influence of unregulated political contributions and spending; to the Committee on the Judiciary.



United States  
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# Congressional Record

PROCEEDINGS AND DEBATES OF THE 115<sup>th</sup> CONGRESS, SECOND 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.

Eternal Spirit, our strength in times of weakness, give us the power of purpose to do justly and to love mercy. Save our lawmakers from self-interest and pride, making them servants of Your will in challenging times. Lord, give them delight in Your guidance, enabling them to receive the blessings of the bountiful harvest that comes from living with integrity. Teach them to serve You with reverential awe, as they find refuge by abiding in Your presence. Thank you, this day, for the abundance of Your steadfast love.

We pray in Your great 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.

### RELEASE OF AMERICAN PRISONERS IN NORTH KOREA AND NOMINATION OF GINA HASPEL

Mr. MCCONNELL. Mr. President, this morning the world has learned that Secretary of State Mike Pompeo is on his way back from North Korea with three American prisoners after securing their release. Two were detained last year. One had been in captivity

since 2015. Following successful discussions, all three are on their way back to the United States with our Secretary of State.

I am hopeful that by approaching our ongoing negotiations with clear eyes, we can build on this progress and pursue a verifiable agreement to dismantle North Korea's nuclear arms. The United States faces a number of threats around the world—from the ambitions of dissatisfied powers such as Iran, China, and Russia to terrorism, cyber attacks, and the proliferation of missiles. In every instance, we need valuable foreign intelligence to inform policymakers and help us protect the American people.

As we speak, our colleagues on the Intelligence Committee are hearing from one of President Trump's nominees to help us confront these challenges. Gina Haspel is a tremendous choice to lead the Central Intelligence Agency. She will bring more direct, hard-earned experience to the role of CIA Director than any leader in the Agency's history. Ms. Haspel is eminently qualified. She is widely esteemed. She is absolutely the right person at the right moment for this position.

First, there are her ample qualifications. Raised in a military family, Ms. Haspel had her sights set on attending West Point until she found out that women were not yet allowed to attend. It was the Army's loss, but my own alma mater, the University of Louisville, was happy to have her. With a knack for foreign languages and a drive "to be part of something bigger than just me," she joined the CIA in 1985.

As a talented clandestine operations officer, Gina Haspel took on a variety of challenging assignments and rose through the ranks. She earned the George H.W. Bush Award for Excellence in Counterterrorism and eventually transferred to the CIA's Counterterrorism Center. Her first day in that role was September 11, 2001.

After this 33-year career, Ms. Haspel will not have to wonder what life is like for the men and women she will be leading. From clandestine missions overseas to the headquarters at Langley, she has lived it herself. It is not surprising that Ms. Haspel has received so much praise from across the political spectrum, including from those who have led the Agency before her. President Obama's former Director, John Brennan, calls her "an exceptionally well-respected professional."

President Bush's former Director, General Michael Hayden, said this: "Her only goal is to live out the agency's mission. . . . [S]he is a wonderful choice."

In a letter to our colleagues on the Intelligence Committee, a bipartisan group of 53 former national security leaders said her qualifications "match or exceed those of most candidates put forward in the Agency's 70-year history."

So Ms. Haspel's skill set is impressive, and it is an ideal match for the very strategic challenges that currently face our country. As Secretary Mattis made clear in his new National Defense Strategy, our Nation must be prepared for a new era of competition between powerful nations. "We'll continue to prosecute the campaign against terrorists," he explained a few months ago, "but great-power competition . . . is now the primary focus of U.S. national security."

Ms. Haspel is the perfect candidate to lead the Central Intelligence Agency through both these challenges. Her lengthy and distinguished CIA service spans both the Cold War and the Global War on Terror. As a result, she has firsthand experience gathering foreign intelligence in an era of great-power competition and hard-won expertise in counterterrorism operations and analysis.

In short, her résumé could hardly be better tailored for the specific challenges that our Nation faces at this

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



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very moment. As CIA Director, Gina Haspel would help defend the homeland from terrorists and help secure America's position on the world stage.

This excellent nominee possesses the résumé, the reputation, and the unique skill set to lead the CIA at this critical juncture. I am glad that my colleagues on the Senate Intelligence Committee have the opportunity to meet with her and thoroughly examine her credentials. I look forward to voting to confirm her soon here on the Senate floor.

#### JUDICIAL NOMINATIONS

Mr. MCCONNELL. Mr. President, on another matter, this week the Senate is in the midst of processing six—six—well qualified nominees for the Federal bench. We have voted to invoke cloture on the nomination of Judge Kurt Engelhardt, and today we will vote to confirm him.

Given his impressive qualifications, Judge Engelhardt's arrival on the bench will not come a moment too soon. Lawyers have described him as "a wonderful judge" with "excellent legal ability" who is "very thoughtful and analytical." One said: "[H]e would be great on the Fifth Circuit."

After Judge Engelhardt, we will vote to advance the nomination of Michael Brennan of Wisconsin, another nominee who has earned the ABA's highest rating of unanimously—unanimously—"well qualified." Each nominee on the slate has been vetted by the Judiciary Committee, and each stands ready to serve as a diligent caretaker of the rule of law. Considering and confirming judicial nominations is one of the most important functions of the Senate. We will keep taking care of the people's business.

#### TRIBUTE TO DR. JAMES KLOTTER

Mr. MCCONNELL. Mr. President, on one final matter, I wish to recognize a distinguished Kentuckian this morning: our longtime State historian, Dr. James Klotter. At the end of this semester, Jim will depart Georgetown College in Scott County, KY, for a well-earned retirement. Jim is a Kentucky native who has dedicated his entire professional life to preserving and appreciating the Commonwealth's history. He earned his Ph.D. from the University of Kentucky and set out to examine a wide range of topics throughout our State's history.

As an author, coauthor, or editor, Jim has completed about 20 books, some of them with his wife and frequent collaborator Freda. He has worked to make Kentucky history accessible to students and readers of all ages. To quote Jim and his self-deprecating humor, "Students can now be sick of Klotter at any level."

Jim's scholarship has won local, State, and even international recognition. In 2016, the University of Kentucky Libraries honored him with the Medallion of Intellectual Achievement.

On a personal note, I owe Jim a debt of thanks for all of his help as I prepared a series of historical speeches focusing on U.S. Senators from Kentucky. I recently finished the final speech in the series, and I couldn't have done it without Jim and his endless expertise.

Although Jim will soon retire from teaching, he will continue his research, his writing, and his service as State historian. I wish him well and look forward to all the great work that I am confident is yet to come.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### TEACHER APPRECIATION WEEK

Mr. SCHUMER. Thank you, Mr. President.

First, I want to spend a moment in recognition of Teacher Appreciation Week. I am sure everyone here remembers a teacher who inspired them, challenged them, and propelled them to greater heights. I will never forget Mrs. Roberts, the Cunningham Junior High School teacher who opened my eyes up to science; Mrs. Riley, who inspired a love of literature; and I will never forget Mrs. Wagman, who kindled my interests in government and politics, an interest that never died.

That is what great teachers do. They open doors previously thought closed. They work day and night to give every one of us the opportunity to succeed. What a noble calling.

In my view, teaching in the 21st century should be the same kind of exalted profession as law or medicine was in the 20th century. It is such an important job, in terms of our future, our economy—competing with China. The education of our young people is No. 1. Often around here we forget that, and in many of the States they have forgotten it.

Teachers enjoy their jobs. They make huge financial sacrifices. Many of them could make much more money in another profession. So I think we should appreciate teachers, not only in thanking them—I thanked three who changed my life, and there are many more—but we should thank them by rewarding them financially because it is such an important profession.

#### RELEASE OF AMERICAN HOSTAGES IN NORTH KOREA

Mr. SCHUMER. Mr. President, secondly, I would like to address the news

this morning that Secretary of State Pompeo will be returning from North Korea with the three Americans who were held there against their will. We are all glad to see them returning home. Their families are delighted. We are all delighted.

Let's not forget, this is not some great give on North Korea's part. We cannot forget that no regime has the right to hold American citizens in captivity without cause. Under no circumstances should American citizens be viewed as bargaining chips by foreign capitals. I hope President Trump and Secretary Pompeo are clear about that because the same goes for other countries wrongly detaining Americans—Iran, China. If countries in the world think they can detain Americans and get something in return, we will see many more hostages.

So we are all rooting for the diplomacy with North Korea to succeed and, in that respect, I urge the Trump administration to work with our allies with a coordinated and considered strategy to see if we can denuclearize the Korean Peninsula, but the hostages shouldn't be part of it. We are happy they have returned, but North Korea shouldn't gain by taking Americans and then releasing them.

#### NOMINATION OF MICHAEL BRENNAN

Mr. SCHUMER. Mr. President, in a few hours, the Senate will vote to proceed to the nomination of Michael Brennan to the Seventh Circuit Court of Appeals.

Mr. Brennan has not received a blue slip—that is a notice of approval that has been a tradition in the Senate—from one of his home State Senators, Ms. BALDWIN. So the vote today will be a slap in the face to the custom of senatorial courtesy. It will be a slap in the face to the bipartisanship we hear so many on the other side of the aisle and so many more Americans talk about. It is blatant disrespect to every Senator who wants to withhold his or her judgment on a judge, a tradition that has been respected by Democrats and Republicans until Leader MCCONNELL abruptly changed this earlier this year for circuit court judges.

What makes this even more galling is the history of this vacancy on the Seventh Circuit. Mr. Brennan will fill the seat that had been held open by Wisconsin's other Senator for 6 years during the Obama administration. Well, how was Senator JOHNSON able to withhold? He didn't return his blue slip, and Senator LEAHY, the Democratic chair, respected it. The same should prove true for Senator BALDWIN. She should get the same respect from Senator MCCONNELL and Chairman GRASSLEY that Senator JOHNSON got for this same seat from then-Leader Reid and Senator LEAHY, the chairman of the Judiciary Committee, but, no, our Republican colleagues keep changing the rules.

Senator JOHNSON's right to refuse a judge from his home State, which, as I said, was respected by then-Chairman LEAHY, was defended publicly in an op-ed by—guess who—Mr. Brennan himself. He wrote an op-ed—he was not a nominee for judge then—saying JOHNSON's right to hold the seat open should be respected. Now he is on the floor with the blue slip being ignored for the first time since I have been here, since 1998.

How is Senator BALDWIN's right to consult on judges for her State any less important than Senator JOHNSON's? It is mind-bending hypocrisy, it is an appalling double standard, and it is another erosion of minority rights and the tradition of comity that I know so many of my colleagues on both sides of the aisle wish played a greater role in the Senate.

Furthermore, as Senator BALDWIN has talked about, they have always had a bipartisan commission recommending judges in Wisconsin. There were several nominees who got through that bipartisan commission, needing both Democratic and Republican support to get through that commission. As I understand it, they were ignored by the White House, and Mr. Brennan, a hard-right nominee—I am not sure if he didn't pass the committee or wouldn't have passed the bipartisan committee of Wisconsin—is here on the floor. This is the second time we are going to be voting on a judge who didn't receive both blue slips. There will be another hearing today in the Judiciary Committee on Ryan Bounds for the Ninth Circuit in Oregon, even though he didn't receive a blue slip from Senator WYDEN or Senator MERKLEY.

I would admonish my friends on the other side of the aisle that this is a very dangerous road you are treading. As everyone knows, the winds of political change blow swiftly in America. The minority one day is the majority the next. There will come a day when the shoe will be on the other foot once again, and I don't think my friends will be too happy if they are not afforded the courtesy of consulting on home State judges.

I like the tradition of bipartisanship when it comes to judges. I argued privately with Leader Reid that we shouldn't remove the 60 votes. I was successful on the Supreme Court—he didn't include that—but not on district court and circuit court judges. So in a tit for tat—I understand that—Leader MCCONNELL said that we are doing it for the Supreme Court too. But the blue slips are a whole new world.

I have always had three standards for the judges I participate in choosing for New York. Excellence—they should be legally excellent, not political actors. Diversity—I like diversity on the bench when we can get it. We always try, and we have had a lot of success in New York. But I also like moderation. I don't like judges to the far right—that is obvious—but I also don't like judges

to the far left because judges who are ideologues tend to believe they can make law rather than interpret law.

Week by week, month by month, year by year, the bounds—both sides of the aisle are somewhat to blame, but this blue slip goes way beyond—and the tradition of bipartisanship that have kept judges more in the center, that have kept judges who tend to interpret the law rather than make it have evaporated. Once the blue slips are gone, that is the last vestige. There will be little incentive for the majority to consult the minority on judicial nominations. That is objectively not a good thing. We want judges who are qualified, evenhanded, not partisan instruments. A Senate that acts only as a rubberstamp for the President's nominees is not doing its job, and we may as well not advise and consent if the party in power, even by one vote as it is here today, just rubberstamps every one of the President's judges.

So I urge my Republican friends to consider the larger implications of the vote on Michael Brennan—the seat that was vacant for 6 years in response to the blue slip. By the way, Leader MCCONNELL and Chairman GRASSLEY signed a letter with Leader Reid—then-Majority Leader Reid—not to get rid of the blue slip, which he listened to. So if you want to talk about tit for tat, this one doesn't belong. Reid kept the blue slip, even though lots of vacancies stayed for a lot longer than a year. MCCONNELL is getting rid of it for circuit court judges, and it is a move away from an impartial, nonpolitical judiciary.

Every Senator, if he or she were facing what Senator BALDWIN is facing today, would want this body to defend their rights. I would urge at least one or two of my colleagues on the other side of the aisle not to vote in lockstep and for the sake of the Senate, for the sake of the country, to vote no on Brennan, whether you agree with his views or not, as a protest to the way this has happened.

#### NET NEUTRALITY

Mr. SCHUMER. Mr. President, now, there is one final topic—net neutrality. Later today, Democrats will take the Senate another step toward the consideration of a resolution to restore net neutrality. When the Republican-led FCC voted to repeal net neutrality in December, they handed the large internet service providers all the cards. They said: Do what you will with the internet. Charge consumers more for faster service if you like or segment the internet into packages forcing the average family to purchase faster times for their favorite websites. Let big corporations purchase faster internet service while startups, small businesses, and consumers are left in the dust. Public schools, rural Americans, communities of color, or anyone in a remote area or without substantial resources could be at a significant dis-

advantage if the ISPs start charging more for decent internet.

People say: Well, let a private company do whatever it wants. Let them charge whatever they want. But in certain goods, which are essential, we don't do that—utilities, highways. The same thing now applies to the internet. It is a necessity, and we have to have protections for average folks, for small businesses, for working families. That is why Democrats are so concerned about net neutrality and why we are trying to restore it. We believe that the internet should be kept free and open like our highways—accessible and affordable to every American, regardless of the ability to pay. It is not that you don't pay; it is that if you are a little guy or gal, you shouldn't pay a lot more than the big shots. We don't do that on highways, we don't do that with utilities, and we shouldn't do it on the internet, which is another modern, 21st-century highway that is a necessity.

Every Democrat supports our net neutrality CRA, as well as one Republican, Senator COLLINS. Unlike most legislation, Democrats can force a vote on the floor of the Senate on our proposal. Today, Senator MARKEY will take the first step in that process. He is going to discharge the CRA from the Commerce Committee to the Senate calendar. That means we will have a vote on the ability to preserve net neutrality and help the little guy pay for services on the internet, and that will make that vote available next week. So I urge average Americans—young people, old people, everyone in between—and small businesses to email, call, write, visit your Senator on the Republican side, and urge them to preserve net neutrality. It is only right, it is only fair, and it makes economic sense.

No matter what, my friends on the other side are going to have to put themselves on the record on this issue. Whose side are you on—the big internet and cable providers or the average consumer who depends on the internet? This vote can be summed up in one phrase: Whose side are you on? I urge all Americans—particularly younger Americans who get this better than my generation because they have lived with the internet their whole life—to contact their Senators this week and next week before the vote and demand that their Senator restore net neutrality.

Americans, please contact your Senators. Your wallet and well-being, in ways far more significant than most things we do here, depend on it.

I yield the floor.

#### RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING  
BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Kurt D. Engelhardt, of Louisiana, to be United States Circuit Judge for the Fifth Circuit.

The PRESIDING OFFICER. The Senator from South Dakota.

TAX REFORM

Mr. THUNE. Mr. President, as I have said before, Republicans had two goals when it came to tax reform. First we wanted to put more money in the pockets of hard-working Americans right away. Second, we wanted to create the kind of economy that would give Americans access to economic security for the long term. To achieve the first goal, we cut tax rates across the board, nearly doubled the standard deduction, and doubled the child tax credit. Americans are already seeing this relief in their paychecks. To achieve the second goal, we reformed our Tax Code to make it easier for businesses to create jobs, increase wages, and expand opportunities for workers.

I am proud to report that less than 5 months since the Tax Cuts and Jobs Act was signed into law, we are already seeing an improved playing field for American workers. There are a lot of things that go into giving a worker a secure economic future: a good job, good wages, opportunities to grow, good retirement benefits, and opportunities to achieve the education necessary for that good job or that wage hike. Sometimes a degree or certification can make all the difference between an OK job and the kind of job that brings financial security for the long term, but getting that degree or certification isn't always easy. Sometimes it can be cost-prohibitive, and sometimes it can be difficult to fit the degree requirements around an existing job.

As I have said before, the Tax Cuts and Jobs Act is already improving the playing field for workers and creating the kind of economic environment that will give more Americans access to economic security for the long term. Businesses are creating new and better paying jobs. They are increasing and raising wages, and they are expanding opportunities. All of these are essential elements of giving workers access to the careers that will give them access to long-term financial security. But that is not all. Businesses are also increasing benefits, including, in several cases, education benefits.

Grocery store chain Kroger recently announced its Feed Your Future program, which will provide employees with up to \$3,500 a year to put toward their education, whether the employee is working toward a GED or an advanced degree. Both full- and part-time employees will be eligible for the program, which will provide employees with up to \$21,000 for their education. The company is even introducing an educational leave of absence, which will allow employees to take time off for approved studies without losing their place at the company.

It is not just Kroger. McDonald's is accelerating increased investment in its Archways to Opportunity education program, thanks to the Tax Cuts and Jobs Act. The program will now offer workers \$2,500 a year toward their education costs, up from \$700 a year previously. There is no lifetime cap on the amount an employee can receive for his or her education. Plus, employees can now work as few as 15 hours a week and still be eligible for the program, which will make it easier for employees to combine a job and an education.

Then there is Boeing, which is investing \$100 million in training and education for its employees.

Express Scripts is investing in the workers of the future by creating an education fund for employees' children.

Disney is investing \$50 million in an education program for employees, and there are more.

It is another way that the Tax Cuts and Jobs Act is giving American workers access to the resources they need for a secure and prosperous future.

NET NEUTRALITY

Mr. President, I would like to switch gears for just a moment and turn to another important topic that was addressed moments ago by the Democratic leader; that is, net neutrality. There is widespread agreement among Senators of both parties that we need to maintain a free and open internet, and there is widespread agreement among both parties that we need net neutrality legislation. But as with other issues that should be and technically are noncontroversial, Democrats have decided to take the issue of net neutrality and make it partisan. Instead of working with Republicans to develop permanent net neutrality legislation, they decided to try to score political points with a partisan resolution that would do nothing to permanently secure net neutrality.

For years, the commercial internet flourished under a light-touch regulatory regime. Free of onerous, heavy-handed legislation, the internet grew and thrived, offering Americans a steadily increasing array of benefits from online education to online shopping. But during the Obama administration, the Federal Communications Commission, on a party-line vote, decided to change the way in which the internet was regulated. Instead of the regulatory approach that had worked for years, the Obama FCC decided that

the internet should be regulated under a set of regulations that were developed over 80 years ago to manage monopoly telephone services. Think about that: the Communications Act of 1934 that was designed to govern and regulate Ma Bell being used to regulate the internet.

That decision posed a number of problems for the future of the internet. For starters, heavyhanded government regulations tend to stifle the kind of growth and innovation that always flourished around the internet.

There was also serious reason to be concerned that this new regulatory regime would discourage companies from expanding access to broadband. That is a big concern for my State, where too many individuals still lack reliable internet service. In fact, the FCC found that the decision to regulate the internet under the 1934 telephone regulatory regime has, in fact, slowed investment, which has restricted the improvement of internet services for rural Americans, like many I represent in South Dakota.

In response to these problems, the FCC recently decided to restore the light-touch regulatory regime under which the internet had thrived. Up until 2015, for two decades, the internet was regulated under the light touch. Everybody agreed that was the best approach. Let the internet grow, flourish, innovate, and expand to give more people access to high-speed internet services. Well, the FCC decided to change that. It created the opportunity for us to adopt net neutrality legislation to permanently address concerns about blocking, throttling, paid prioritization, and deal with these concerns under a regulatory regime that is suitable for the 21st-century internet. That is what the FCC did when they went back to what we had for two decades prior to 2015. They opened the door to address this the way we should address this—through the people's representatives here in Congress.

People are concerned about the blocking of lawful content on the internet and the throttling of internet speeds. Let's lock it into law. Let's put rules for the open internet into law so that we fully understand and can move forward in a way that doesn't have this constant ambiguity and back-and-forth from one FCC to the next or, worse yet, spending it in litigation in courtrooms.

But instead of moving forward with that approach with Republicans to draft such legislation, the Democratic leadership decided to try to score political points by pushing a resolution to undo the FCC's decision, even though undoing this decision will do nothing to provide a permanent solution on net neutrality. The Democratic leader's position to pursue this partisan course stalled conversations that were occurring on a bipartisan basis between Members on both sides of the aisle who have wanted to come together to deal with this issue. I have been engaged in those conversations now for the last 3

years. We were making progress. We were coming together around a legislative solution that would get rid of all this uncertainty and unpredictability and ambiguity and the clouds that hang over this issue and allow open internet rules to be put into place and allow the internet to continue to thrive and grow and innovate.

For decades, the commercial internet has been a source of innovation, economic growth, and opportunity, but that growth and opportunity will be stalled and stifled if we keep going the way we are going. We can't have internet regulations ping-ponging back and forth from administration to administration or from year to year, for that matter. That will bring innovation and investment to a standstill, and that is the worst possible thing you can do for those people across this country—many of whom I represent in South Dakota—who still don't have access to high-speed internet services. Nobody is going to be interested in taking risks or investing in innovation if they can't predict what the rules will look like a year down the road.

The only way to preserve the dynamism of the internet, while also protecting consumers, is for Democrats and Republicans to come together on legislation to provide long-term certainty. For that to happen, Democrats are going to have to rise to the occasion, and they are going to have to stop playing political games to score political points and start focusing on actually legislating, because you see this CRA, this Congressional Review Act resolution, is going nowhere. Yes, they might narrowly get a vote out of the Senate because we have a Senator missing here, but it is not going anywhere in the House, and it is not going to be signed into law by the President. All it does is prolong this debate we are having. We could settle this debate once and for all if we were willing to sit down and actually work on a legislative solution.

I hope that once the Democrats have gotten this latest political stunt out of their system, they will be willing to come to the table and develop a real solution that will allow the internet to flourish for generations to come.

The Democratic leader, who was just down here, said the question here is, Whose side are you on? Well, I think that is a good question to ask because the question is, Whose side are you on? I think the choice is, Are you on the side of Big Government and heavy-handed regulation that stifles investment in the internet, stifles innovation, or are you truly for a free and open internet, a free market where the internet continues to thrive and to grow and to provide so many opportunities for people around this country?

He said passing the CRA makes economic sense. Well, not if you want to get 5G, not if you want to provide high-speed internet services, not if you want to deploy broadband to rural areas in this country, because that takes in-

vestment. Investment follows certainty. They want to know what the rules are. They want the rules to be clear and unambiguous so that this can move forward, so that they can move forward and continue to see this economic miracle of the internet advance and continue to be taken advantage of and benefited by so many Americans.

We have a chance to do that. We really do. But we can't do it when we sit around and mess around with political theater and political stunts, which is precisely what this is, and everybody knows it. Our colleagues on the other side know it. I have talked to lots of them who say: We want to work with you on legislation, but, you know, right now, we have this CRA we are going to vote on—which is a shiny object, and everybody gets to shoot at it. People can go out and raise money, and they can get people fired up at the grassroots that this is somehow going to be some magic solution, but it is not. It doesn't do anything.

Even if it succeeded, what are you doing? You are just creating more back-and-forth from one FCC to the next. You are just requiring more money to be spent in courtrooms on litigation and lawsuits rather than invested in the types of technologies that will bring that high-speed access to more people in this country, that will get us to the fifth generation of technology, which is where everybody wants to go. Why don't we just sit down and do that? Why is this so hard? Well, it is because people think there are partisan political points that can be scored by doing this.

Remember one thing too: The Congressional Review Act resolution of disapproval was created by Congress to unwind or prevent harmful regulations from going into effect—that an administration might be putting into effect. It is a way for Congress to be heard from if, in fact, the Congress—the people's representatives—believes the administration is heading in the wrong direction when it comes to some regulation.

The CRA has never been used to re-regulate. That is what this is doing. The FCC is unwinding the heavyhanded regulation that went into effect in 2015, and this is going to attempt now to re-regulate, not to deregulate or prevent regulations from going into effect. That has never happened before. Do my colleagues on the other side honestly think that Republicans in the House of Representatives are going to vote for that or that President Trump will sign it into law? No. Everybody knows better than that.

So what are we doing? We are playing a silly game here at the expense of a real solution—a solution that is out there waiting for us if we will simply sit down, as we should as elected representatives, as Senators, on both sides of the aisle, and address an issue that is very important to our economy and very important to a lot of Americans. I hope we can do that. We are not going

to get there as long as we continue with this charade that we are taking on here today and in the weeks ahead.

It is time for clear rules. We want an open and free internet that investors can invest in—and people can benefit from that investment—and that provides opportunities and gains in productivity and continues the economic miracle that the internet has been for this country. That is what this debate is about, pure and simple. It is nothing else. We have a chance to do that, but we can't do it if we continue to play this sort of a game.

I hope my colleagues will at some point—maybe we will go through this, and maybe we will have this vote. If we do, maybe they will win. They might win by a one-vote margin. It is not going anywhere. We all know that. Let's get serious on behalf of the American people. If there are legitimate, serious concerns about potential abuses by internet service providers when it comes to throttling speeds or blocking lawful content or any of that sort of thing—paid prioritization—let's address that in law. Let's quit messing around. Let's get to work.

Mr. President, I yield the floor.

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

HEALTHCARE

Mr. MURPHY. Mr. President, this week people in Virginia and Maryland are waking up to the first rate filings by private insurance companies in 2018. The numbers are simply stunning.

I am coming to the floor today to talk about what is going to be a very unhappy spring and summer for healthcare consumers all across the country, as health insurance companies—having now dealt with a full year and a half of President Trump's sabotage of the American healthcare system—are going to be looking at gigantic, unaffordable premium hikes for private healthcare insurance.

I wanted to come down today, as we are starting to get into these rate filings, as our constituents are starting to ask why they are facing premium increases of, in some cases, up to 90 percent—think about that. Think about getting a notice from your insurance company telling you that in 1 year, your premium is going to double. The cost of getting health insurance is going to double. I feel it is time to come down and talk about why this is happening, why you are seeing these radical rate hikes being proposed from insurance companies.

I want to walk through, for my colleagues, this very deliberate campaign of sabotage that this administration and congressional Republicans have waged against the Affordable Care Act and the American healthcare system writ large.

It starts on January 20. Within hours of being inaugurated, President Trump issues an Executive order in which he directs all of his Federal agencies to use their administrative powers to begin dismantling the Affordable Care



Act “to the maximum extent permitted by law.”

This is before there is any proposal for what should substitute for a piece of legislation that insured 20 million people who didn’t have insurance before the Affordable Care Act. It was before we knew that replacement would, in fact, be uninsured, not 20 million people but 30 million people and drive up rates by double digits.

On the first day, President Trump tells his agencies to start dismantling and attacking the Affordable Care Act. At this point, the Affordable Care Act is so wrapped into the healthcare system of this country that when attacking the Affordable Care Act, you are attacking the entirety of the healthcare system.

On January 26, 2017, the administration announces that it will stop advertising the open enrollment period for the Affordable Care Act. The administration says: We are no longer going to tell Americans that they have an option to become insured or to get less expensive coverage through the healthcare exchanges set up around the country or through the national exchange, leaving millions of Americans in the dark.

Next, the President starts to threaten insurance companies—threatening to pull the subsidies that Congress approved allowing for premiums to be reduced for lower income beneficiaries. The Trump administration starts threatening to pull those cost-sharing reduction payments in April of 2017. Eventually, in October of last year, the administration follows through on that threat and ends payments to insurance companies to help reduce cost-sharing for beneficiaries, driving up the cost of insurance all across the country.

If you listen to health insurance executives talk to you about why they are passing on these big premium increases, they will tell you that one of the biggest reasons is the end of this program to help defray the costs for lower income individuals. Also, in 2017, about the same time he starts threatening to reduce these payments, the President cuts in half the open enrollment period. There is no reason to cut in half the open enrollment period other than you just don’t want people to get insurance. It is a deliberate sabotage.

Cutting in half the enrollment period is simply a mechanism to try to deny people the ability to get healthcare. There is no practical or logistical benefit to reducing the amount of time people have to buy healthcare, just as there is no practical benefit to cutting off all the advertising for the healthcare exchanges other than you don’t want people to sign up.

In July of 2017, the Department of Health and Human Services starts to unveil videos—23 of them in all—featuring individuals explaining how the Affordable Care Act has hurt the American healthcare system. They used their Twitter account to amplify these

anti-ACA messages, and they removed any content promoting the exchanges from the website. Once again, it is just a spiteful attack on Americans who want to get health insurance and now will not know about it because of these attacks and removal of that content.

Open enrollment outreach funding was reduced in August of 2017 by as much as 90 percent. So the helpful people you used to have trying to figure out whether you qualified for Medicaid or whether you qualified for a subsidy or a tax credit are no longer available because that money was taken away.

Then there was the big legislative intervention, the repeal of the individual mandate. The individual mandate was repealed as part of the tax bill, even though CBO told Congress: If you do that, 13 million people will lose insurance. With full knowledge that the repeal of the mandate would result in 13 million Americans losing their health insurance, Congress went forward with it. CBO also said it will result in double-digit premium increases. Congress was told, if you take this step, 13 million will lose coverage, and premiums will go up. Congress still moved forward with it, and it was passed as part of the tax bill, with no Democratic votes.

Finally, the President most recently unveiled what he called the short-term health insurance plan rule. These are more commonly referred to as junk plans. These are plans that last up to a year but don’t need to comply with Federal regulations; for instance, regulations that require insurance companies to actually give you coverage for things like mental illness or maternity care or regulations that require insurance companies to protect people with preexisting conditions. All of those superpopular benefits in the Affordable Care Act—the ones the Republicans were so nervous to remove—are now no longer available to many Americans. Because of this short-term plan rule, these junk plans are going to be much more widely available.

So you have this very coordinated, very deliberate attack on the American healthcare system: the Executive order in January of 2017, directing all Federal agencies to start undermining the American healthcare system; in April of 2017, the cut in the open enrollment period; in May, the votes start happening on the floor of the Senate to take insurance away from 23 million people—one of the bills took away insurance from 30 million people; in December, the repeal of the individual mandate, resulting in premiums going up by double digits; and now this junk plan rule, taking away protections from millions of Americans. The effect of that junk plan rule is also to move healthier patients out of the exchange pools into the junk plans because the junk plans don’t have to cover anything, so healthy people will go to those plans, which drives up rates for the plans that people with any kind of preexisting condition would be able to access.

You have this very deliberate plan to try to undermine the American healthcare system, and we are now seeing the consequences. As I mentioned, the period of rate filings is beginning across the country, where insurance companies have to announce what their rate increases are going to be.

Healthcare inflation, on an annual basis, has been holding steady over the years. It certainly never gets above 10 percent, and for a number of years during the early rollout of the Affordable Care Act, that number was at or lower than 5 percent. So if you are just looking at the amount we are spending on an annual basis above last year on healthcare, that number has not recently been more than 5 percent. Yet one insurer in Virginia—a subsidiary of the big health insurance company, CareFirst—is proposing a 64-percent increase in Virginia. Other rate increase requests in Virginia are 26 percent and 15 percent. Nobody can afford a 64-percent increase in health insurance premiums in Virginia, but it is a consequence of this deliberate campaign of sabotage.

Let’s take a look at Maryland. There is one insurance company in Maryland that is asking for a 91-percent increase in premiums—again, this is a CareFirst plan—for its broad network PPO plan that currently has about 13,000 people in it. Thirteen thousand people in Maryland potentially are going to get a 91-percent increase in their health insurance premiums because of this deliberate campaign of sabotage.

If you are in other CareFirst plans in Maryland, you are getting a 19-percent increase. Your premiums are going up by one-fifth in one single year, in large part, because of this deliberate campaign to undermine the Affordable Care Act because of actions this Congress has taken that would knowingly increase rates for healthcare consumers.

My colleagues and I are going to come down to the floor of the Senate, over the course of the spring and summer, to make sure everyone here and every one out there in America understands what the consequences of this American healthcare sabotage campaign is. It starts in Maryland with rate increases that get as big as 91 percent, and in Virginia, where health insurance increases get as big as 64 percent. These numbers will continue to roll out all across the country, and Americans are going to be stunned—stunned—at how much this Republican campaign sabotage is costing them.

I will just add one last note, which, to many of my constituents in Connecticut, feels like insult to injury. The tax bill did drive up rates by 10 percent, at least, in the first year. A big chunk of these increases, more than 10 percent, is a result of the repeal of the individual mandate, but the tax bill also gave a windfall to insurance companies and drug companies—some of the biggest players in the healthcare space.

I just totaled up the projected 2018 tax savings to eight of the biggest insurance companies in the country, and it is over \$4 billion. At the same time that these companies are passing along rate increases of 64 percent or 90 percent, they are getting billions of dollars in tax savings from this Congress. It appears none of the tax breaks this Congress bestowed on the insurance industry is going to consumers.

When you look at the drug industry, where we have a little bit more mature information, you know why. One report, I believe released by the Finance Committee, showed that pharmaceutical companies already have announced \$50–50–billion in stock buybacks and share buybacks as a result of the tax bill. These drug companies aren't announcing price cuts to insurance companies; these drug companies are not announcing price cuts for consumers; these drug companies are announcing massive share and stock buybacks that will largely benefit the millionaire and billionaire investors in those drug companies. This is insult to injury for the people in my State and people all across the country because they are watching their healthcare insurance premiums skyrocket, while the windfall of the tax bill accrues to the owners of the insurance companies and the drug companies.

What a great time to be in the healthcare business today. You get a giant tax break, and you get to pass along gigantic premium increases to consumers all across this country.

Think about it. Somebody in Maryland, making \$30,000, \$40,000 a year and being told the insurance company he does business with is going to get \$1 billion in new tax relief from this Congress, and he is going to get a 91-percent increase in his premium. That is outrageous. That is outrageous, and yet it is just going to get worse.

As this spring and summer plays out—I think every single week there is a new State or set of States unveiling rate filings—I will come down and update this chart so everybody knows what the numbers are. It starts with rate increases as high—and I am not saying every single increase is this high, but in Virginia it is 64 percent, and in Maryland it is 91 percent. I have a feeling there are going to be a lot of very big numbers on this board, and I want to make sure everybody understands that if you want to know why premiums are going up at the rate they are, you don't have to look any further than this campaign of healthcare sabotage that has been waged by the Trump administration and Republicans in Congress.

I yield the floor.

The PRESIDING OFFICER. The President pro tempore.

Mr. HATCH. Mr. President, I listened carefully to the distinguished Senator, and I am going to come back to the floor and explain why he is wrong on every point. I am just really amazed that they make these arguments when

they are the ones who really caused the healthcare bill to come forth, which is just eating us alive, but I am here for another reason.

WELCOMING HOME AMERICANS HELD IN NORTH KOREA

I would like to open my remarks by joining the President and the American people in welcoming home three courageous individuals who have been held in captivity in North Korea.

We are all grateful for their safe return, but even as we celebrate their homecoming, we cannot forget about another brave American who has been unlawfully detained abroad—Joshua Holt.

For 2 years, Joshua and his wife Thamy have been held on spurious charges in a prison in Venezuela, and for 2 years I have been working hard to bring them home. Rest assured that I will continue to work closely with the administration to secure their release.

NOMINATION OF GINA HASPEL

Now, Mr. President, I would like to turn to another matter as President pro tempore of the U.S. Senate and as the longest serving Republican on the Senate Select Committee on Intelligence. I ask my colleagues to come together in voting to support Gina Haspel's nomination to serve as the next Director of the Central Intelligence Agency.

I took to the floor just 2 weeks ago to speak on behalf of Secretary of State Mike Pompeo. While I am delighted we were able to get behind his nomination, I am shocked and embarrassed by the scale of partisanship and enmity that marked his confirmation process.

On the day of Ms. Haspel's hearing, I am once again disappointed at how poorly a dedicated servant has been treated by the press and by some in this Chamber.

This is someone who has served her organization faithfully for over three decades. She is one, among a very small group, who rose up through the ranks within the Directorate of Operations during the Agency's transition from the Cold War to the War on Terror.

The job of the CIA operative—our Nation's first line of defense—is a thankless one. For generations, the American people will never know the length of the sacrifices these men and women make to keep us all safe. For these men and women, public service is not only a profession but a lifestyle—a commitment that often requires the sacrifice of family and loved ones as well. It is a life of constantly being on the frontlines, being in the arena in every sense of the expression.

Ms. Haspel embodies all these qualities and has given of herself in ways we can never imagine or begin to do ourselves. In turn, she has not only acquired the needed experience and expertise for this job but has also gained the respect of men and women of the organization she is to head.

She has also worked closely with Secretary Pompeo as his Deputy for

the year during which he was Director—a level of trust that would be critical in her new role as Director working with the Secretary of State.

It is worth pointing out to my colleagues on the other side of the aisle the words of praise offered for Ms. Haspel's nomination by security officials who served under President Obama.

James Clapper, the former Director of National Intelligence, said: "I think the world of Gina; she is capable, smart, very experienced, well respected by the Agency rank and file, and a great person."

Leon Panetta, who served as both CIA Director and Secretary of Defense, said: "I'm glad that they have a first woman as head of CIA, and I'm glad that it's Gina because frankly she is someone who really knows the CIA inside out."

John Brennan, who also served as President Obama's CIA Director, said: "She will be able to provide that unvarnished, apolitical, objective intelligence input to Donald Trump and to others."

If these words do not represent a seal of approval, then I don't know what does. Never have I seen someone receive such widespread praise from such a distinguished and bipartisan group of seasoned authorities, and never did I think I would live to see the day that the CIA would receive its first female Director.

I know we will all come together, ultimately, to vote to confirm Ms. Gina Haspel as Director of the CIA, but I would like to take this opportunity to again remind my colleagues in the Senate of the destructive nature of this partisanship. Two weeks ago, we were on the cusp of not having a Secretary of State all because we were more concerned with political loyalties.

Today we see the same dynamic in play. We are again divided along party lines and, once again, on a candidate who is supremely qualified to lead the organization for which she was nominated. This type of partisanship is unprecedented in our history, and it is destructive for our future. It represents a true national security threat of the highest order.

We can disagree about specific policies, we can have our political stakes, but let's keep those out of our first responsibility of serving the American people, whose physical well-being and safety should be our first priority. Who better understands this than Gina Haspel, a distinguished public servant who has kept our country safe during the most dangerous times in recent memory.

I ask my colleagues to stop with this dangerous behavior. Enough of the partisan games. We will be able to hold Ms. Haspel, as other Cabinet members, accountable for specific policies, as is our job, but let's get them into their jobs first. Our Nation needs them, and our Nation needs us to behave as the representatives and stewards of our democracy that we ought to be.

I urge all of my colleagues to vote in favor of Ms. Haspel's nomination.

REMEMBERING MICHAEL BEAVER

Now, Mr. President, on another subject—indeed, a deeply somber one—I would like to address a tragic loss we experienced in the Senate. Last week, Michael Beaver, a beloved member of the Senate family, passed away unexpectedly. We will all miss him dearly.

Michael served us as the Assistant Parliamentarian of the U.S. Senate, following a prior record of accomplishment in his legal career and a vibrant life which was tragically cut short at the young age of 39.

I am sure I speak for all of us in saying our hearts go out to Michael's family, including his beloved wife, young children, and parents.

Michael was known and admired by us all for his legal and parliamentary talents, as well as for his sharp wit and humor. Parliamentarians in the Senate work hard for the American people and often face long hours and extended debates. They are an integral part of the fabric that holds the Senate in order and allows us to achieve results. With Michael's talents and demeanor, our accomplishments were made all the more rigorous and our work all the more pleasurable.

It was not unusual for Michael to provide comment or advice on Senate work in progress that included a unique and brilliant mixture of insight, wit, and humor. Succinctly stated, working with Michael was refreshing.

Michael engaged with my staff and Members of the Senate on a daily basis when the Senate debated healthcare reform and then tax legislation. There were many late nights, and work often spilled over into the weekends. Michael was always there to help us through and would often make us smile with his ever-present sharp wit.

Without the dedication of public servants like Michael, it would simply be impossible for the rest of us in the Senate to function as we should.

Michael's passing is hard on all of us, from his colleagues in the Office of the Parliamentarian to every committee in the Senate, and to those of us who saw him regularly seated directly below where the Presiding Officer sits. We all benefited from his counsel.

My heartfelt condolences and prayers go out to Michael's family in their time of grief. He will be sorely missed. 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. PETERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

NET NEUTRALITY

Mr. PETERS. Mr. President, competition is the lifeblood of the American economy. Competition is what makes capitalism work. It is competi-

tion that has established the United States as the world's dominant economic force for over a century.

American competition is driven by innovation. We created the light bulb, the automobile, and the internet.

We all know that the internet has revolutionized the way we communicate, learn, and do business. A free and open internet allows students in Houghton, Lansing, and Mount Pleasant to access research and to collaborate internationally. A free and open internet allows startups in Detroit, Grand Rapids, and Flint to reach customers across the globe. A free and open internet allows a small bed and breakfast in Traverse City or Muskegon to reach millions of potential guests that they couldn't otherwise reach.

While the internet has been a potent force for innovation and economic growth in recent decades, our economy has been facing some serious headwinds. I am deeply concerned that we are seeing increased business consolidation—big firms are getting bigger—and we are seeing fewer new small businesses and startups. A recent study found that across 900 different industries, over two-thirds have become more concentrated in the past decade. The formation of new companies is falling. The number of jobs created by new businesses has fallen, even as our workforce has grown.

We have seen a large national internet service provider acquire a similarly large media company. We have recently seen the largest online retailer acquire one of our Nation's most successful grocery chains. Now we are seeing two of the four largest wireless carriers making preparations to merge.

Certainly, consolidations and mergers are a part of our economy, but we need rules of the road to level the playing field, to help small businesses and startups to compete, and to drive innovation. This is exactly why we need net neutrality.

Net neutrality protections prevented internet service providers from blocking, slowing, or prioritizing web traffic for their own financial gain. Without net neutrality, we could be subject to a two-tiered internet. Without net neutrality, large corporations, which keep getting larger and larger, can pay for a fast lane and buy the power to slow down or to block content. Without net neutrality, consumers, small businesses, and startups can be forced into the slow lane. Simply put, net neutrality keeps America competitive.

Unfortunately, net neutrality is under attack by the Trump administration. In December, the FCC voted to repeal crucial net neutrality protections, despite the fact that 86 percent of Americans wanted the rules to stay in place. The decision to scrap these net neutrality protections is anti-consumer, anti-innovation, and anti-competitive. It disadvantages small businesses, startups, and families all across our country.

While the FCC vote to repeal net neutrality rules is over, we are still here in the Senate fighting. In fact, we are closer than ever to reinstating the rules of the road that will keep the internet free, open, and competitive.

Fifty Senators, including the entire Democratic caucus, have signed a petition that would force a vote on legislation that would reinstate these crucial protections. With 51 votes, we could overturn the FCC's original repeal and move one step closer to restoring fairness.

Students, artists, advocates, entrepreneurs, and other visionaries who could be inventing the future and creating the next big thing could once again be on an equal playing field with multinational corporations when it comes to using the internet.

We need net neutrality to keep our economy dynamic, growing, and innovative. We need net neutrality to keep our startups and small businesses competitive.

Five months ago, I stood here in this Chamber urging the FCC to abandon their dangerous vote. Now I stand here urging my colleagues to reverse this dangerous and disastrous decision.

We have the power to do it, and we must. We need one more vote.

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. SCHATZ. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. ERNST). Without objection, it is so ordered.

Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Engelhardt nomination?

Mr. INHOFE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Indiana (Mr. DONNELLY) and the Senator from Illinois (Ms. DUCKWORTH) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 62, nays 34, as follows:

[Rollcall Vote No. 87 Ex.]

YEAS—62

|           |         |         |
|-----------|---------|---------|
| Alexander | Blunt   | Capito  |
| Barrasso  | Boozman | Cassidy |
| Bennet    | Burr    | Collins |

|            |           |          |
|------------|-----------|----------|
| Coons      | Inhofe    | Perdue   |
| Corker     | Isakson   | Portman  |
| Cornyn     | Johnson   | Risch    |
| Cotton     | Jones     | Roberts  |
| Crapo      | Kennedy   | Rounds   |
| Cruz       | King      | Rubio    |
| Daines     | Klobuchar | Sasse    |
| Enzi       | Lankford  | Scott    |
| Ernst      | Leahy     | Shelby   |
| Fischer    | Lee       | Sullivan |
| Flake      | Manchin   | Tester   |
| Gardner    | McCaskill | Thune    |
| Grassley   | McConnell | Tillis   |
| Hatch      | Moran     | Toomey   |
| Heitkamp   | Murkowski | Warner   |
| Heller     | Murphy    | Wicker   |
| Hoeven     | Nelson    | Young    |
| Hyde-Smith | Paul      |          |

**NAYS—34**

|              |          |            |
|--------------|----------|------------|
| Baldwin      | Harris   | Schatz     |
| Blumenthal   | Hassan   | Schumer    |
| Booker       | Heinrich | Shaheen    |
| Brown        | Hirono   | Smith      |
| Cantwell     | Kaine    | Stabenow   |
| Cardin       | Markey   | Udall      |
| Carper       | Menendez | Van Hollen |
| Casey        | Merkley  | Warren     |
| Cortez Masto | Murray   | Whitehouse |
| Durbin       | Peters   | Wyden      |
| Feinstein    | Reed     |            |
| Gillibrand   | Sanders  |            |

**NOT VOTING—4**

|           |        |
|-----------|--------|
| Donnelly  | Graham |
| Duckworth | McCain |

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

**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 Michael B. Brennan, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit.

Mitch McConnell, John Hoeven, Johnny Isakson, James Lankford, Steve Daines, Ben Sasse, Mike Crapo, John Kennedy, John Barrasso, Thom Tillis, Roger F. Wicker, James M. Inhofe, Richard Burr, Mike Rounds, Shelley Moore Capito, Tom Cotton, Cory Gardner.

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 Michael B. Brennan, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Indiana (Mr. DONNELLY) and the Senator from Illinois (Ms. DUCKWORTH) are necessarily absent.

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 49, nays 47, as follows:

[Rollcall Vote No. 88 Ex.]

**YEAS—49**

|           |            |          |
|-----------|------------|----------|
| Alexander | Flake      | Perdue   |
| Barrasso  | Gardner    | Portman  |
| Blunt     | Grassley   | Risch    |
| Boozman   | Hatch      | Roberts  |
| Burr      | Heller     | Rounds   |
| Capito    | Hoeven     | Rubio    |
| Cassidy   | Hyde-Smith | Sasse    |
| Collins   | Inhofe     | Scott    |
| Corker    | Isakson    | Shelby   |
| Cornyn    | Johnson    | Sullivan |
| Cotton    | Kennedy    | Thune    |
| Crapo     | Lankford   | Tillis   |
| Cruz      | Lee        | Toomey   |
| Daines    | McConnell  | Warner   |
| Enzi      | Moran      | Wicker   |
| Ernst     | Murkowski  | Young    |
| Fischer   | Paul       |          |

**NAYS—47**

|              |           |            |
|--------------|-----------|------------|
| Baldwin      | Heinrich  | Peters     |
| Bennet       | Heitkamp  | Reed       |
| Blumenthal   | Hirono    | Sanders    |
| Booker       | Jones     | Schatz     |
| Brown        | Kaine     | Schumer    |
| Cantwell     | King      | Shaheen    |
| Cardin       | Klobuchar | Smith      |
| Carper       | Leahy     | Stabenow   |
| Casey        | Manchin   | Tester     |
| Coons        | Markey    | Udall      |
| Cortez Masto | McCaskill | Van Hollen |
| Durbin       | Menendez  | Warner     |
| Feinstein    | Merkley   | Warren     |
| Gillibrand   | Murphy    | Whitehouse |
| Harris       | Murray    | Wyden      |
| Hassan       | Nelson    |            |

**NOT VOTING—4**

|           |        |
|-----------|--------|
| Donnelly  | Graham |
| Duckworth | McCain |

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 47. The motion is agreed to.

**EXECUTIVE CALENDAR**

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Michael B. Brennan, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit.

The PRESIDING OFFICER. The Senator from Connecticut.

**ANNIVERSARY OF THE FIRING OF JAMES COMEY**

Mr. BLUMENTHAL. Madam President, 1 year ago today, the President of the United States did the unthinkable. He did at least what many people thought was unthinkable. He fired the Director of the Federal Bureau of Investigation, James Comey. Shortly thereafter, he acknowledged the reason. He told NBC's Lester Holt that he fired James Comey because he was thinking about "this Russia thing" and how unjustified he thought the investigation was. He later told officials of Vladimir Putin's government in a private meeting in the Oval Office that this firing relieved him of the pressure that he was feeling as a result of the Russia investigation.

The 1-year anniversary of Jim Comey's firing might well be permitted

to pass without notice, but little did we know at the time that it would be part of a relentless and repeated denunciation of professional law enforcement at the Federal Bureau of Investigation, at the Department of Justice, even at the CIA, and law enforcement agencies all around the country. This concerted and coordinated attack on the FBI and Department of Justice is no accident. It is part of a strategy to undermine the credibility not only of the special counsel's investigation of collusion by the Trump campaign with Russia in its meddling in the 2016 election and the potential of obstruction of justice and coverup by the President and his administration, but it is also deeply alarming as an attack on professional law enforcement.

The President's attacks have become so numerous and so brazen that they have almost become the new normal. Likewise, the attacks by his sycophants and surrogates in Congress undermine the credibility and trust of the FBI and the Department of Justice. That is why I am here today—because words have consequences.

These attacks have ramifications for the FBI when it investigates a crime. The willingness of potential witnesses to talk to them may be undermined. Their ability to prevent crime may be undercut because of informants' lack of trust in them. And the credibility of FBI agents at a trial in a conflict of credibility with a defendant who is lying can be sabotaged by the President through these denunciations—far beyond the special prosecutor's investigation.

This attack on law enforcement has consequences for the safety and security of our Nation, indeed, our national security, because the FBI needs those informants, needs credibility as witnesses, needs the trust of the American people to do its job in keeping America safe from sabotage or subterfuge internally, as well as organized crime, drug dealing—the panoply of threats that exist to our safety.

It is no accident that terrorist attacks have reduced in severity since 9/11. It is no accident that crime is at lower levels than in recent years. It is no accident that Americans feel safer as they walk the streets and communities of America, rural and urban. It is because we have devoted resources to local law enforcement, as well as the Federal agencies that are vital to support local law enforcement with the information and data they need to do their job and with the enforcement they provide in solving crimes and making sure the bad guys are convicted and go away.

The best laws in the world are dead letter if they are unenforced. The new laws that we pass here will mean nothing without strong and effective law enforcement.

We should all be deeply alarmed and concerned about this new normal of a President of the United States—who is responsible for making sure the laws

are faithfully executed—actually attacking the agency that is responsible for the enforcement necessary for execution of those laws.

Here are a few examples. On April 6, 2018, a notice appeared on the front page of backpage.com confirming that the Department of Justice seized the website and took it offline—a crucial and important step in the fight against sex trafficking. On that same day, the FBI raided the Sedona home of Michael Lacey, a founder of backpage.com and one of the 7 individuals charged in a 93-count indictment for Federal crimes relating to facilitating prostitution and laundering money.

For years, backpage.com and its owners have knowingly concealed evidence of criminality by systematically editing its adult ads to facilitate prostitution and sex trafficking, including modern-day slavery of children. Backpage's misconduct led to the prostitution of a 14-year-old Connecticut girl, who was advertised on the website for clients in Connecticut, New York, and Atlantic City. Without the intervention of the Department of Justice and the FBI, many more children could have been exploited and victimized by backpage.

We know about the extraordinary magnitude of backpage's activities and about the deep harm it causes as a result of an investigation performed by Senate committees. The Senate has taken steps to stop that kind of promotion on the internet as a result of legislation that Senator ROB PORTMAN of Ohio and I led here, legislation called SESTA. It was bipartisan legislation that passed overwhelmingly. The legislation will assist victims and survivors in having their day in court and allow law enforcement to do even better in the fight against sex trafficking.

That story is just one example of the laudable work that the Department of Justice and the FBI do every day to keep America safe. The attack against them has extraordinary irony and harm because it seeks to sow doubt about democratic institutions that are vital to our way of life.

President Trump has literally taken a page from his authoritarian heroes who systematically seek to say that the law is not what our enforcement agencies say, not what our democratic institutions say, but what they say. He has persistently and purposefully attempted to undermine all of the Department of Justice.

The fact is, these attacks have effect. When they come from the President's mouth, they have consequences. Not surprisingly, these repeated caustic and careless attacks have diminished public confidence in these institutions. Since Donald Trump entered office, reports suggest that a number of Americans who view the FBI capably has diminished by 28 percent. Just 38 percent of Americans have confidence in the FBI. That is distressing for a party that once espoused and supported law

enforcement. The long-term negative collateral consequences of these assaults on our top law enforcement agencies are likely to be extensive.

Consider the dedication, the courage, the tenacity, and the strength that is required of those at the FBI to do their job day in and day out, putting their lives on the line, literally risking their well-being not over a year or a couple of years but, many of them, for careers, a lifetime. They are among the finest men and women in public service.

The FBI is one of our premier law enforcement institutions. The Department of Justice is and should be the marvel of the world for its fairness and its unrelenting dedication to do justice. As one Attorney General—Justice Jackson—said, its goal is not to seek convictions but to do justice, and that is the mission that it performs.

A recent case by the Department of Justice's National Security and Civil Rights Division shows how Donald Trump's attacks are weakening support for the FBI's important work.

In March of this year, three anti-Muslim militia members who were on trial for plotting to slaughter Somali refugees in Southwest Kansas adopted a defense strategy that could have been taken directly from the Trump playbook or from his Twitter feed. Defense attorneys in that case argued that a biased FBI conspired against their clients because of their political beliefs. The defendants said that their political beliefs were responsible for their prosecutions, not their own actions. In a turn of phrase that is very suggestive of the President's Twitter feed, the defense attorney argued that the defendants' discussion of killing Muslim "cockroaches" amounted to "locker room talk," which was inspired, no doubt, partly by the 2016 election.

Meanwhile, the government had to deal with jurors who expressed a number of concerns about the honesty and corruption at the top levels of the FBI, questioning the ability and integrity of the organization.

Ms. Ifrah Ahmed, a Somali resident of the apartment complex the defendants were plotting to blow up, felt differently about the FBI investigation. She and other residents said that the verdict allayed their fears and affirmed their faith in the justice system.

It was because of the work of dedicated law enforcement professionals that the defendants' plan to bomb innocent and peaceful Muslim immigrants was thwarted in a victory for the rule of law and a victory for civil rights and our national security. But instead of applauding or lauding victories like this one, the President of the United States continues to spread a false narrative. His sole purpose is advancing his political agenda, protecting himself, and shielding himself from accountability. His attacks are designed to undermine the credibility of the FBI and designed to shield him from responsibility and apparent culpability for possible criminal wrongdoing.

In reality, the FBI and the DOJ work every day to protect Americans against threats, both foreign and domestic, while upholding the Constitution.

The Department of Justice includes more than 40 separate organizations, including the FBI, and more than 110,000 employees. I know about the ones in Connecticut. As a former U.S. attorney, the ethic and tradition of the U.S. attorney's office is about upholding the rule of law and the dedication to doing justice.

The FBI has more than 30,000 employees spread over 56 field offices around the United States. They are dedicated to protecting the United States from terrorism, cyber attacks, public corruption, violent crime, and abridgement of civil rights. According to its most recent annual report, the FBI disrupted more than 700 terrorist incidents and over 170 violent criminal organizations in 2017 alone. The FBI targets crimes not only in the streets but in boardrooms. In the same time period, it disrupted more than 430 criminal enterprises engaged in white-collar crimes.

Let's make no mistake—wrongdoing affects real people in their real lives. There are very few victimless crimes, if any. Every crime has some victim and some survivor. That is the reason they are prosecuted, and that is why we hire those prosecutors and FBI agents to go after lawbreakers. We should reward them for disrupting and deterring the lawbreakers, not denounce them, as the President has done.

The FBI's hard work in building cases the right way leads to victories in the courtroom. I have seen them and have prosecuted them myself. The prosecutor, whether it is an assistant U.S. attorney or a U.S. attorney, contributes mightily to those victories, but they would be impossible without the nuts and bolts—the investigative work, the shoe leather, and sometimes the very significant risks involved in uncovering the truth and bringing it to court. Sometimes FBI agents work for months undercover on a single case at grave jeopardy to themselves. More than 90 percent of terrorism- and gang-related cases result in a conviction—a judgment favorable to the United States.

These statistics that I have cited here represent only a fraction of the work these agencies do to protect America every day, in real life, for real people. Despite President Trump's efforts to water down environmental protections, the FBI continues to pursue cases where corporations violate clean water and clean air standards and threaten public health.

At the end of April, the Department of Justice charged the ex-CEO of Volkswagen with conspiracy in the company's rigging of diesel vehicles to feign compliance and falsely portray compliance with the company's and Federal standards.

Volkswagen deceived American regulators. Why should that matter to ordinary Americans? Well, it is an unlevel

playing field with its competitors if it cuts corners. So it impacts fair competition, but it also impacts our clean air and the safety and health of Americans who breathe that air. Essentially, they not only deceived regulators, but they defrauded American consumers for years, promising them those standards, which they knew they were failing to meet. Only because of the tireless efforts of Federal investigators and prosecutors has the company's chief executive now been brought to justice to face these charges. The Department of Justice's actions send a message to businesses both here and abroad that efforts to cheat American consumers or harm the environment will have consequences. They ought to pay attention. They ought to be deterred.

The Department of Justice also develops key initiatives to respond to urgent threats, particularly in the front-line against terrorism. The FBI's Joint Terrorism Task Forces are comprised of small cells of highly trained, locally based, passionately committed investigators, analysts, linguists, SWAT experts, and other specialists from dozens of U.S. law enforcement and intelligence agencies. They operate as part of the FBI's Joint Terrorism Task Force, because the FBI has that responsibility for our national security, along with them as a team. When it comes to investigating terrorism, they do it all. They chase down leads, gather evidence, make arrests, provide security for special events, conduct training, collect and share intelligence, and respond to threats and incidents at a moment's notice. These task forces are based in 104 cities nationwide, including at least one in each of the FBI's field offices.

Without any exaggeration, these investigators and prosecutors protect us. They protect American lives from terrorist threats, both at home and abroad. Just last month FBI agents, working with the Newark Joint Terrorism Task Force, thwarted a plot of five men to join ISIS and carry out an attack in ISIS's name on U.S. soil using homemade bombs. Because of their brave and tenacious efforts and their countless hours of hard work—hour after hour, day after day—this plot, and many others like it, were disrupted and American lives were saved.

America has always faced threats to our national security and public safety, even as they are more complex today than ever before. We need the kind of professionalism that the FBI and the Department of Justice and other agencies bring to law enforcement every day. For all of us who have been Federal prosecutors—whether a U.S. attorney, as I was, or in another capacity—these attacks are repugnant. They belie a fundamental misunderstanding of the ethos and tradition of justice and the rule of law in our democracy.

Unfortunately, President Trump has failed not only to stand up for those law enforcement agencies, but he has actually hindered, actively and consist-

ently, their vital work in protecting our Nation. He has undermined their stature and credibility. He has attacked their integrity, all without any basis in fact.

President Reagan once said that facts are stubborn things. The American people should know the facts. If they do, they will appreciate that the facts show that the Department of Justice and the FBI, even with their faults, are a paragon of law enforcement. Their faults should not be minimized or dismissed. They ought to be addressed, but not by denouncing or demeaning their hard work.

The numbers and statistics I have given and the examples I have cited are not meant defensively for them. They don't need my defense. Their actions and their work speak louder than anyone's words. I hope they will continue that service and sacrifice, undiscouraged and undeterred by these rash and reckless attacks from the President and surrogates who support him.

I personally thank them for their service and sacrifice, as all Americans should, and I thank many of them for their friendship.

Thank you, Madam President.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Iowa.

**Mr. GRASSLEY.** Madam President, this week the Senate will vote on the nomination of Michael Brennan to serve on the Seventh Circuit Court of Appeals in Milwaukee.

Judge Brennan is a highly qualified nominee with broad, bipartisan support in his own State of Wisconsin. The Senate Judiciary Committee received numerous letters in support of Judge Brennan's nomination, including from the longtime Democratic Milwaukee district attorney. I fully support this nomination.

I have heard from some of my colleagues—and especially from those on the other side of the aisle—that they believe Judge Brennan shouldn't have received a hearing before the Judiciary Committee. They say this because one Senator from Wisconsin didn't return the blue slip. But their opinions are based on an incorrect understanding of the blue slip's history.

As I explained last year several times on the Senate floor and several times in committee, the blue slip courtesy is just that—a courtesy. It has a history going back to 1917. Since then, chairmen of the Judiciary Committee have distributed blue slips to home State Senators to get feedback on the nominees to the Federal bench in their respective States.

Chairmen have applied the blue slip courtesy differently in its 100-year history. For the first 39 years of its existence, the blue slip had no bearing on whether a nominee went through the committee process. Then, in 1956, Senator James Eastland of Mississippi became chairman. He started requiring both home State Senators to return

positive blue slips before the committee would ever proceed on a judicial nomination. Scholars maintain that Chairman Eastland adopted this policy to allow southern Senators to veto nominees sympathetic to the Supreme Court decision in *Brown v. Board of Education*.

Then, when Senator Ted Kennedy took over the chairmanship from Senator Eastland in 1979, he went back to the original blue slip policy.

Then comes along Chairman Strom Thurmond continuing that policy. Then comes along Chairman Joe Biden continuing that policy, and Chairman ORRIN HATCH followed that policy. Under the policies of those chairmen just mentioned, negative or unreturned blue slips did not necessarily preclude a hearing for a nominee.

When Senator LEAHY became chairman during the Bush administration, he did away with this policy and resurrected Chairman Eastland's strict blue slip policy. The reason for this strict blue slip policy was obvious to everyone at that time—at least obvious to everybody on our side of the aisle—to block President George W. Bush's judicial nominees based on politics and ideology, something that never played much of a role in a lot of these nominations prior to 2002. In sum, only 2 of my 18 predecessors who extended the blue slip courtesy required signoff from both home State Senators.

When Senator LEAHY adopted an historical blue slip policy, that was his prerogative as chairman, and nobody argues with that. But it is my prerogative to have the same blue slip policy as Chairman Biden and Chairman Kennedy and the vast majority of predecessors. Accordingly, I have said this: Negative or unreturned blue slips will not necessarily preclude the hearing for circuit court nominees unless the White House failed to consult with home State Senators. I get all sorts of information—and I demand all sorts of information—from the White House on this sort of consultation that is going on. That is why I held hearings for David Stras, Kyle Duncan, Michael Brennan, and Ryan Bounds, despite the lack of two positive blue slips from home State Senators. This policy is completely bipartisan. I have applied it to blue slips of Democratic and Republican Senators.

Some people have suggested that I had a different blue slip policy during the final 2 years of President Obama's administration. They pointed to nine judicial nominees with blue slip problems who didn't receive hearings. But five of these nominees were to district courts, and I have said repeatedly that I am less likely to proceed to district court nominees without two positive blue slips.

With respect to the four circuit court nominees who didn't receive hearings during the last Congress, their nominations simply came too late in the Congress to process. They were nominated during the Presidential election year of

2016, and in Presidential election years, we have the Leahy-Thurmond rule that applies. Under the Leahy-Thurmond rule, the Senate typically stops confirming judges by midsummer. I am assuming that I gave Senators in 2016 the same timeline that I gave to former Senator Franken to return his blue slip for Justice Stras. We wouldn't have started holding hearings then until 2016, and by delaying until that period of time, we would have not had the record number of circuit court judges that we have had during this Presidency, because, then, the Leahy-Thurmond rule would have barred their confirmations. These four nominees also lacked floor support, and it would have been a waste of time and resources if we had proceeded. That was my judgment as chairman.

Chairman LEAHY similarly refused to hold hearings for at least six circuit court nominees for reasons besides the blue slips. He denied hearings for three nominees in the Fourth Circuit: Steve Matthews, Robert Conrad, and Glen Conrad. These nominees had two positive blue slips from their home State Senators, and two were nominated more than a year before the 2008 Presidential election, but even then, Chairman LEAHY refused to process them.

Chairman LEAHY also refused to act on the nomination of Peter Keisler, President Bush's nominee to the DC Circuit, who was nominated in 2006. Obviously, blue slips were not the reason for my predecessor's decision to stall Mr. Keisler's nomination for more than 2 years since the District of Columbia has no Senators. These decisions allowed President Obama then to stack the DC Circuit and also the Fourth Circuit with liberal judges.

Chairman LEAHY also declined to hold hearings for two Sixth Circuit Court nominees to Ohio seats, even though both Ohio Senators had returned positive blue slips. The Democratic Senators from Michigan asked Chairman LEAHY to halt proceedings on all Sixth Circuit nominees, not just those from Michigan. So Chairman LEAHY honored this request and denied a hearing to the Ohio nominees, even though the blue slips had been returned. This was the first time ever a chairman allowed Senators to halt committee proceedings on nominees for seats in other States.

As Chairman LEAHY's example shows, there isn't just one reason. There are multiple reasons for any chairman of the Judiciary Committee to deny a hearing to a nominee. Likewise, my decision not to hold hearings for the four nominees in 2016 wasn't based solely on the lack of blue slips. It is simply false, then, for my colleagues to say I changed my blue-slip policy since that particular time.

As to my decision then to hold a hearing on the nominee now before the Senate, Judge Brennan, I was satisfied that the White House adequately consulted with both Wisconsin Senators. The White House sought input from the

Wisconsin Senators and considered all the candidates recommended by each Senator. I understand the frustration that Wisconsin's judicial nominating commission hasn't worked out as had been planned by the two Senators, but Judge Brennan was the only candidate to receive bipartisan support from the commission process that is used in Wisconsin. Moreover, the commission's dysfunction can't be used as an excuse to deny the President his constitutional authority to make judicial nominations.

I would also like to point out that each Senator who has withheld a blue slip this Congress also voted to abolish the filibuster for judicial nominations back in 2013. The argument then was that 41 Senators shouldn't be allowed to block the will of a majority of this Senate, but now these same Senators have reversed themselves, saying any one Senator should have that right, through holding a blue slip, to denying the Senate an opportunity to vote.

Understand, just a few years ago, they wanted to abolish 41 Senators holding up a nomination, but today they stand before us and say one Senator ought to be able to do what they said 41 Senators shouldn't be able to do. I will not allow the blue slip to be abused in this way. The blue slip is meant to encourage consultation between the White House and home State Senators. It is not a way for Senators to have veto power over nominees for political or ideological reasons.

Finally, I hear a lot these days about the President stacking the courts or the Senate rubberstamping nominees. Well, I stand by our process. It gives Senators every opportunity to probe deeply into nominees' backgrounds. As five nominees from last year will attest, not everyone makes it through this rigorous scrutiny. I would like to bring attention to two recent Supreme Court decisions that the Trump administration lost.

In *Sessions v. Dimaya*, the Supreme Court held that the government could not deport an immigrant under a vague statutory provision. The pivotal vote was cast by President Trump's own Supreme Court nominee, Justice Neil Gorsuch.

In another case, *Chicago v. Sessions*, the Seventh Circuit held that the government could not deny funding to so-called sanctuary cities. It happens the three judges who carried that case were all appointed by Republican Presidents.

I bring up these cases not because I agree or disagree with their outcomes but simply to point out that the fears of the President stacking the judiciary are overblown. Conservative judges apply the law as written, regardless of the results, but I suppose liberals expect their judges to be results-oriented. That is why we can always confidently predict how a liberal judge might rule on a case. Liberal outside groups' real fear, then, is that newly confirmed judges recognize that their role is to

neutrally apply the law, not to legislate from the bench.

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. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### NET NEUTRALITY

Mr. DURBIN. Madam President, I come to the floor today to discuss an issue that impacts consumers, small businesses, our general economy, and most families. It is the issue of net neutrality. The concept behind this is pretty simple. It ensures that all content on the internet is treated equally so that the internet can remain an openly accessible platform for users and an equal playing field for everyone.

Unfortunately, some leaders at the Federal Communications Commission disagreed. Despite being given the responsibility to make sure they operate in the public interest when it comes to our Nation's communications networks, in December, the FCC walked away from this important responsibility and decided to put the needs of companies ahead of customers.

It appears with this administration that everything is for sale. That means public lands, our privacy, and, in this case, the pathway American families use every single day to get on the internet. Led by Chairman Pai, the FCC voted for a radical plan in December to dismantle net neutrality rules and threaten the existence of a free and open internet as we know it today. This new plan will allow large internet providers the power to freely block, throttle, or manipulate consumers' access to the internet in ways that profit the provider.

Think about your access to apps and the internet today, and compare it to your access to cable channels. If you want more channels, you put in more money. Today the internet is open to us, and we have access to it. The Trump administration, through the Federal Communications Commission, wants to change that. If you want fast internet service, you pay more money. If you want access to certain apps, you pay more money. That changes the nature of the internet as we have known it. It is a dramatic change in the way we communicate and gather information. It is just another bill.

Many people are now facing the prospect of cable TV shows and other things they have to pay more money for on a pretty substantial monthly bill. Now comes the FCC to say: We have another monthly bill for you if you want the same access to the internet today that you had before. Not only does this mean less choice and higher cost for consumers whose access to content could be determined by what is in the best financial interest of

their provider, but small businesses will no longer be able to compete on a level playing field.

For many small businesses and entrepreneurs in my State of Illinois and across the country, the internet has given them the ability to reach consumers across the globe and compete against large companies. The innovation and healthy competition that a free and open internet allows are essential to continue pushing our economy forward. If the FCC has its way, they are going to create internet fast lanes and slow lanes, where winners and losers are no longer determined by how good a business's product is but by whether a small business can afford to pay in. That is wrong. It is not good for the economy, and it is not good for our democracy.

I have heard from hundreds of thousands of Illinoisans who are concerned, and there is concern all across the country, across party lines. We filed a discharge petition today to take up this issue of net neutrality on the floor of the Senate.

We have considered a lot of rules and regulations from the Obama administration. Now we are going to consider one from the Trump administration. We are going to see if there is bipartisan support for net neutrality.

Senator COLLINS, Republican of Maine, has joined us. Will there be more? Are there a number of Republican Senators who want to stand up for net neutrality and for open access for America to the internet or do they want to sell off this opportunity to the highest bidders?

Keeping the internet a place where content is shared freely and accessed equally by everyone is important to our small businesses, educators, and consumers. We are pleading with America in the hours before we take up this measure to log on and tell the Trump administration to lay off. When it comes to net neutrality, it is too important a value across America to sell at the FCC.

Madam President, before the Senate left for last week's recess, the Republican leader, Senator MCCONNELL, filed cloture on six circuit court nominees.

I supported three of these nominees in the Judiciary Committee—Amy St. Eve, Michael Scudder, and Joel Carson—and I opposed three of them—Michael Brennan, Kurt Engelhardt, and John Nalbandian. I carefully consider each nominee's qualifications and record when I cast my votes.

I want to speak today, though, about the process that Senate Republicans are using to move judicial nominations under President Trump. I fear the Republican majority is diminishing the advice and consent role of the Senate in an effort to rush through President Trump's nominees. That troubles me. Just look at what Republicans are doing to the blue slip when it comes to circuit court nominations.

For the last century, the blue-slip process has worked well. It has encour-

aged negotiation and meaningful consultation between the White House and Senate when it comes to making lifetime appointments to the federal bench. The blue slip serves as a check and a balance, helping to steer the judicial selection process toward the center stripe, and it ensures Senators are meaningfully consulted on judicial nominations in their State.

Many Senators have established expert screening commissions to help evaluate and vet nominees in their States. When blue slips and screening commissions are respected, it leads to consensus and high-quality nominees.

Look at the way the White House worked with Senator DUCKWORTH and me on filling the two current 7th Circuit vacancies from Illinois. We had good-faith consultation and a substantive back-and-forth, and the White House respected our Illinois tradition of having an expert screening committee review and vet candidates.

This process resulted in a pair of excellent Illinois 7th Circuit nominees—Amy St. Eve and Michael Scudder, whom all sides could agree upon. That is the way it should work.

We know that blue slips and screening commissions can help build consensus and lead to good outcomes. Yet this week the Senate is taking major steps to abandon these processes.

Senator MCCONNELL is calling a vote on the floor this week on 7th Circuit Wisconsin nominee Michael Brennan. Mr. Brennan is a controversial nominee with a history of troubling statements. In particular, I am concerned by his 2001 National Review op-ed in which he argued that judges need only follow "correct precedent"—which suggests judges can disregard precedent they don't agree with. I am also concerned by his 2004 Marquette Law Review article on personal responsibility, in which he was disdainful of criminal defendants who said they had a difficult upbringing.

The Brennan nomination is controversial on substance, but even more controversial is the way this nomination has been pushed forward. Both Senator BALDWIN and Wisconsin's bipartisan screening commission were effectively cut out of the process of selecting this nominee.

Mr. Brennan failed to meet the threshold vote of the screening commission that Wisconsin's senators had set up, but President Trump nominated him anyway. Senator BALDWIN has raised serious concerns about Mr. Brennan and has not submitted a blue slip for his nomination, yet Republicans are pressing ahead. This is taking us down a troubling path.

I know that Senators in both parties like to quibble over precedents and point fingers at each other when it comes to judicial nominations, but I think all Senators understand that we have a fundamental responsibility to our constituents when it comes to federal judges in our home States. We must exercise a vigorous advice and

consent role for these judges who will sit in our States' courthouses.

It should concern all of us if any Senator is cut out of the judicial selection process in that Senator's State. None of us want that to happen to us.

If the Senate votes to confirm Mr. Brennan, we will be sending a clear signal that home State senators don't matter anymore in the judicial selection process. That is the wrong path to go down, but Senate Republicans appear to be doubling down on this path.

Today, in the Judiciary Committee, Chairman GRASSLEY called a hearing on a 9th Circuit nominee from Oregon, Ryan Bounds. This nominee has not received a blue slip from either home State senator, nor does he have the approval of Oregon's judicial selection committee.

I hope my Republican colleagues stop and think about how they would feel if this happened to them in their home States. I hope our example in Illinois shows that there is a better way—a path of good faith negotiations that can lead to compromise while respecting the Senate's important traditions and home-State practices.

There are other troubling nomination trends besides the bypassing of blue slips and home State screening commissions. Republicans also have been moving very quickly to confirm President Trump's picks for Federal judges. For example, last year the Senate confirmed 12 circuit court judges, a record for a President's first year in office. President Trump's first 15 circuit court nominees have been confirmed in an average of 131 days, including just 20 days pending on the Senate floor. This is a very fast pace. By comparison, President Obama's first 15 circuit court nominees took an average of 254 days to be confirmed, including 167 days pending on the floor.

This fast pace carries risks. Senators who do not serve on the Judiciary Committee need time to review the records of judicial nominees before voting on whether to confirm them to lifetime positions on the Federal bench.

This scrutiny is even more important in the Trump era, when nominees are often not carefully vetted before they are nominated. Just look at nominees like Brett Talley, who was rushed through the Judiciary Committee and reported on a party line vote before many Senators realized his utter lack of qualifications to be a Federal judge.

I understand the need to fill vacancies in the Federal Judiciary, but we must not do so at the expense of careful vetting.

I also want to briefly respond to the argument that somehow Democrats are being obstructionist when it comes to judicial nominees. It is wildly hypocritical for Republicans to make this argument.

Remember, my Republican colleagues retired the trophy for judicial obstruction during the Obama Administration: Republicans forced cloture filings on 36 of President Obama's judicial nominees in his first 5 years—the



same number of judicial cloture filings as in the previous 40 years combined; Republicans used the tactic of withholding blue slips to block 18 of President Obama's nominees; Republicans refused to support any Obama nominee for three D.C. Circuit vacancies, no matter how qualified; Republicans allowed only 22 Obama nominees to be confirmed in his last two years—the fewest judicial confirmations in a Congress since President Truman; and Republicans blocked Supreme Court nominee Merrick Garland from even having a hearing.

Senate Republicans often opposed President Obama's nominees simply because it was President Obama who nominated them. In contrast, Senate Democrats simply want to ensure that nominees are adequately vetted, well-qualified, non-ideological, and in the judicial mainstream.

We have the ability to make the nominations process work in a consensus way. We have done it in Illinois. I hope we can do it across the country.

Let's start by keeping the blue slip. Sometimes it can be frustrating—we saw that when Republicans used blue slips to block 18 of President Obama's nominees. But it is a tool that compels us to find consensus. Let's keep that tool.

I urge my Republican colleagues to vote no on the nomination of Michael Brennan, both because of his troubling record and because of what his confirmation would mean for the future of the blue slip. I urge my colleagues to vote for nominees like Amy St. Eve and Michael Scudder whose qualifications are outstanding, who were selected through a good process, and who have both home State Senators' support.

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

The PRESIDING OFFICER (Mr. COTTON). Without objection, it is so ordered.

#### THE ECONOMY

Mr. BARRASSO. Mr. President, last Friday, we got new numbers from the Labor Department in terms of jobs and how American workers are doing. The unemployment rate is now down to 3.9 percent. It is the lowest it has been in 17 years. One analyst from the network CNBC said: "That's a wow number."

The American economy has created 3 million jobs since President Trump took office. There are 3 million Americans who are now earning a paycheck instead of waiting for a government check. We have gotten 304,000 new manufacturing jobs since President Trump took office. There are 352,000 new construction jobs and 84,000 new jobs in the mining and logging industries. Compare this to when Democrats in Congress and in the last administra-

tion launched an all-out War on Coal. There are 84,000 new jobs in mining and logging.

Republicans ended the War on Coal. We struck down a major Democratic regulation that would have crippled the mining industry. We showed industries like manufacturing, construction, logging, and mining that we want people doing these jobs. We want people back to work. Employers have responded all around the country by hiring more people, and that makes the economy grow.

So far Republicans in Congress have gotten rid of 16 major regulations since President Trump took office—wiped them off the books completely. We have shown that Republicans are serious about cutting redtape and loosening Washington's stranglehold on our economy. Because we got rid of these rules, Americans have saved as much as \$36 billion over time. That is the cost for families and businesses jumping through the hoops and filling out the paperwork that government had previously demanded.

The latest one of these regulations that were repealed was just last month. Republicans in the Senate passed a resolution to help save people money when they are shopping for a car. We got rid of a rule that the Obama administration had written to restrict how car dealers handled financing offers to buy a car. The rule was done in a way that was actually contrary to the law. It also had the potential to limit choices for consumers. We want consumers to have more choices. Republicans in the Senate voted to get rid of this unnecessary, burdensome regulation.

President Trump has been very active in getting rid of excessive regulations as well. One of the first things he did as President was to issue an order cutting redtape. He said that for every significant new rule any agency wanted to write, it had to get rid of two rules. For every one new rule, get rid of two. That is how this administration has made a difference in Congress.

The results so far have been even better than anyone had expected. The non-partisan American Action Forum has been tracking the numbers. This is what they said. They looked at all the rules that agencies have been working on for the fiscal year we are in now—since last October. Agencies have cut 35 major regulations of the kind the President was talking about—cut 35. At the same time, they have written only five new major regulations. Major regulations are defined by how much money it costs people. President Trump said that he would cut two for every one new regulation, but so far, in terms of major regulations, he has cut seven for every new one.

Of course, one of the most important things Republicans have done in helping the economy—in addition to the regulations—has been passing the tax relief law. This law means that we now have a simpler tax system. We now

have a fairer system, and we have a system that is much less expensive for American families. Almost immediately, hard-working Americans started seeing more money in their paychecks. People got bonuses at work. People got raises. People are seeing it.

Tax cuts have been good for American families, and they have been good for the American economy as well. The Congressional Budget Office says that the economy is going to grow by more than 3 percent this year—by more than 3 percent. That is much faster than it was growing for the previous years after the recession. The office actually went back and increased their estimates for economic growth. Why? Because of the tax relief law, the tax cuts.

Wages are up nearly 3 percent from a year ago. People are seeing it all across the country. Again, that is much faster growth than we had under the previous administration. When you figure in lower taxes, people's real take-home pay is up even more.

Democratic policies led to stagnant wages for Americans. Republican policies have allowed wages to grow much more quickly. Millions of people have gotten new jobs that didn't exist before. Millions of other people have been able to switch jobs, move up in their careers, and make more money.

Overall, hiring this past month, April, went up by 20 percent compared to April of last year. It is a huge increase. A lot of these jobs are being created by small businesses.

Last week was Small Business Week across America. I visited a number of business owners across the State of Wyoming. Small business owners know that the government can either create opportunity or crush opportunity, based on regulations, mandates, and taxes. That is the kind of change that is possible under Republican pro-growth policies—creating opportunities, not crushing opportunities, as we have seen before. It is things like a national economy that is growing larger and growing faster than the American people are seeing today. Their lives are better today than they were in 2016. It is things like a small business being free to expand because it doesn't have to waste so much time and money on taxes and paperwork and government redtape—things like making sure America takes less money out of people's paychecks, letting people keep more of their hard-earned money.

When you have policies that make life easier for families and for businesses, good things happen across America. People in my home State of Wyoming get it. They are seeing it, they are experiencing it, and they are living it every day. They understand that what Republicans are doing in Congress helps them at home. That is why we are going to keep doing what we are doing, and we are going to keep going on. We are going to keep cutting regulations. We are going to keep building an "America First" economy

that is strong, that is healthy, that is growing, so it can create more opportunities for everyone. That is what Republicans have promised to do. It is what we should be doing. It is what we are going to do. It is what we are going to continue to do. It is what we are delivering in Congress and in the White House for the American people.

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. PORTMAN. 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. PORTMAN. Mr. President, first, I want to talk about our growing economy. I listened to my colleague's comments, the Senator from Wyoming, about the importance of the tax legislation. I couldn't agree with him more. I think it is stimulating not just economic growth but higher wages and more jobs. I also want to talk about the need for us to connect to those jobs the Americans who are not currently employed. Then I want to talk about some very shocking, new information we have about why people are outside of the workforce.

We just had a good jobs report from April. It showed a steadily growing economy. It showed unemployment at 3.9 percent. That is the official number, but that is the lowest the official number has been since the year 2000.

In my home State of Ohio, there was a recent survey done by PNC Bank—it has been doing this for 9 years—that asked small- and mid-sized companies: What is your level of optimism about the future? They said their business optimism has been at record levels for the past 9 years. So there is something going on that is very good in the economy.

If you talk to the small business community, the National Federation of Independent Business survey shows the same thing, not just optimism but also a sense that companies are getting ready to invest even more. So there are some good things going on in our economy.

This week, the Ohio Chamber of Commerce issued its own report, and it shows something interesting, which is that three out of four businesses in Ohio are saying they want to add people—three out of four. More than half of them said they want to add more than 25 people. I was just home and had a lot of interaction with small business people over the last week. I can't go to a business in Ohio where I don't hear people talking about the need for a qualified workforce. They tell me, yes, the tax bill is helping—no question about it. It is helping middle-class families throughout my State. Ninety percent of Americans are getting paychecks that read Uncle Sam is going to withhold less money—on average,

\$2,000 for a median-income family in Ohio just from the tax cuts this year alone.

Again, small businesses are investing more. Companies are doing everything from investing in people, with bonuses and higher pay and better 401(k) matches, to investing in equipment and technology and, therefore, in the productivity of those workers, which will lead to better economic performance. So those things are happening.

On the regulatory front, I also think that much of what we have done in Congress is beginning to help. This includes 16 different times when Congress has said we shouldn't have this new regulation that was put on by the Obama administration at the end of his term. Rather, we ought to free up the economy more—over \$60 billion, by the way, of relief to our economy. That is helping.

I think it is also very helpful, as Senator BARRASSO said, that with regard to the administration, there is a new attitude, which is, yes, we need rules and regulations, and let's make sure they make sense, and let's make sure we partner with businesses and try to help them comply with those rules and regulations rather than have an attitude of saying: Let's try to find out how we can punish businesses for not complying. I think that difference alone may be even larger than what we have done in Congress, in terms of passing this legislation to eliminate regulations, because that attitude change has helped, particularly, small businesses in my State feel like, OK, they have an opportunity now to be able to take a risk—to take a chance—to invest in work. They are not thinking the Federal Government is out there to get them.

I see that, and I am really happy to see it because it is not, again, just about growing the economy. Over the past few months, if you have looked at the numbers, for the first time in really a decade and a half, we have seen wages starting to go up in my home State and around the country. That is what we should all want.

Let me talk about something that concerns me greatly about the direction in which we are going—again, positive. The economy is picking up. Things are going well. Workers whom I talk to are happy with the tax bill because it is helping them both directly with their families and through the benefits they are getting at work. Yet what I am hearing is, the workforce is really the challenge. When you look at that, you come up with a shocking situation, in which the reason there aren't people showing up for work is, we have a record number of men and probably close to a record number of men and women—you would probably have to go back to the 1970s to find these kinds of numbers—who are out of the workforce altogether.

Now, what does that mean?

This means they are not working, and they are not looking for work so

they are not showing up in the unemployment numbers. The number of 3.9 percent—again, the best since 2000—is all good news, but that is not the real number. I say that with respect because the Bureau of Labor Statistics does the best it can, but it can't include the people who aren't trying to find work. Those people are outside of the workforce. What the economists call this is a low labor force participation rate—in other words, the low percentage of Americans who are even showing up. That concerns me a lot because, one, obviously, it is hurting the economy. You have this huge pool of workers out there. There are 8.5 million men between the ages of 25 and 55—able-bodied men—who are in this category. They are unemployed, yes, but they are not even looking for work so they are not showing up in these numbers. When you add women and men together, it is millions of Americans. So we need them in the economy now because it is important for these small businesses I am talking to in Ohio who are looking for people.

Even more concerning to me is what is happening to these people and to these families, because they are not getting the dignity and self-respect that comes from work. They are not able to achieve whatever their goal is in life, their piece of the American dream. They are missing out. They are on the sidelines.

The 3.9 percent unemployment rate, by the way, is not a real number. Why do I say that? Because if you go back to the normal labor force participation rate—we are talking about people actually working in our workforce in more normal levels—the unemployment number would be far higher. How high would it be? Go back to the year before the great recession when we had a more traditional workforce participation rate. With that labor force participation rate attached to today's economy, the unemployment number would not be 3.9 percent. It would be 8.6 percent.

If we were to talk about an 8.6 percent unemployment rate, we would all be very concerned; wouldn't we? We should be very concerned because that is the real number. We need a more concerted effort to get all of those Americans back to work for all the right reasons.

So who are they? It is a complicated question. No. 1, there are people who don't have the skills that meet the needs out there. So today, in Ohio, if you go on OhioMeansJobs, our website, you will see 140,000 jobs being offered, and yet there are 250,000 people out of work. You will see that a number of these jobs require a certain level of skill.

People are looking for welders. People are looking for technology expertise, including coding. They are looking for people in the biosciences or the healthcare professions, where you have to have a certain level of skill. What workers are finding in Ohio is that if

they don't have those skills, it is hard to get those jobs. So there is a skills gap—there is no question about it—and we should be addressing that.

In Congress we have a great opportunity to do that through some relatively commonsense legislation. One measure is called the JOBS Act—a great name. The JOBS Act says quite simply that if you are able to get a Pell grant for college, shouldn't you also be able to get a Pell grant for a short-term training program? This is because what employers will tell you is that they don't need a 2-year training program or somebody with a 4-year college degree. What they need is someone willing to go through a training program to get the ability to learn how to weld or the ability to learn how to code or even to go through a commercial driver's license program. All these programs can be accomplished in less than 15 weeks, and you can get people to work. But guess what. You can't get a Pell grant for a course that is less than 15 weeks.

So our goal with the JOBS Act is very simple. Let's level the playing field. Let's give an opportunity to those young people who may not choose to go to college, at least now, but who understand that those jobs are out there. We are talking about good-paying jobs, making \$40,000, \$50,000, \$60,000 a year. They are waiting out there right now. These jobs are open. Let's give them the ability—because they are low-income families, and they can't afford these training programs—to take advantage of Pell grants as they would if they chose to go to a 4-year college or university or a 2-year college for a number of years.

Senator Kaine and I have introduced this legislation with a bipartisan group. We think it is something we ought to do right away. Who are these people? People with a skills gap. That is one specific idea—just one of many that would get people the skills they need.

No. 2, there is something I would call the dependency trap. These are people who are on a government dependency program and they are not working. When they look at going to work they see two things. One, they see a reduction in their benefits. That is pretty obvious. But second, they see an increase in their taxes. Now the tax bill actually helps here, because it actually reduces taxes for those at the bottom of the economic ladder.

Specifically, I will state—because I asked the Joint Committee on Taxation about this, and they gave me an official response—that 3 million Americans who currently have income tax liability based on last year's Tax Code—in other words, the code that was changed at the end of last year—no longer have any income tax liability. That is good because it will help with this transition from welfare to work, because although people may be losing those benefits, some people will not see that cliff where they have a relatively

high tax to pay. That is good, but we could do more to assure that people who are willing to make that step out of welfare and into work are not penalized by this tax cliff. I think the dependency trap is also part of the issue for this unprecedented level of people who are outside of the workforce altogether, and we need to address it.

I think there should be more work requirement programs for able-bodied Americans who are on these dependency programs. I think that would help partly to give them the work experience to get the dignity and self-respect that comes with work as they step into welfare-to-work transition. So that certainly is another issue. So it is the skills training and the dependency trap.

Another issue that I think is very clearly out there is that we have a lot of people in America who are getting out of prison or jail. Some of them have a record that makes it hard for them to get a job. Let's be honest. We have record numbers of people behind bars. It started in the 1980s, when we wanted to lock people up for lots of good reasons because of the violence or serious crimes they were committing. But 95 percent of the people in prison are someday going to get out of prison. When they do get out, we need to provide a better transition for them to get to work. Why? Because right now more than half of those people are back in the system within a couple of years. That makes no sense for anybody, particularly for those who are subject to the crimes that might be committed and to the taxpayers who are paying \$35,000, \$40,000, or \$45,000 a year, when you include incarceration, the prosecution, and the additional costs that are associated with that.

So should we do more there? Yes. There is legislation supporting that. I think it is called the Fair Chance Act. It says that when somebody applies for a job with the Federal Government, for example, they have to be allowed to go through the process even though they may have a felony record. Why? Because you want to give them a fair shake, not just take the resume and put it in the circular file and toss it because you see a felony record. We have to give some of those folks a chance.

I was at a great program in Ohio last week. It is called the Flying HIGH welding school and the GROW Urban Farm. Their job is to teach ex-offenders a skill. They teach people how to work. A lot of them have not had a job before. Specifically, they teach them a welding skill that is badly needed in Northeast Ohio right now.

Their placement record is unbelievable, and their recidivism rate is so low. They are not only placing people into jobs, but they are working with businesses in what is called a junior apprenticeship program, where the workplace is actually working with the welding shop to give people work experience.

They are keeping people from going back into the prison system. They have

a great record doing it. They got a loan and grant money from the Federal Government, including the Department of Labor. It is a program that is working very well to give people the ability to get a job and to get out of the trap. In this case, a lot of them have felony records, and they are able to take care of their families and be productive citizens. There are very encouraging stories there.

There is the skills training, which we talked about, and the dependency trap, which we talked about. For the people who are coming out of prison at very high numbers now and who have this background, we need to be sure that those people are getting engaged and getting into work.

Let me tell you what I think is the No. 1 reason we have these historic levels of people who are on the sidelines outside of work. It will not surprise some of you because you are involved with this, like my colleagues here in the Chamber, including the chairman of the Governmental Affairs Committee, who has now arrived and has been very involved in this. It is the opioid crisis.

The numbers are shocking of those people who are out of work altogether. They are on the sidelines, not even trying to get into work. They are people who would lead our unemployment numbers to be really more like over 8.5 percent rather than 3.9 percent. They are millions of Americans, over 8.5 million men between the ages of 25 and 55—able-bodied men. Of those people, based on two recent studies, about half of them are taking pain medication on a daily basis. When asked in one of the studies, it was found that two-thirds of them said it was prescription medication.

What does that mean? That means that we have a huge problem in our country of opioid addiction, and that is keeping people out of the workforce altogether, tearing apart those families and causing crime in our communities.

The No. 1 cause of crime in my State of Ohio is the opioid epidemic. People are involved in things they would never dream of except for the fact that they have this addiction. It is shoplifting, thievery, and fraud. It is an issue that affects every part of our community. The point I wish to make more strongly is that it is affecting our labor market in a huge way.

One study by the Brookings Institution says that 47 percent of men are taking pain medication on a daily basis. That is not being over-reported—I will guarantee that—because of the stigma attached and the legal consequences for some of these individuals. So I think that 47 percent has to be viewed as a relatively low number. But isn't that shocking if it were 47 percent?

Another study by the Bureau of Labor Statistics, in the Department of Labor, stated that 44 percent had taken pain medication the previous day.

Now these numbers should be a wake-up call for us here in this Chamber, and

it should be a wake-up call to everybody, including the business community. As I go around my State, I am seeing firsthand what the Ohio Chamber of Commerce reported this week: Three out of four businesses want to add workers. Half of them want to add up to 25 workers, and they can't find workers. You have millions of people at historic levels who are outside the workforce altogether, leading to an unemployment number that should be 8.5 percent, instead of 3.9 percent.

How do you get them back in? I think those three things we talked about today are important, but, unfortunately, given the opioid epidemic in my State of Ohio and spreading around the country, I think this is probably the single largest problem that we face.

What are the solutions?

We have made major strides in the past year in this Chamber. We passed the Comprehensive Addiction and Recovery Act. We passed the Cures legislation. We are now working on additional legislation called Comprehensive Addiction and Recovery Act 2.0.

We are doing things we have never done before in terms of funding, recovery, treatment, prevention, and education, and we need to do more. We have begun the process of turning the tide, I believe, by some of this legislation.

We need to do more on the law enforcement side. We have legislation called the STOP Act, which simply says that with regard to the most difficult problem we now face in Ohio and around the country, which is synthetic opioids—think fentanyl or carfentanil—let's at least stop the Post Office for being a conduit for its coming into the country, because that is what is happening.

All the studies show—including the study we just did in our committee, spending a year studying this—that fentanyl is coming through the Postal Service—mostly from China, by the way—and poisoning our communities.

In Ohio, two-thirds of our deaths in Franklin County last year were from fentanyl. Sixty percent of the deaths in the State of Ohio as a whole the year before were from fentanyl. That is the biggest problem we have right now.

Just as we were making progress on prescription drugs, then, heroin comes along. Just as we were making progress on heroin, then, synthetic heroin comes along. It is cheap and incredibly powerful. Three flakes can kill you. It is being spread on other drugs, such as cocaine, crystal meth, and marijuana, which last week law enforcement in Ohio just confirmed. Can we do more? This is a big issue, but, yes, we are starting to take some steps.

Where we perhaps have an opportunity that we are not taking advantage of is to get the private sector and the business community to get involved in this effort, because Washington can and should do more, but the problem is not going to be solved in Washington. It is going to be solved at

the local level, in our communities, in our families, and, ultimately, in our hearts. We can get the business community more engaged, as an example, by pointing out statistics: If you are looking for more workers, you are going to have to deal with this issue.

Many workers are not able to pass the drug test. So that is something the business community does understand. In fact, I just left a group of employers from Ohio about an hour and a half ago in my office, and I asked them the same question I asked of employers in our State: How many people can pass the drug test who show up? The answer was that about 30 percent can pass. Another said: 50 percent are not passing. These are different kinds of businesses. The second is a more heavily manufacturing business. So there are people with lower incomes or lower wages and, therefore, lower income individuals. But the point is that it is a huge problem passing the drug test.

What I say to them, which is what I will say today, is that it is bigger than that. There are millions of Americans not even showing up to take the drug test. They are sidelined, and we have to deal with this opioid epidemic.

So what should the business community do?

I have three ideas. One idea is to roll up your sleeves and get involved in your community on projects that do work. There is one in Columbus, OH, called the Maryhaven Addiction Stabilization Center. The business community got engaged. They took \$1 million from the CARA Act. They leveraged that for foundation money. They have a place where they have a great success rate getting people from overdosing and the application of this miracle drug Narcan, which can reverse the effects of the overdose, and then go into treatment. Unfortunately, in most parts of the country, of the people who are revived by Narcan, the vast majority go back into the same environment. Here they have been able to figure out a way to have those who are overdosing get to a central location where, right there, where the detox center is, there is a door you walk through with 50 beds to get people into treatment. They claim an 80-to-90-percent success rate in getting people into treatment. Do they stay in treatment? Not all of them.

But that is the first big gap I see in the system. People fall out of the system. Narcan is applied by the first responders. They do the best they can, but it is not their job to get them into treatment. People go back to their community and overdose again and again. Talk to your EMS personnel and police officers. I assume they will tell you the same thing they tell me.

The business community was involved in that thinking. Let's look at this as a business process. How can we help to change this obvious problem we have in the current way that people who overdose are treated and taken care of? Every business ought to roll up

its sleeves and get involved in a creative, innovative project like that.

Second, over the years, back in the 1980s and into the 1990s, there was significant private sector participation in a prevention and education program. Now, locally in my State of Ohio, some businesses are starting to think about how they can do this more effectively, I believe, nationwide. Columbus is coming up with some very good ideas.

We need significant investment from the private sector in a national messaging program, a prevention and education program. Back then, it was TV ads. You may remember the "Just Say No" program and other programs on prevention under President Reagan. Some of those ads were very effective. Some of you may remember the ad "This is your brain. This is your brain on drugs," with fried eggs being cooked in a pan, which is your brain on drugs. It is not going to be TV ads today. There will be some TV. I hope it will be broadcast media in various ways. But there will be a lot of online communication because that is where most people are getting their information, particularly younger people. It should be a concerted effort that is based on good research, good science.

What is the prevention message that works out there? Part of the prevention message that works with some young people I talked to is the fact that all these street drugs are subject to the possibility of fentanyl being included in them. Some people are taking drugs they would never think were dangerous and yet becoming addicted through fentanyl. So there is now a danger out there, with any street drug, of ruining your life.

But there is a broader prevention message that we need private sector help. This place, again, has authorized more money for this. There is \$10 million in CARA 2.0 for a prevention and education program. That is good, but it is going to take more than that. The business community and the private sector have a strong interest in this for so many reasons. One, as we have talked about today, is to have the workforce they say they desperately need.

There are other opportunities for the business community to get involved. Walgreens recently took a step that I thought was very important to limit the number of days on prescription drugs. Every single business that has a healthcare program has an opportunity to be involved in this and say: Let's limit prescriptions. Probably 8 out of 10 people who overdose from heroin or fentanyl today started with prescription drugs in terms of the opioid that got them started with their opioid addiction. There still is overprescribing with regard to prescription drugs. Have we made some progress? Yes.

Our new legislation, by the way, CARA 2.0, has a 3-day limit on prescription drugs for acute pain—not chronic pain but acute pain from an accident, an injury, or a procedure that

you might have. We have that in there because the Centers for Disease Control has new guidance out that shows that after the third day, the chances of addiction rise significantly. For the vast majority of pain associated with acute procedures, 3 days is plenty. In fact, for many acute episodes, no opioids at all are needed as long as you use other pain medication.

That is something every business that provides healthcare can do. Every business that has a pharmacy can say: Let's limit those prescriptions ourselves. They don't need a government program to do that. There doesn't need to be a government edict or mandate to do that. They can just do it.

I know this issue of the workforce is frustrating to a lot of employers out there. I know that the benefits of a great tax bill are creating more economic opportunities. A better regulatory environment is providing real relief and is growing the economy in such positive ways. Wages are starting to go up. We see economic growth numbers that are very encouraging, showing that, in fact, this legislation is creating more economic growth and therefore more revenue, higher wages—the things we all hoped would happen. The investment is happening. We are not going to be able to take advantage of all of that if we don't have the workforce out there.

When we have millions of Americans—8.5 million men between 25 and 55, able-bodied, as an example—who are on the sidelines, not even showing up to look for work, we are not going to be able to fulfill our potential in this country for our economy and for them and for their families to achieve their God-given purpose in life, to have the dignity and self-respect that come from work.

We listed four very specific issues today, how we need to address this issue of people who are sidelined, who are not in the workforce, but the one that I think probably has the most impact is the final one, and that is dealing with this opioid crisis. Unless and until we do that, we will continue to see people fall between the cracks, and we will see ourselves as a country not meet our potential.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I rise today to encourage all my Senate colleagues to vote to confirm Michael Brennan as a judge on the U.S. Court of Appeals for the Seventh Circuit. Michael Brennan has an exemplary resume, including degrees from the University of Notre Dame and Northwestern University School of Law, two Federal clerkships, work as a prosecutor, and almost a decade on the State trial court bench before returning to private practice. His accomplishments in practice are noteworthy, but I would like to focus my remarks today on Mike's commitment to public service and his reputation as a jurist.

Becoming a Seventh Circuit judge will not be a huge adjustment for Mike because he has already spent 9 years as a judge. Anyone who spends time with Mike will be struck not only by his intellect but by his humility and strong commitment to justice and the rule of law. This explains why the attorney general of Wisconsin and the State's public defender—fierce adversaries in the courtroom—were able to come together to write a letter enthusiastically supporting his nomination. I have a sense those two don't often agree, but when it comes to who they want deciding their cases, they both point to Mike.

By the way, that is just one of many letters that influential members of the legal community in Wisconsin have written in support of Mike's nomination. Included in the outpouring of support are letters from 2 former Federal defenders, 5 former U.S. attorneys, more than 40 judges, and 15 former presidents of the State Bar of Wisconsin, Democrats and Republicans—all joining together to support Michael Brennan's confirmation.

One letter, signed by over two dozen Wisconsin judges from across the political spectrum, sheds light on the kind of judge Mike has been and will continue to be. It states:

To the litigants who appeared before him, Judge Brennan was a wonderfully kind and patient judge with a humble demeanor.

Another letter attests that those same qualities have now made Judge Brennan one of the most sought-after mediators and arbitrators in Wisconsin. I am sure the litigants in the Seventh Circuit will have the same experience and reaction to his hearing their cases.

In this climate that has hyperpoliticized the judiciary, I want to bring my colleagues' attention to one very important paragraph in the letter supporting Mike that was signed by Wisconsin judges. It reads:

Finally and significantly, Mike is not an ideologue, and he has never worn his politics on his sleeve. You could ask any number of lawyers who appeared before him, or his colleagues who worked alongside of him, and they will confirm that Judge Mike Brennan never let his personal, religious, or political views influence his legal decision in any case. He is brilliant, experienced, hard working, and fair-minded. Rest assured, they don't come any better than Mike Brennan.

I agree with that assessment. We all know that type of bipartisan praise isn't given; it is earned. In Mike's case, his longstanding dedication to law and public service, coupled with his ability and temperament, has won him the support of many Democrats and Republicans in Wisconsin, and it has earned him the rating of unanimously "well qualified" by the American Bar Association. Let me cite a few statistics to prove the ABA rating is well deserved.

In Wisconsin, a party can ask for a different judge, and they can make this request for any reason. Of the 9,000 cases Mike heard as a judge, fewer than one-tenth of 1 percent—let me repeat

that—fewer than one-tenth of 1 percent of the litigants decided to go with another judge. That is an extremely telling statistic about his even-keeled temperament, his neutrality, and his legal skills.

Judge Brennan's low reversal rate also demonstrates his commitment to following the law and his dedication to performing his job with excellence. In 2005, out of 240 trial judges, Brennan was the most affirmed judge in the entire State of Wisconsin. He was No. 1 out of 240. Of the 9,000 cases Mike heard as a judge, he was reversed in only a handful of cases—fewer than 20—and in some of those, the Wisconsin Supreme Court ended up reversing the court of appeals and reinstating Brennan's original decision.

As final proof of the strong bipartisan support Michael Brennan enjoys within Wisconsin's legal community, let me provide more extensive quotes from a letter of support my office received from former Milwaukee County district attorney E. Michael McCann. Mr. McCann is a lifelong Democrat who served as the elected district attorney of Milwaukee County for 37 years. He is recognized as one of the most distinguished and accomplished district attorneys in the entire country. This is what Mr. McCann had to say about Mike Brennan on first working with Mike Brennan:

Key personnel in our office and I, in short order, became impressed with Mr. Brennan's high energy, his mastery of the law, his integrity, and his good judgment. As an assistant district attorney, he was assigned to some very challenging cases. Mr. Brennan continued to exhibit those qualities of scholarship, integrity, and judgment which had initially earned him our respect.

On Brennan's work as counsel for Wisconsin's truth-in-sentencing committee, Mr. McCann said:

Mr. Brennan provided splendid research and appropriate materials to the committee and with his gracious manner moved the committee through its very substantial workload so felicitously that the contentious disputes I and others had expected simply did not occur.

On Brennan as a judge, McCann—whose office had lawyers before Judge Brennan every day—said:

He was an excellent judge in all regards. He was properly respectful of lawyers, witnesses, victims and of the rights of defendants. His courtroom was a model of judicial decorum. In jury trials and trials to the court and in the hearing of motions, he was thoughtful, patient, knowledgeable, and scholarly. He had mastery of the law and was cognizant of the problems in the justice system. He was fair, unbiased, devoid of prejudices and committed to justice. The comparatively very few motions for change of judge filed in his court quietly speaks eloquently of the perceptions of lawyers and litigants that they were receiving justice from him.

Mr. McCann finished his letter by saying:

I urge you to confirm this nomination. Michael Brennan is an honorable man of immense integrity, ideally qualified by fine intellect, even disposition, extensive judicial

experience, a strong work ethic, sound judgment, good character and a firm commitment to justice. He will be an excellent appellate judge.

This strong endorsement is not from a Republican; it is from a lifelong Democrat who is one of the two longest serving district attorneys in any major city in America.

Based on this record, based on those endorsements, I am hopeful that when my Senate colleagues fully study his background and see the same virtues that garnered such ringing endorsements, their review will produce a strong bipartisan vote to confirm Michael Brennan to serve as judge on the U.S. Court of Appeals for the Seventh Circuit.

Mr. President, that concludes my prepared remarks about what a quality judge and jurist Judge Brennan would be, but I just have to say that I am very disappointed at the partisan nature of the cloture vote. It was unfortunate that it was completely party line for somebody who, as I have described, has bipartisan support within the Wisconsin legal community.

The Judiciary Committee majority issued an excellent memorandum dated November 2, 2017. I would like to discuss and address the primary objection that led to that unfortunate party-line vote on cloture. I am really hoping our colleagues on the other side of the aisle will take this to heart and take the background—the bipartisan support from the Wisconsin legal community—when they cast their final vote on confirmation.

Mr. President, I ask unanimous consent to have printed in the RECORD the Judiciary Committee's November 2, 2017, memorandum.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

To: Members of the News Media  
From: Senate Judiciary Committee Majority  
Date: November 2, 2017  
Re: History and Context of the Blue Slip  
Courtesy

#### HIGHLIGHTS

The blue slip process is a courtesy extended by Committee chairmen, not a binding Senate rule.

Since the blue slip courtesy was created in 1917, only two chairmen (Sens. James Eastland and Patrick Leahy) had strict policies requiring two positive blue slips from home-state senators before the Judiciary Committee would consider a nomination.

In 25 of the 36 years before Senator Grassley became Chairman, chairmen have allowed hearings on nominees despite negative or unreturned blue slips.

The same senators who changed the Senate rules to ignore the views of 41 senators after evaluating a nominee now want to enable a single senator to block a nomination before the Committee can even review the nominee's background and qualifications.

#### HISTORY OF BLUE SLIP COURTESY

The blue slip represents an aspect of senatorial courtesy premised on an understanding that home-state senators are in a good position to provide insights into a nominee from their home state. Throughout its 100-year history, Senate Judiciary Committee chairmen have applied the courtesy

differently. However, a vast majority of chairmen have not required two positive blue slips as a prerequisite for further consideration by the Committee.

Only two Chairmen—Senators James Eastland and Patrick Leahy—strictly required positive blue slips from both home-state senators before proceeding on a nomination. Senators Edward Kennedy, Strom Thurmond, Joseph Biden, and Orrin Hatch adopted policies that were more consistent with pre-Eastland policies, in which the lack of two positive blue slips did not necessarily prevent action on a nomination. (Senator Arlen Specter did not announce a blue slip policy during his two-year tenure as Chairman.) But Senators Biden and Hatch also emphasized the need for the White House to have engaged in consultation with home-state senators before they would allow a nomination to proceed without two positive blue slips.

1917–1956—ALL 11 CHAIRMEN—COMMITTEE COULD CONSIDER NOMINEES WITH A NEGATIVE OR UNRETURNED BLUE SLIP

The blue slip was instituted during the 65th Congress by the Chairman of the Senate Judiciary Committee to obtain the opinions of senators on the nominees to federal courts located in their home states. The policy of all 11 chairmen for the next nearly forty years was that the return of a negative blue slip did not preclude the Committee's further consideration of a nominee. For example, in 1917, Senator Thomas Hardwick of Georgia returned a negative blue slip on a nominee for the Southern District of Georgia. The Committee nevertheless reported the nominee negatively to the Senate, where the nominee was rejected. In 1936, Senator Theodore Bilbo of Mississippi objected to a Fifth Circuit nominee, but the Committee nevertheless reported the nominee to the Senate, where he was confirmed.

1956–1978—CHAIRMAN JAMES O. EASTLAND—ALLOWED A NEGATIVE OR UNRETURNED BLUE SLIP TO BLOCK A NOMINEE

Chairman James O. Eastland changed the Committee's blue slip policy so that a negative blue slip or the failure to return a blue slip by one home-state senator was considered an absolute veto of a nomination.

It is not precisely clear why Chairman Eastland adopted this policy. But some scholars maintain that its purpose was to empower federal courts in the South to resist implementation of *Brown v. Board of Education*. Villanova Law Professor Tuan Samahon explains, “[w]hen segregationist ‘Dixiecrat’ Senator John Eastland chaired the Judiciary Committee, he endowed the blue slip with veto power to, among other things, keep Mississippi’s federal judicial bench free of sympathizers with *Brown v. Board of Education*.” Because the Supreme Court “largely delegated the task of implementing *Brown* to local federal trial judges . . . it mattered a great deal who sat on federal district courts in the segregated South.”

1979–1981—CHAIRMAN EDWARD M. KENNEDY—COMMITTEE COULD CONSIDER NOMINEES WITH A NEGATIVE OR UNRETURNED BLUE SLIP

The blue slip policy was again revised under Chairman Edward M. Kennedy. During a Committee hearing in 1979, he stated:

If the blue slip is not returned within a reasonable time, rather than letting the nomination die I will place before the committee a motion to determine whether it wishes to proceed to a hearing on the nomination notwithstanding the absence of the blue slip.

Chairman Kennedy did not articulate an express policy with respect to negative blue slips, but there is at least one example of the Committee moving on a nominee despite the

return of a negative blue slip. Senator Harry F. Byrd, Jr. returned a negative blue slip for a Virginia judicial nominee, but Senator Kennedy nevertheless held a hearing.

1981–1987—CHAIRMAN STROM THURMOND—COMMITTEE COULD CONSIDER NOMINEES WITH A NEGATIVE OR UNRETURNED BLUE SLIP

Chairman Strom Thurmond announced that he would continue Senator Kennedy's blue slip policy and clarified that he would assume a blue slip that remained unreturned after seven days meant there was no objection. Chairman Thurmond proceeded on several nominees when senators returned negative blue slips.

In 1981, the Committee held a hearing and moved John Shabaz to the Senate despite a negative blue slip from Senator William Proxmire of Wisconsin. Shabaz was confirmed to a district court seat.

In 1982, the Committee held a hearing and moved John L. Coffey to the Senate despite a negative blue slip from Senator Proxmire. Coffey was confirmed to the Seventh Circuit.

In 1983, the Committee held a hearing and reported the nomination of John P. Vukasin, Jr. despite California Senator Alan Cranston returning a negative blue slip. The Senate ultimately confirmed Vukasin to a district court seat.

In 1985, the Committee held a hearing on the nomination of Albert I. Moon, Jr. despite both Hawaii senators returning negative blue slips.

1987–1995—CHAIRMAN JOSEPH R. BIDEN, JR.—COMMITTEE COULD CONSIDER NOMINEES WITH A NEGATIVE OR UNRETURNED BLUE SLIP

Chairman Biden articulated his blue slip policy in a letter to President George H.W. Bush shortly after his inauguration:

The return of a negative blue slip will be a significant factor to be weighed by the committee in its evaluation of a judicial nominee, but it will not preclude consideration of that nominee unless the Administration has not consulted with both home state Senators prior to submitting the nomination to the Senate.

Chairman Biden proceeded on the nomination of Bernard Siegan to the Ninth Circuit despite Senator Cranston's return of a negative blue slip. The Committee rejected Siegan's nomination by an 8-6 vote. Likewise, Chairman Biden proceeded on the nomination of Vaughn R. Walker despite Senator Cranston's return of a negative blue slip. Although Chairman Biden said that Cranston's opposition would “affect Walker negatively,” the Committee held a hearing and reported Walker to the Senate, where he was confirmed.

1995–JUNE 5, 2001—CHAIRMAN ORRIN HATCH—COMMITTEE COULD CONSIDER NOMINEES WITH A NEGATIVE OR UNRETURNED BLUE SLIP

At the start of his chairmanship in 1995, Senator Hatch sent a letter to White House Counsel Abner Mikva stating that he would follow the policy articulated by Chairman Biden in 1989 that did not preclude review of nominees with negative blue slips unless the Administration did not consult with home-state senators. In 1997, Chairman Hatch sent another letter to the White House that reaffirmed this policy and articulated in more detail what meaningful consultation should look like.

JUNE 5, 2001–2003—CHAIRMAN PATRICK LEAHY—ALLOWED A NEGATIVE OR UNRETURNED BLUE SLIP TO BLOCK A NOMINEE

Senator Patrick Leahy became Chairman in June of 2001 after Democrats took control of the chamber. He sent a letter to White House Counsel Alberto Gonzales essentially endorsing Chairman Hatch's 1997 blue slip policy statement. But Chairman Leahy made statements to the press indicating he would

move forward only when he received two positive blue slips from home-state senators. During the 107th Congress, seven nominees (five circuit court and two district court nominees) did not receive hearings because of blue slip issues. In fact, Chairman Leahy went even further and stopped Committee action with respect to two Sixth Circuit nominees for seats in Ohio because the Democratic senators from Michigan objected.

2003–2005—CHAIRMAN ORRIN HATCH—COMMITTEE COULD CONSIDER NOMINEES WITH A NEGATIVE OR UNRETURNED BLUE SLIP

The Republicans again took control of the Senate after the 2002 elections, and Senator Hatch again became Chairman of the Judiciary Committee. Chairman Hatch reiterated that “a single negative blue slip from a nominee’s home state won’t be enough to block a confirmation hearing.” He said he would give “great weight to negative blue slips” but would not allow senators to hold up “circuit nominees.”

Chairman Hatch held hearings and votes on five of the six circuit court nominees who had blue slip issues. For example, Chairman Hatch held a confirmation hearing for Sixth Circuit nominee Henry W. Saad despite negative blue slips from Michigan Senators Levin and Stabenow. The Committee voted to send Saad to the Senate floor, where the Democrats successfully filibustered him as well as each of the other nominees. At the same time, Chairman Hatch did not move on any district court nominees with blue slip issues.

2005–2007—CHAIRMAN ARLEN SPECTER—UNCLEAR WHETHER A SPECIFIC BLUE SLIP POLICY WAS ESTABLISHED

Senator Hatch stepped down as Chairman of the Judiciary Committee at the beginning of the 109th Congress due to term limits. Senator Arlen Specter became Chairman. It is not clear what Chairman Specter’s policy was with respect to blue slips or if he even had a stated policy. At least one reputable secondary source indicates that, under Chairman Specter, a “[n]egative blue slip killed a nomination for district court judges, but not necessarily for circuit court judges.”

2007–2015—CHAIRMAN PATRICK LEAHY—ALLOWED A NEGATIVE OR UNRETURNED BLUE SLIP TO BLOCK A NOMINEE

Senator Leahy again became Chairman of the Senate Judiciary Committee in 2007. He announced that he was reinstating his policy that he would proceed on a nominee only when both home-state senators returned positive blue slips. During the 110th Congress, Chairman Leahy did not proceed on sixteen of President Bush’s nominees (six circuit court and ten district court nominees) who did not have the support of both home-state senators.

Chairman Leahy continued this policy throughout his chairmanship. In 2011, he explained that his blue slip policy was meant to encourage consultation between the White House and home-state senators. But he also warned that he expected senators not to abuse the policy to delay filling vacancies. When the Republicans were in the minority from 2009–2014, Republican senators returned blue slips for 25 circuit court nominees, withheld a blue slip for one nominee (for lack of consultation), and rescinded positive blue slips for one nominee after his hearing (this seat was ultimately filled by another nominee of President Obama). (By contrast, Democratic senators have withheld blue slips for three circuit court nominees in the first ten months of the Trump Administration.) The Republicans’ restrained use of the blue slip to block nominees meant that there was no need for Chairman Leahy to deviate from his strict blue slip policy. It is unclear what

Chairman Leahy would have done had the Republicans abused the blue slip process for President Obama’s Judicial nominees under Leahy’s chairmanship.

BLUE SLIPS AND THE END OF THE FILIBUSTER

Since 1949, the Senate rules required a supermajority of the Senate to end debate for lower court nominations. This long-standing rule was the primary tool for senators in the minority party opposite the president to block nominees. Under this rule, senators who intended to oppose a nominee could return a positive blue slip in Committee and then filibuster the nominee on the Senate floor. For example, during the Bush Administration, Senator Feinstein returned a blue slip for Carolyn Kuhl, who was later reported out of the Committee. Feinstein and other Democrats then filibustered Kuhl’s nomination on the Senate floor, preventing confirmation. In instances in which the Committee reported nominees with negative or unreturned blue slips, those nominees could still be filibustered by the full Senate. For example, in 2003–2004, the Democratic caucus, which was in the minority at the time, filibustered several of George W. Bush’s nominees for federal court seats in Michigan for whom Senators Levin and Stabenow had returned negative blue slips. This practice helps explain why few nominees with blue slip issues have been confirmed by the full Senate.

However, in 2013, Senate Democrats, then in the majority, unilaterally abolished the rule, ending the ability of a minority of senators to block confirmation of a lower court nominee. The Democrats argued that a minority of senators should not be empowered to block nominees who earned majority support after the committee has reviewed a nominee’s background and qualifications. One of the leading proponents of abolishing the filibuster, Senator Jeff Merkley of Oregon, defended the move by saying,

“Advice and consent” was never envisioned as a check that involved a minority of the Senate being able to block a presidential [nomination].

A blue slip policy allowing a single senator to block a nominee from even receiving Committee consideration is a more extreme example of a counter-majoritarian practice.

By eliminating the filibuster rule, the Democrats removed a tool for the minority to block nominees with negative or unreturned blue slips after the committee has evaluated nominees’ qualifications. They are now, because of their own actions, in the position of having to rely on an ahistorical interpretation of the blue slip courtesy at the Committee level to attempt to defeat nominees they oppose on ideological or political grounds before the full Committee reviews a nominee.

Mitchel A. Sollenberger, *The History of the Blue Slip in the Senate Committee on the Judiciary, 1917–Present*, Congressional Research Service 8 (Oct. 22, 2003).

Mr. JOHNSON. Mr. President, rather than read this excellent memorandum, which I would encourage my colleagues to do, let me give a brief history, a little summary of what that memorandum states on the history of the blue slip.

The blue-slip courtesy was created in 1917, so it has basically been around for 101 years. Only 2 of 18 Judiciary Committee chairmen have allowed the blue slip to become an absolute veto blocking consideration and confirmation of judges. Those two chairmen were James Eastland between 1956 and 1978—so that was for a 22-year period—and

then Senator PATRICK LEAHY for about 10 years. So of the 101 years that the blue-slip courtesy has been around, for only 32 of those years has the blue slip been used as an absolute veto by any Senator.

Looking further at the history—and I think it is relevant to a confirmation for Wisconsin’s seat on the Seventh Circuit—in 1981, Wisconsin Senator William Proxmire returned a negative blue slip on Judge John Shabaz, a nominee to be a district judge. The Senate took that negative blue slip into consideration, but the committee still held a hearing, and the Senate voted to confirm the judge as a district judge. The next year, 1982, Senator Proxmire again returned a negative blue slip on a circuit judge nominee, Judge John Coffey. Once again, the committee took that blue slip into consideration but still held a hearing, and the Senate confirmed Judge Coffey later that year.

It is apparent that a blue slip—historically and by precedent for two-thirds of the 101 years in which the blue slip has been around—has not been used as an absolute veto by one single Senator but basically as advice, a particular Senator’s view on a judge. I would suggest that is exactly the way the blue slip should be handled in the future, particularly in light of Senator Harry Reid, the majority leader in 2013, who employed the nuclear option and changed the Senate forever. He changed the rules of the Senate as they relate to confirming nominations with a mere majority. That, in effect, eviscerated the blue slip’s possibility of being used as a veto because then there was no way a minority could block or actually support and confirm that blue slip. Harry Reid’s precedent of changing the rules of the Senate with just 51 votes—changing the rules so that only a majority vote would confirm a judge—has pretty well rendered the blue slip moot from the standpoint of being able to block a judge.

The blue slip, from my standpoint, should be used primarily as the advice and consent of one Senator expressing opinion on a judge from their State. That is just a general description of the history of the blue slip.

I would like to address specifically the comments made around this particular circuit court vacancy and my role in it because I think there has been a lot of distortion. Let me correct the record. It is true that this circuit court vacancy is the longest in history. It has dragged on for a variety of reasons, but let me give you the history.

On January 17, 2010, Judge Terence Evans retired from the Seventh Circuit. President Obama was in office, and Wisconsin had two Democratic Senators, Senator Kohl and Senator Feingold. Five days later, on January 22, those two Senators, Kohl and Feingold, recommended four candidates to President Obama.

On July 14, 2010, President Obama nominated Victoria Nourse for that

Seventh Circuit slot. Ms. Nourse was not really a member of the Wisconsin legal community. She was an adjunct professor temporarily in Wisconsin. There was some tie there, but basically she had no other ties to Wisconsin. She was actually a former staffer and would become a future staffer of Vice President Biden.

On November 2, 2010, Wisconsin held an election for the Senate. To Senator Feingold's surprise, he was retired; I replaced him. There was no action taken from the date of July 14, when President Obama had nominated Victoria Nourse. In a Senate with a majority of Democrats and a Democratic President, there was no action taken prior to Congress expiring—the 111th Congress. So that nomination expired.

On January 3, 2011, the 112th Congress was sworn in. Within a few days, I received two blue slips on judicial nominations—one for a district judge and Victoria Nourse's nomination for the Seventh Circuit judgeship. I had just been elected. More than a million Wisconsinites voted for me. I had no role whatsoever in the nomination of this judge. So I decided not to return the blue slip.

This was during a time period when Chairman LEAHY was using the blue slip as an absolute veto. It was still the precedent in the Senate that it would require 60 votes to confirm any judge. Any minority member of the Senate who objected to a judicial nomination would be backed up by his party, and the nomination could be thwarted.

I continued to work with Senator Kohl, trying to become involved in the nomination of someone who I felt would be more appropriate for that seat—someone who actually had a connection to the Wisconsin community. Unfortunately, Senator Kohl did not have a great deal of interest in working with me, so the entire 112th Congress passed, and the seat remained vacant.

Let me remind you that through the entire year of 2010, the Seventh Circuit seat from Wisconsin was vacant when we had two Democratic Senators and President Obama. They could have nominated and confirmed someone any time during 2010. I was given no input into this nomination. The only thing I could really do was withhold the blue slip and work with Wisconsin's Democratic Senator to come up with a nominee who would be a good consensus choice.

Senator Kohl decided not to run for reelection. Senator TAMMY BALDWIN was elected in November 2012 and began her term in 2013. Because I felt it was so important that the judicial nominations be made and that we have a process to work on a bipartisan basis, I recommended a commission—a compact with Senator BALDWIN, which she agreed to. I would have three commissioners, and she would have three commissioners of people tied to the Wisconsin legal community—people dedicated to filling those judicial vacancies. The beauty of it was that it forced

a consensus pick. We would forward to the President only someone who would receive support from five out of the six commissioners. It worked well.

The commission was set up. We nominated and confirmed district court judges for the Eastern District, Pam Pepper, and the Western District, James Peterson.

It would be a little more difficult to fill the seat on the Seventh Circuit. Our commission started working on that. One part of our compact required that four recommendations for judges be sent to the President. Because the applicant pool was limited, only two received the requisite five out of six votes. During the discussion of what we should do—because we hadn't fulfilled the terms of the compact that required four judges—I agreed to submit just the two. For whatever reason, Senator BALDWIN decided to forward to President Obama all eight applicants. She breached the compact. She violated the confidentiality of the process because part of the problem was that some of those applicants received zero to one or two votes.

In the end, President Obama nominated Don Schott. He is a fine man. I have no problem with who Mr. Schott is, but let's be honest, he is probably not my first pick for a judge on the Seventh Circuit. However, because the commission had nominated him and agreed on it, I returned the blue slip.

Unfortunately, because of the politicization of the commission by Senator BALDWIN, the Senate Judiciary did not act on that nomination, nor did the Senate, and that nomination expired, which brings us to the 114th Congress and Judge Brennan's nomination.

Again, I have spent probably about 10 minutes reading in detail the strong bipartisan support for Michael Brennan. There is no reason whatsoever that he should not receive a strong bipartisan vote for confirmation. I have described what happened specifically. I described the general precedent of the use of blue slips—not to be used as a veto but simply to indicate a Senator's opinion of a particular judge nominated from their State. It should not be used for a veto.

I urge all my Senate colleagues to provide a strong bipartisan vote of support for a fine man, a fine jurist, and someone who will make a wonderful judge on the Seventh Circuit Court of Appeals.

With that, I yield the floor.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from Missouri.

Mr. BLUNT. Mr. President, I have just seen the rarest of occurrences in the so-called debate on these nominees on the floor. We actually had an explanation of the nominee we would be voting on.

The fact that the Senate's time is taken in a way that it never has been before to process the President's nominations is outrageous. There is a view that we need more time to think about the nominee. There is plenty of time to do that. It is called the committee

process. It is called a vetting process that also may very well take too long now, but there is plenty of time for these circuit court nominees we are voting on this week to be vetted. There is plenty of time to ask them questions. There is plenty of time to look into their backgrounds.

The only reason, in my view, that we take the time we are taking to do six votes on six judges in a week—that is six 15-minute votes. If we were efficient enough to do that, it would take an hour and half to vote on these six judges, and the final vote on none of them would be different than taking 5 days.

So why do we take 5 days? We take 5 days because that means we can't get to anything else. That means the President's ability to populate the government, as people elected him to do, is diminished. It also eliminates the time we have to do the other work the Senate is designed to do.

The Senate is in, as the majority leader likes to describe it, the personnel business, but that is not supposed to be the only business of the Senate. I think we have now had over 90 of these cloture motions on nominees that the President has made. What does that mean? In the first 2 years of each of the previous six administrations, there were a total of 24 cloture motions—24 times in six Presidencies in 2 years did we do what we are doing right now. That is an average of 4 times—we are certainly going to be up to 104 times well before the end of 2 years—the floor was abused in this way, an average of 4 times there was reason to have a debate.

I haven't looked back at those debates. I guess I should. Wouldn't it be shocking if those debates were actual debates? Wouldn't it be stunning if all four of those times in each of those six Presidencies, when the cloture motion was required and using the maximum time available was insisted on—or at least a substantial portion of the maximum time available was insisted on—wouldn't it be something if we looked back and found that there really was a reason to debate those nominees?

There might have been someone who was rejected, as John Tower was to be Secretary of Defense. If you were going to reject one of your colleagues in the Senate, that was probably a pretty debatable moment, and maybe it very well justified 20 or 30 hours, the maximum that could be insisted on. Now that is initially insisted on for everyone. Some of them take that time. Many of them take a portion of that time.

What is really lost is the other work that could happen in the course of the week. That is why in 2013 and 2014, when Democrats were in control of the Senate, a bipartisan group of Senators got together and said: Let's eliminate a lot of these confirmations that aren't worthy of Senate time. Let's take people who, when there were only one or two of them in the whole government



in 1882, might have been worthy of a Senate debate and Senate vote—let's take them off the list now that there are 210 of them to be confirmed. Let's take them off the list. Of course, neither of those numbers are numbers from the debate, but that is what we did.

Then let's put a whole other group on the list so that if no one demands a vote, they can be confirmed if the committee recommends they should be confirmed without a vote. We tried to eliminate the process so that we could focus in on that rare occasion when there really should be a debate on the Senate floor about these nominees.

At the end of this week, I will look to see how many minutes were actually taken talking about these six nominees. It doesn't mean that the six nominees shouldn't be talked about. It doesn't mean, when you are going to put someone on a court of appeals for life, that the Congress shouldn't look carefully at them, but that has already happened. In some cases, it happened months ago, and in other cases, weeks ago. That has already happened. This is just a matter of whether we are going to vote or not. No votes will be persuaded by running the clock. No votes will be changed by running the clock. Of course, the power to put people on a Federal bench for life is an important power given in the Constitution to the President for the Supreme Court and such other courts as Congress may determine the country needs. It is not something to be taken lightly, but it is also not something to be abused.

It is not a process where the protection you might use 4 times in 2 years is suddenly used 90 times in 15 months. Something is wrong when that has happened to the process.

At the end of the day, the Senate is a place where the minority deserves to be heard. The Senate is a place where the rights of the minority—it makes it a unique legislative body, just like electing only one-third of the Senate every 2 years makes it a unique legislative body. It takes a long time to change the entire Senate. It has always been one of the purposes of the Senate is to be sure the minority had a chance to be heard, and the minority is always able to hold on to that right until the minority decides they are going to abuse that right.

When a right becomes an entitled, "Oh, it says we can have up to 30 hours of debate so we are going to insist on it every single time," that is when that right is in jeopardy. That is when you run the risk of losing that right.

#### NOMINATION OF GINA HASPEL

Also, today we are talking about a nomination in a committee that should look carefully at that. It is a committee I am on—the Intelligence Committee. It is the nomination of someone to run the CIA—the Central Intelligence Agency. It is critically important to the country. Actually, the President has nominated the most qualified person ever to be nominated

to that job in the history of the CIA. She is someone who has spent her entire 30-plus-year career in the CIA, someone who has had almost every job you could have in the CIA, someone who has been at the front ranks in the most dangerous countries working for the Central Intelligence Agency, and someone who currently serves not just as the Acting Director but has been serving as the Deputy Director. Nobody has ever been nominated with that capacity.

When people look at the hearing that was publicly held today, I think they are going to see an individual who is incredibly prepared. They are going to see someone who needs no on-the-job training, someone who is not only running the Agency now day-to-day but someone who knows more about the Agency—the Central Intelligence Agency—than anybody has ever known who has held that job.

When we confirm Gina Haspel, and I believe we will—I know we should—there will be no on-the-job training necessary. She will run the CIA; the CIA will not run her.

Now, if any Member of the Senate—even Members who have been on the Intelligence Committee for years—went to the CIA, there would be a great likelihood that, at least for a while, the CIA would run them; that people at the CIA would say: Well, here is something we have to do; here is something we used to do; here is a box that has always been checked before. It takes a certain amount of time to determine why that may have been necessary, but it will take her no time to determine what is necessary and what is not.

She is nominated by the President, but she has been briefing since her boss became the Secretary of State and part of the time while he was the Director of the CIA. General Hayden is one of—virtually every past Director of the CIA, Democratic and Republican appointees, has said she is someone who should be confirmed.

In a quote I particularly like, Gen. Mike Hayden said she was the person he would want in the room when the President was making the decision. She would be the person whom I think you and I would want to be there understanding the facts. Sometimes we don't know all the facts, but all the facts we should know, and if anybody knows them, the Director of the Central Intelligence Agency should know them.

I said at the hearing this morning—this is a phrase I don't use very often, and I think it is overused, but if ever there is a moment when someone speaks "truth to power"—if that is the right way to describe the discussion—that could certainly be the moment when the Director of the CIA, with a 32- or 34-year career there, would say to the President of the United States: Mr. President, that doesn't take into account all of the facts. Let's be sure we understand everything we need to know before you make that decision. That is truth to power.

Hopefully, we will get to that nomination. That may even be a nomination that would justify a 20-hour floor debate. We can certainly give 20 hours or 30 hours to every Member of the Senate who wanted to come to the floor to talk about that nomination, and it may be close enough that if it changed three or four votes, it would make a difference in the outcome, but in all likelihood, no votes would be changed. Believe me, this would be a debate where the country should really know exactly what they are getting when they get someone who has dedicated themselves to the Central Intelligence Agency and the country like Gina Haspel has, but that is a very different moment than the one we are in right now. The one we are in right now takes time and doesn't change any result.

I would just encourage my colleagues, let's get to work. Let's stop hearing that we don't have time on the floor to get our job done, where every time you turn on C-SPAN, more often than not, you see the Senate in what is called a quorum call, which is a very slow calling of the roll of the Senate because there is nobody here to say anything because we are using up someone's insisted-on 30 hours of debate.

Let's get to the business of the country. Let's do what we are—this is the greatest country in the history of the world, with the greatest capacity to impact the world of any country in the world.

When you turn on C-SPAN and look at what is happening in the U.S. Senate, it shouldn't be a blank screen because we are waiting x number of hours for people to cast a vote, and they already know what that vote is going to be. Let's take the time we need to debate the nominations we need to debate. Let's quit wasting the time and using the excuse of, well, we need to have thoughtful consideration of this nomination that, by the way, no one is going to come to the floor to talk about.

Senator JOHNSON may have set a new standard here. Certainly, when I checked just a few days ago, we had a debate on a very controversial nominee. This was the NASA Administrator. I think it passed by one vote. It was pretty controversial. We spent hours and hours for an open debate on the floor, and there were 17 minutes of debate on the floor—17 minutes in something exceeding 17 hours. No wonder people are frustrated with the way they would like to see their government work, the way the government should work, and the excuses we come up with to keep the government from doing what it ought to do in a way that people can openly see and be proud of.

I look forward to the quorum call no longer being the daily flag of the U.S. Senate.

Maybe, appropriately, seeing no one here, 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. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

NOMINATION OF GINA HASPEL

Mr. CORNYN. Mr. President, earlier today the Senate Select Committee on Intelligence heard from the President's pick for Director of the Central Intelligence Agency, Gina Haspel. Actually, we had an open hearing this morning, and I just returned from a recently concluded closed hearing, during which classified information was shared with the committee and discussed with the nominee.

As we know, the President's nominees for various positions have been the victims of hearsay, innuendo, and rumor. Thankfully, Ms. Haspel had the opportunity today to respond to some of the questions—and attacks, really—that have been posed against her in the public. She has now had a chance to respond, and I thought she did so with tremendous knowledge, grace, and the kind of temperament you would hope for in a Director of the Central Intelligence Agency.

She exemplified the core attributes we have come to know about her since she was nominated: professional integrity, an innate sense of loyalty to her country, and a strong drive to work hard, not just for the advancement of her individual career but also to protect Americans and put our national security first.

The fact that she is here today, as President Trump's nominee to become the first female Director of the Central Intelligence Agency, is a testament to both her character and her exceptional, decades-long career as an intelligence professional.

All the while, she has endeared herself to her colleagues in the intelligence community, who have an immense amount of respect for her and her work. In fact, in addition to being the first female Director of the Central Intelligence Agency, Ms. Haspel would be the first operations officer in perhaps 40 years or more. In other words, at the CIA they have analysts, they have people who do operations, who are case officers and who do intelligence work, and, then, they have other people who perform technical intelligence activity. She would be the first in 40 years to actually have worked in some of the hot spots around the world that I will mention more about here in a moment.

Yesterday, I spoke about some aspects of her career, about some of the pieces that our colleagues across the aisle have left out of the picture, which, in fairness, should be painted in full context so people can understand that her career, spanning 33 years, is far more than a couple of anecdotes or caricatures of her experience. In other words, she is not defined by those experiences. Although, as she has said

today, we have all learned from those experiences.

Her 33 years of service showcase an unparalleled commitment to the Central Intelligence Agency and a devotion to the rule of law. She understands that when the intelligence agencies don't follow the rules of the road, somebody is going to be held to account for it at a later time. In this case, ironically, having followed the rule of law, we find that some of our colleagues from across the aisle want to relitigate decades-old incidents after the fact of 9/11, where, relying on the premier legal authorities in the country from the Department of Justice and having received orders from the Commander in Chief, they simply did their job and now are being questioned in a way that suggests they did something less than honorable, when, in fact, they did exactly what they were asked to do.

The fact is that here in America we have not seen a follow-on attack from 9/11. I mentioned yesterday a book I was reviewing that reminded me that in the days following 9/11, on which 3,000 people died—some at the Pentagon, where one plane crashed, and two others crashed at the World Trade Center—there was some chatter about a potential nuclear device getting into the hands of al-Qaida, the same people who took down the two towers and hit the Pentagon.

That would have been catastrophic, obviously. Thankfully, as a result of the good investigatory work and intelligence collection that the intelligence community acquired, we learned that those rumors did not end up proving to be true. But that sort of sets the tone for the environment and attitude that many had about the potential for follow-on attacks, which would have been tremendously devastating.

It is a strange business that we ask our intelligence officials to play to the edge of the law—in other words, to follow the law but to be aggressive, to be forward-leaning to prevent these attacks. Then, when they do exactly that, we come back years later, when we are feeling safe and secure, and say: Well, you went too far.

We can imagine what it would have been like if there had been another follow-on attack during which American citizens were killed. We can imagine that our intelligence community would be criticized for allowing that to happen, for somehow not stopping it, finding out about it, and preventing it.

Unfortunately, too many people have 20/20 hindsight and are engaged in second-guessing. Frankly, for people who serve honorably in the intelligence community, it seems like a lose-lose proposition: Do too much and prevent an attack, and we will criticize you. Don't do enough and an attack occurs, and we will criticize you for that.

Suffice it to say that in all respects, during her career Gina Haspel has acted in accordance with the law, as determined by the Department of Jus-

tice. By the way, the Supreme Court of the United States is not going to hand out an opinion in a case where the executive branch has to act. Opinions handed down by the Office of Legal Counsel in the Justice Department are the authoritative legal guidance for executive branch agencies like the CIA.

Ms. Haspel has worked in assignments from Africa and Europe, and she has been posted to dangerous capitals around the world. She has been shot at, survived a coup d'etat, and run clandestine assets against hard targets.

Those who have worked with her say her management skills and integrity are unmatched. That is why she served as a station chief, the Deputy Director of the National Clandestine Service, and Deputy Director of the Central Intelligence Agency itself. All of this experience is extraordinary and it is important, and it is exactly what our country needs in this uncertain time.

Former Director of National Intelligence James Clapper testified in recent memory that, in his 50 years in the intelligence business, he has never before seen such a diverse array of threats confronting our country—from North Korea to Iran, to Russia, to China, to the terrorism threat, to domestic home-grown terrorist attacks inspired by social media and online activity from overseas.

America clearly needs someone with the deep expertise and understanding of the Central Intelligence Agency and the intelligence community and someone who doesn't have to get up to speed. Americans need someone with extensive counterterrorism experience who has worked with difficult and hostile intelligence services and, I would say, also with our friends and allies around the world. Some of the relationships we have with other countries, like Britain, are some of the most important relationships we have—government to government, intelligence community to intelligence community. Ms. Haspel has the admiration and respect of those coalition agencies around the world.

She may well be the most qualified person ever to be nominated for the role of CIA Director. But we saw today in the hearing that there is a determination by some to relitigate the past. We saw an attempt to relitigate issues that have been closed for a long time, going on 17, almost 20 years.

There were questions about Ms. Haspel's role in counterterrorism efforts in the days immediately following the 9/11 terrorist attacks. I am not questioning the questions, but I am questioning using some of these issues as pretext to block or to vote against her nomination. She was accused of making decisions that clearly were made by her supervisor, when it came to getting rid of videotapes because of concerns for the safety and security of the intelligence officers depicted on those videotapes, even though there were verbatim cables of the activity on the tapes. Obviously, in this case, the

decision to destroy the tapes was not hers but her supervisor's, who took full responsibility for that.

As I said, it is easy here today, in the safety and security of 2018, to remember what the post-9/11 climate was like. It is easy to second-guess the legal guidance that had been provided to our intelligence professionals at the time, which they relied upon in good faith. It is easy to overlook the considerable pressure placed on the Agency at that time. As I said, if they didn't do enough, we would criticize them. If they did too much, we would criticize them for that. So it is a fine thin line they had to walk, which they did with incredible skill and determination.

I would say it is nothing less than obscene to hold someone to a standard that was set after their actions were performed, in good-faith reliance on the law, as determined at the time they did act. In this case, two different Justice Departments—one under President Bush and one under President Obama—conducted investigations, exonerated Ms. Haspel, and chose not to proceed against her or her colleagues at the CIA.

The fact is that early on Congress was briefed on a regular basis and approved of the activities in which she was engaged when it came to the enhanced interrogation program, which she herself did not directly participate in but which occurred during her time in the counterterrorism center.

That Congress decided after the fact to change some of those policies does not make the prior implementation of the policies improper at all. Indeed, it was her professional obligation to carry them out, and it was not for her or her fellow officers to second-guess the legality of those policies. At the time at issue, Ms. Haspel was a GS-15, which is a civil service ranking that would be the equivalent of either a major or lieutenant colonel. It is as if saying that as for decisions made by the Commander in Chief, where a lieutenant colonel participated in executing those orders, that somehow they were responsible for the policy decision made by the Commander in Chief in the military. It just doesn't make any sense at all. As long as our military and intelligence officials rely in good faith on the best legal guidance given to them at the time, they should be free to conduct their activities and not be second-guessed later on.

Some have now gone so far as to complain her full personnel file has not been released. As I said, Ms. Haspel has the unique qualification of having served 33 years essentially undercover, and she has participated in some of the most sensitive intelligence activities our country is engaged in. The idea that now we would jeopardize the sources, the methods, and the alliances we had at that time just so colleagues could display that in full public view strikes me as terribly misguided.

It is true that in the Intelligence Committee we did have a classified

hearing, at which all of those matters were aired, but in an appropriate setting, protecting that important sensitive information, which is absolutely critical to keeping the country safe. The idea that we ought to release her full personnel file, including sensitive operations, to jeopardize the safety of other officers and expose sensitive sources and methods of intelligence collection is to risk national security itself. Some of our colleagues are suggesting that this happen, but they simply know better, and they should know better.

You saw a stark difference at the hearing today between those who wish to ensure we have the most qualified person leading the CIA and those who have determined to obstruct President Trump's nominees at all cost. In fact, during my time questioning Ms. Haspel, I mentioned a national security expert who said, if Ms. Haspel had been nominated by President Obama, it would be an easy call, but because she was nominated by President Trump, and ironically happens to be the first woman nominated to this important position as Director of the CIA, for some reason, now we are going to hold her and President Trump to another standard, a double standard.

If people were really listening, they would have heard Ms. Haspel confirm what many of us have been saying about her all along; that she is the right person for this job. We learned that former Defense Secretary and CIA Director Leon Panetta and former Director of National Director James Clapper, both former Obama officials, unequivocally support Ms. Haspel. We have heard from Michael Hayden, John Brennan, both former CIA Directors. Both have criticized President Trump for other matters but praised this pick to head the Agency.

We read about this nominee, too, as the Wall Street Journal Editorial board penned its support, writing:

[T]he people misrepresenting the CIA nominee were in the cheap seats during the worst days of the war on terror. Ms. Haspel didn't have that luxury.

I couldn't agree more with that characterization. Yet some of our colleagues simply refuse to listen. In fact, we have been seeing this same pattern play out throughout the Trump Presidency—people playing politics and obstructing the nominees of the President simply because they disagree with the President, not because of the qualifications of the nominees. Sadly, we have seen character assassination against nominees who have subsequently withdrawn because they have simply been unwilling to go through the process and see the destruction of a reputation they have worked a lifetime for. It is our Nation's loss that good people withdraw from the process rather than go through that sort of character assassination.

The Senate has a duty, after all, to ensure that our country has well-qualified people at the head of our national

security agencies like the Central Intelligence Agency. While Ms. Haspel's credentials are certainly more than sufficient to support her nomination against some of the baseless claims we have heard, there is just as important a case to be made for her that is based on upholding the CIA as an institution.

Two lawyers who formerly served in the White House Counsel's office and the Justice Department, David Rivkin and Lee Casey, wrote in the Wall Street Journal: "If agents are blamed following the directives of their superiors, the CIA's ability to protect the U.S. will be fundamentally compromised."

I agree. We want our intelligence officers to be as aggressive as they can within the confines of the law, collecting and analyzing intelligence they can then provide to policymakers so we can keep our country safe. We ought to, at least for a while, put a hold on the politics of obstructing nominees, particularly at a national security post, so we can put Americans' safety first.

We have to ask ourselves, in an increasingly uncertain and dangerous time, what does the CIA mean to the national security of the United States? For an agency at the very forefront of protecting our country's citizens, what type of person do we want at the helm? I believe we want a person like Ms. Haspel. It is Ms. Haspel—short and sweet—who I think fits the mold of that sort of person we want.

I urge our colleagues to rethink what they are doing here, to shift gears and support this nominee who is so well-qualified and so devoted to protecting our country. Can you imagine the individual sacrifices intelligence officers who serve undercover have to make—the sort of strain on relationships when they are deployed abroad like our military is and the hardships they have to sustain, but they do it because they love our country and they are dedicated to keeping the American people safe. Those sort of people—that kind of character, that kind of integrity—ought to be rewarded and not criticized and punished.

As I said, I urge our colleagues to rethink what we are doing and shift gears and support this qualified nominee. She is exactly what the American people deserve, so let's get her confirmed.

#### FIRST STEP ACT

Finally, Mr. President, on another matter, earlier today, the House Judiciary Committee took action on the FIRST STEP Act, which is companion legislation to the bill Mr. WHITEHOUSE, the junior Senator from Rhode Island, and I introduced in the Senate. The committee's passage of this bipartisan legislation advances prison reforms tried out and proven in States like

Texas, Rhode Island, Georgia, and elsewhere, which was successfully implemented to rehabilitate low-risk offenders and save taxpayer dollars while reducing the crime rate and helping people reestablish themselves as productive members of society.

This is not true across the board. I am not naive enough to think that people who go to prison—that we will be able to salvage and save every single one who comes out, but I do believe we can do much better if we give people the opportunity, those who have the will and the determination to take advantage of the opportunity to turn their lives around, to deal with their addiction, to deal with their lack of skills and education, and when given the opportunity to do so, decide they want to take advantage of that to turn their lives around.

Helping low-risk offenders prepare to lead productive lives in our communities is a goal we should all share, regardless of where we are on the political spectrum. I applaud our colleagues in the House Judiciary Committee for this important action.

Prison reform itself has never been controversial. Everyone in this Chamber can agree we need to better prepare folks who are about to be released from prison so they don't end up right back where they started and where we can help them lead a life that is law-abiding and productive and does help improve the safety and security of our communities. I look forward to continuing to work with our colleagues in the House and Senate as we move this important legislation forward.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Massachusetts.

#### NET NEUTRALITY

Mr. MARKEY. Mr. President, to you and all of my colleagues on the floor this afternoon, we are about to have a huge debate in this country. We are taking to the floor as a chorus of Americans across the Nation are going to go to the phones and their devices to support our principle of net neutrality in this country.

We are speaking out because the American people know the internet is the most powerful platform for commerce and communications in the history of the planet. They know the internet is for everyone and was invented with the guiding principle of nondiscrimination. The internet is designed to democratize access to information, to opportunity. They know the health of our economy, our civic life, our educational system, and so many other parts of today's American experience all depend on the internet being free and open to everyone, not just those who can afford Big Telecom's price of admission. They know strong, clear, and enforceable net neutrality rules are the only way to protect the internet as we know it. That is why an overwhelming 86 percent of Americans oppose the Federal Communications Commission's decision last December to repeal net neutrality rules.

Outside of Washington, this isn't a partisan issue at all. In fact, 82 percent of Republicans oppose the net neutrality repeal. In a time when we hear so much about what divides us and how we differ, net neutrality is something nearly all Americans agree on. It should be a bipartisan bright spot. Yet, in December, the Trump administration eliminated the very rules that prevent your internet service provider—Comcast, AT&T, Verizon, Charter, and others—from indiscriminately charging more for internet fast lanes, slowing down websites, blocking websites, and making it harder and maybe even impossible for inventors, entrepreneurs, and small businesses—the lifeblood of the American economy—to connect to the internet.

Why did they do this? The reason is simple. The Trump administration, time and again, sides with the rich and the powerful first and consumers last. From the GOP tax scam to the repeal of the Affordable Care Act, to rolling back fuel economy standards, and to net neutrality, this administration has repeatedly ignored the needs of everyday American families. A free and open internet means an internet free from corporate control and open to anyone who wants to connect, communicate, or innovate.

That is why, today, the 49 Members of the Senate Democratic caucus are officially filing this discharge petition to force a vote on my Congressional Review Act resolution, which will put net neutrality back on the books as the rule of law for the United States. This resolution would fully restore the rules that ensure Americans aren't subject to higher prices, slower internet trafficking, and even blocked websites because the big internet service providers want to pump up their profits.

How does all of this work? First, my CRA resolution will reinstate the rule against blocking. For example, without this protection, AT&T could stop you from visiting your favorite streaming platform, so your only option is their DIRECTV NOW service. Verizon could prohibit you from using Skype, so you have to use their phone service. That is bad for competition and innovation, and it is very bad for consumers.

Second, my CRA—Congressional Review Act—resolution will restore the rule against throttling. Without this protection, broadband companies could slow down any website they want. If activists take to Twitter to share stories about unfair labor practices at an internet service provider, for example, that company could slow down the social media platform to protect its public image and limit the spread of information. Imagine what that could do during a Trump administration that is stifling science, undermining law enforcement, and questioning intelligence. The prospects are Orwellian.

Third, my Congressional Review Act resolution will restore the rule prohibiting paid prioritization. Without this rule, internet providers could charge

large established websites for access to an internet fast lane—meaning those websites would load quicker, while websites that can't afford the internet "E-ZPass" will load at a bumper-to-bumper pace. Small businesses that rely on fast internet service would be dwarfed by corporate competitors who could afford the faster service. This would spell doom for mom-and-pop businesses that are the backbone of our communities.

Finally, my Congressional Review Act will restore the forward-looking general conduct rule. When the FCC eliminated this guideline, it removed protection against future harms, such as arbitrary data caps and other discriminatory behavior by internet service providers. So don't be fooled by the voices that say this is all doom and gloom and that the internet service providers would never let this happen. Mark my words, without net neutrality, these are not alarmist and hypothetical harms—they are very real. In a world without net neutrality, they very well may become the new normal.

This is a historic moment. We are approaching the most important vote for the internet in the history of the Senate. Should the Senate resolution pass, it will be the first time in more than a decade a minority party-sponsored Congressional Review Act resolution will have overturned a majority party administration's rule. We can and should put President Trump on notice. Countless Americans have called and emailed Congress to express support for net neutrality and for my CRA resolution.

All one has to do is look at the internet today—to this "red alert for net neutrality" that is on dozens and dozens and dozens of companies' websites all across our country. These are smaller companies, not the big companies that are all saying the same thing, which is that they need net neutrality, that they need to be protected, that they don't want to have the large companies being able to act in a discriminatory way. Those companies—Reddit, TripAdvisor, Etsy, Vimeo, Tumblr, match.com, and so many others—all speak with one voice. They are saying: Do not allow discriminatory practices to be made legal. Put the old net neutrality rules back on the books. They were working.

Activity in support of net neutrality at the State level has also been remarkable in that Governors in five States have issued executive orders; attorneys general in 23 States have filed lawsuits; 27 State legislatures are working on legislation to protect net neutrality.

We all know that in 2018, access to a free and open internet is not just a privilege, it is a right. I knew that back in 2006, when I introduced the very first net neutrality legislation in the House of Representatives. RON WYDEN knew the very same thing when he introduced the same legislation in the Senate. It is a debate that has been

taking place in our country now for an internet generation, going back 12, 13 years. It is what binds the millennials, teachers, librarians, entrepreneurs, medical professionals, social advocates, generations X, Y, and Z—all of these groups that are up in arms because the future of the internet is at stake.

To my colleagues across the aisle, I encourage them to seize this opportunity and stand with the American people, who overwhelmingly support net neutrality. Again, 86 percent of all Americans—82 percent of all Republicans across the country—support net neutrality.

By passing this resolution, we send a clear message to American families that we support them, not President Trump's special interest agenda. This is the issue of whether we are going to empower ordinary families and ordinary small businesses to be given the protections they need.

The American people are watching closely. They are paying attention to who is fighting for them and who is sitting on the sidelines, to who is listening and who is ignoring the public's demands. This vote is coming, and when it does, it will put a magnifying glass on Congress. It will be crystal clear who is protecting corporate buddies and who is fighting for everyday Americans.

The Senate has a job to do. I urge my colleagues to join this movement and stand on the right side of history. In the 20th century, the rural electrification process connected huge parts of our country to the benefits of electricity. It raised living standards. It expanded educational opportunities. It transformed society. That is what a free and open internet is doing for our country in the 21st century—job creation, small business development, social justice, distance education. Every day, the lives of Americans are transformed for the better because they can access this diverse, dynamic, democratic platform where history is made every single day.

Again, I urge my colleagues to vote yes on this Congressional Review Act resolution to restore net neutrality.

I will now file this discharge petition with the clerk of the Senate so we can begin the process of having this historic debate on the floor of the U.S. Senate.

I thank all of my colleagues who are going to participate in this discussion this afternoon. It begins at least 1 week of full discussion on the Senate floor and in our country on this critical issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Mr. KING. Mr. President, I love history, and we have been here before. We were in exactly this place in 1886. Let me read you a quote from Senator Thomas W. Palmer of Michigan on this floor in 1886. I am going to try to channel my 19th century Senator voice:

Among the servants of our civilization none have approached in efficiency the rail-

way. It has annihilated distance; it has not only made the wilderness blossom as the rose, but also has enabled the rose to be readily exchanged for the products of cities. . . . These are the modern highways for commerce, and should differ only in extent and facilities from their predecessors back to the days of the Roman roads.

The point is, in the 1800s, the railroads were in a position, because of their unique nature as the highways of the time, to strangle competition and hold small businesses hostage. The situation today with the internet is almost identical, and the Senate is now going to grapple with a rapidly growing but mature industry that is central to economic opportunity in our country. Unfortunately, in both the cases of the railroads and today, the internet, often, there are players who have the means and incentives to engage in discriminatory pricing or prioritization due to the frequent existence of last-mile monopolies. It is the exact same situation.

My favorite quote from Mark Twain is that "history doesn't always repeat itself, but it usually rhymes." In this case, it is repeating itself.

Back in 1886, here is what the Select Committee on Interstate Commerce said about the causes of complaint against the railroad system.

No. 1, "that . . . rates are unreasonably high at noncompeting points."

That means small towns—rural America—at noncompeting points, which is the same as what is happening with the internet. We see today, particularly in rural areas, that there is only one provider of the truly high-speed broadband that is needed to run an online business and its expenses.

Here is point No. 2 from 1886: "The effect of the prevailing policy of railroad management"—you can put in internet management—"is, by an elaborate system of secret special rates, rebates, drawbacks, and concessions, to foster monopoly, to enrich favored shippers, and to prevent free competition in many lines of trade in which the item of transportation is an important factor."

This is exactly what we are worried about with the internet. It could come roaring back if we don't reimpose net neutrality rules. It is not hard to imagine that if paid prioritization is allowed, which would have a customer on the pipes of the internet be able to get a faster speed, it will cement the dominance of Facebook and Amazon, which are great companies, but it will stifle the development of smaller competitors who can't afford the access fees.

One of the great things about the internet is its low barriers to entry. If, indeed, the major internet providers are able to impose barriers to entry, it will, by definition, stifle small businesses across the country. That has been the glory of the internet; the enabling of the development of small businesses throughout the length and breadth of this country.

Here is another one from 1886: "Railroad corporations have improperly en-

gaged in lines of business entirely distinct from that of transportation, and that undue advantages have been afforded to business enterprises in which railroad officials were interested."

In other words, the railroads were getting into other lines of business which they could then favor on the railroads. That is exactly what we are worried about now. Large telecommunications companies are becoming vertically integrated with content companies. There is a clear potential for conflicts of interest. Net neutrality rules are so important for preventing any attempts of existing incumbent carriers to favor the delivery of their own content and degrade the delivery of competitors' content. This is exactly the kind of thing we are worried about.

Right now, anyone with a broadband connection has equal access. General Motors or Amazon or Exxon or Facebook has the same access to the internet as somebody who is starting a new company in his garage, and that is why the internet has been such a dynamic job creator across the country. Yet, in December of 2017, the Federal Communications Commission repealed the idea of net neutrality and basically said to the large providers: It is open season. You can do it. Do whatever you want. They have unenforceable rules, and small businesses and startups will undoubtedly, ultimately, be the losers. This is just the reality.

Quite often, we have issues around here that are in shades of gray, that we have to think about, and that can be argued on both sides. Reasonable people can differ. In this case, the people who repealed net neutrality are all wrong. There is no good argument for repealing rules that simply keep the pipes open for everyone just as the Interstate Commerce Commission in the 1880s was designed to keep the railroads open for everyone.

This is a little complicated because it is the repealing of a repeal. What we are talking about is a CRA that would repeal the repeal by the FCC of net neutrality rules. It is the ultimate small business bill. It will allow small businesses to compete without limitations, and small online companies and low-income consumers will not be left in the slow lane. Innovation will continue to blossom, and opportunity will have equal access to this incredibly important economic engine.

It is important to understand that what this bill does, in my view—or what net neutrality does—is not government regulation, which is what you hear: "This is government regulation." Somebody is going to have the control of the pipes. The question is, Should it be the people who own the pipes so they can do whatever they want and discriminate against small businesses or other carriers and favor their own content or should the government simply be the referee that says, "No. This is going to be equal"? I think net neutrality is deregulatory in the sense

that all it does is protect the neutrality and the openness of the internet to competitors across the country.

I had a roundtable in Maine, on Friday, to which I invited small businesses and ISPs, internet service providers. The opinion—the response—was unanimous in that this is absolutely crucial to the survival and the vitality of these businesses. We have a small company in Maine called Certify. It has 150 employees. It is a web-based solution for people who keep track of their receipts for business travel. It is a nationwide business. It has 10,000 clients across the country, but it is all about having equal access to the internet. It has 2 million users around the globe, and it is based in Portland, ME. That is the power of the internet. We don't want that business to be choked off by a large competitor who can pay preferential rates and make my companies in Maine pay higher rates and therefore unable to compete.

A little company called Big Room Studios and Yarn Corporation are two software development virtual reality companies based in Maine. They are dependent on continued access to an open internet. Their founder got in touch with me. He firmly believes that without net neutrality rules, there is a real risk that startup companies like his will face barriers to entry that will keep them from reaching their full potential.

Another great example is Dream Local Digital, a company in Rockland, ME, where the employees and customers are all over the place. It is based in a wonderful town in Maine, on the coast, Rockland. They have customers in 65 cities. It is a digital marketing company serving customers throughout the country, primarily small businesses, all connected through the internet. Led by a visionary named Shannon Kinney, their core existence and business model rely on the open internet enabling a significant number of employees to work from home in 9 different communities in Maine and 10 other States. They have to have open access to the internet.

This isn't a debate about ISPs and consumers. The smaller ISPs that were at my roundtable and that I have heard from around the country feel that an open internet is as important to them as it is to their customers. They support net neutrality.

OTELCO, a rural broadband company, provides voice over internet protocol, or VoIP, services, and they are worried that larger competitors can demand paid prioritization fees in order to maintain service quality, and that would be the end of their business.

This is an incredible moment in the Senate, and I don't think this is a political issue. I think this is a small business issue. This is a public issue. The crucial point is, who is going to control the future of the internet? Is it going to be the owners of the large pipes, or is it going to be the public? Can the internet maintain the quality

of service, the openness of service, the fairness of service that has been a part of it, that has allowed it to grow so fast and become so important in our economy?

Again, the idea of net neutrality is really simple. It is that everybody has a fair chance at a fair speed at a fair price and that the owners of the pipes can't discriminate between certain businesses and those that can pay more and those that are bigger or those that are affiliated with the owners of the pipes. It is all about the small businesses of this country.

This is a real opportunity for us to do something important for the small businesses of America, and I believe this resolution is one that will restore us to a place where small businesses will be able to compete and blossom and prosper in the future of this country.

I urge support of the CRA that I understand will come to a vote in about a week. I believe this is absolutely essential to the development of the internet-based economy, in rural areas particularly. To go back to 1886, this body stepped up at that time, controlled the dangerous monopolies of the railroads, established the principle of non-discrimination and common carry, and that is all we are talking about today.

Mark Twain was right: History doesn't always repeat itself, but it usually rhymes.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent at this point to speak for up to 5 minutes and to let my colleague from the Pacific Northwest, Senator CANTWELL, follow me immediately thereafter.

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

Mr. WYDEN. Thank you, Mr. President.

Colleagues, this is the only resolution that provides a golden ticket to maintaining a free and open internet.

By way of a free and open internet—and I know a lot of folks are following this debate. I see folks in the Gallery. What a free and open internet is all about is, after you pay your internet access fee, you get to go where you want, when you want, and how you want. Everybody gets treated the same. A local florist selling roses out of their shop in Condon, OR, a kid in Roseburg who wants to learn about artificial intelligence, a mom in Pendleton who wants to find out about childcare—all of them get treated the same, and they get treated just like the big guys, the people with the deep pockets.

Now the head of the Federal Communications Commission, a gentleman named Mr. Pai, wants something very different. In effect, he wants to turn that on its head and start cutting deals for the people with the deep pockets. He would kind of like to have something called paid prioritization, which basically means that if you are one of

the fortunate few, you can get faster speeds, more content, and you can get access to the kind of technological treasure trove that I have seen my colleague from the Pacific Northwest, Senator CANTWELL, talk about. He has all kinds of schemes to essentially suggest that he really is helping the consumer when he is really working for the folks at the top.

One of my favorites, colleagues—and my friend from Massachusetts and I have discussed this—is that the head of the FCC from time to time discusses the idea that we would have voluntary net neutrality. It is hard to keep a straight face with this one, the idea that the big cable companies, the big communications monopolies, are going to do this voluntarily. I think that is about as likely as getting my 10-year-old son, William Peter Wyden, to limit the number of desserts he eats. It just isn't going to happen. It is not going to happen. I see some parents on the floor who can identify with that. So what we have to do is pass the Markey resolution and ensure that there is a real position at the Federal Communications Commission that has some teeth.

The fact is, since he came to town, since he came to this position, Mr. Pai has basically tried to water down this whole effort on net neutrality again and again—we don't need title II protection; we don't need any of the basics that have been part of this effort that we have made for well over a decade to ensure that net neutrality has real teeth.

My friend and colleague mentioned that he introduced the first one in the House. I introduced the first one in the Senate. The point is, we have been working on this for well over a decade in both Chambers.

One of the reasons we sought to take this action now is that not only is Mr. Pai moving ahead to offer this ominous, dangerous definition of "net neutrality," but we believe there is going to be a grassroots juggernaut all across the country saying that now is the time to be in touch with your Members of Congress to let them know how strongly you feel about this.

I just attended nine townhall meetings in Oregon. Most of them were in rural areas. Net neutrality for rural communities, folks, is a prerequisite to making sure you are not a sacrifice zone. Without good communications, how do you maintain, for example, rural healthcare?

I am very pleased to be out here with my friends—Senator CANTWELL, who knows so much about this issue; a former Governor, Senator HASSAN, who is very knowledgeable on these issues. Those of us from small States, like Senator HASSAN and me, know that this is really a lifeline. This is how you get access to the big financial markets. This is how you get access to the communication centers. This is how a kid in a small town in New Hampshire or a small town in Oregon gets a fair shake and has fair opportunity to get ahead,

just like a kid who lives in Beverly Hills.

We are going to be back on this floor frequently between now and next week when we will seek to advance the Markey resolution. I will close the way I began, colleagues. There is no path to a free and open internet without the Markey resolution. This is the golden ticket, this is the only ticket, and I hope folks all across the country will see how important this is and weigh in with their Senators in the days ahead.

Mr. President, thanks to my colleague for her courtesy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I join my colleagues, Senators MARKEY, WYDEN, and HASSAN, on the floor to add my name to a resolution to overturn the FCC's decision, which is ill-advised and very wrong as it relates to growing an innovation economy.

The internet is one of our most important national economic drivers. In 2017, our internet economy produced more than \$1 trillion in output and created nearly 200,000 new jobs. In my State, Washington, it has provided a platform for new innovation across many platforms and applications. As a result, 13 percent of our economy is based on innovation and technology. This economic activity supports 250,000 jobs. To say that the FCC's stymieing of the internet is acceptable is fighting words for the State of Washington.

From increasing access to healthcare, such as telemedicine, to making sure we find more affordable healthcare, to reforestation after natural disasters—the internet is providing great tools and solutions for all of these things.

Last week, several companies from my State joined me in expressing opposition to the FCC and calling on Congress to pass this congressional resolution sponsored by my colleague Senator MARKEY and all of the Democrats. These companies know this resolution is important.

Redfin, an internet company based in Seattle, is trying to address new ways of doing real estate business. It is a full-service real estate online tool that has helped save \$400 million in how we process home sales.

Another company, Deja vu Security, spoke about how, if you really want to be great on attacking cyber intrusion, you need to know when it happens, not after the fact or after a 20-minute delay because you are not paying the highest rates.

Seattle-based DroneSeed uses drone technology to help reforest lands after natural disasters.

All of those companies joined me in saying that they wanted to see the FCC's actions overturned and that they wanted this resolution to pass. Why? Because they know this is a big part of our economy.

Tech innovators got to where they are by having an open internet and a

level playing field. This really is about cable versus the internet. It is about big cable companies that want to charge more to consumers and businesses versus startups and individuals who want access to these new applications.

Just three big cable companies control access to the internet for 70 percent of Americans, and over the past decade, the prices that Americans pay these kinds of companies have risen almost twice as fast as inflation. What the FCC is doing is giving cable companies the ability to raise your rates even more. That is what this debate is all about.

I hope our colleagues on the other side of the aisle will at least take a chance and look at this and understand that by giving all of that power to three big cable companies, they are going to charge more for internet access; that charging more or slowing down service for people who won't pay will have an undue impact on consumers and the economy. That is why we are out here fighting, because so much of the internet economy is based on an open internet, so much of a rural economy that is helping us grow jobs in rural parts of the United States or even just our ag economy that depends so much on current internet information as decisions are made. Are our farmers going to be charged more because they aren't willing to pay the cable rate that you wanted?

I join my colleagues in saying let's pass this congressional resolution that basically says there has to be a free and open internet. Let's get back to the innovation and the creation of more jobs, not artificially slowing down the internet and giving a big win to cable companies.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I rise today to join my colleagues in support of reinstating net neutrality.

Access to a free and open internet is critical to promoting innovation, supporting entrepreneurs and small businesses, and growing our economy. Americans are accustomed to and want an internet that is consumer-friendly and that ensures equal access to content, no matter their internet service provider. Net neutrality helps ensure that the internet remains free and open by requiring internet service providers to treat all content the same way, providing equal access to applications and content online.

My constituents in New Hampshire are keenly aware of how important net neutrality is to their lives. Thousands of Granite Staters have called my office throughout the last year to voice support and urge Congress to protect it.

Unfortunately, last December the Republican-controlled Federal Communications Commission, led by Chairman Ajit Pai, repealed net neutrality

protections—a harmful decision that has a variety of consequences. By repealing these protections, the FCC has taken away from consumers and small business owners the ability to control their own internet experience and turned that control over to their internet service providers. This directly impacts our small businesses and could threaten the ability of entrepreneurs to get their businesses off the ground.

Without net neutrality, internet service providers will be allowed to force businesses and consumers to pay to play online. While larger more established companies would be able to compete, new small businesses and entrepreneurs might not be able to afford such fees, harming their ability to boost their business and reach more potential customers. This could particularly impact those in rural communities. Last year, several members of the rural and agricultural business community in New England wrote to the FCC to say: "Repealing net neutrality will have a crippling effect on rural economies, further restricting access to the internet for rural businesses at a point in time where we need to expand and speed up this access instead."

This would also impact consumers by giving internet service providers the power to discriminate against certain web pages, apps, and streaming and video services, by slowing them down, blocking them, or favoring certain services while charging consumers more for other services.

Often consumers would have little option for recourse since we are at a time when many Americans only have, at most, one or two options for broadband providers, leaving them stuck with a provider that is using unfair practices.

This could also affect the ability of countless people to organize and civically engage online. An open internet serves as a platform to elevate and empower voices that have been underrepresented in traditional media. We have seen grassroots movements, like the national Women's March, organized largely through online activism on the free and open internet. Efforts like these are critical to our democracy, which is why we need to protect the open internet as a mechanism for civic engagement.

Given how critical net neutrality is to the lives of countless Granite Staters and Americans and to the strength of our economy, we cannot stop fighting to reinstate a free and open internet.

I am proud to join a bipartisan group of colleagues to show our support for net neutrality and to introduce a Congressional Review Act resolution to overturn the FCC's partisan decision. As we head toward considering this measure, we are just one vote away from passing it. So I urge my Republican colleagues to put consumers first, to help small businesses and entrepreneurs innovate and thrive, and to benefit our economy. With just one

more vote, we can move forward with restoring net neutrality and protecting an open internet.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I thank the Senator from New Hampshire for her incredible leadership on this issue. I know she had a huge forum with small businesses up in New Hampshire that reflected the need to ensure that we had an open and free internet.

As we talk about net neutrality, I think many people wonder: What does that mean? What does "net neutrality" mean exactly? Well, the way to think about it is, instead of saying the words "net neutrality," you say the word "nondiscrimination," because that is what we are talking about. We are talking about whether you are an individual or you are a small firm and you are using the internet in order to have your voice heard, in order to start up a business and that you are not discriminated against just because you are a small voice; that you are not discriminated against because you are not some huge corporation; that, in this internet era, you are important and you can't be discriminated against. That is what this debate is all about.

Now, how does that reflect the state of commerce online in America today? Well, for example, last year in the United States—this is an incredible number—half of all venture capital in America went to internet and software startups or internet and software companies in their beginning stages. Think about that. That is half of all venture capital. Who gets that money? Well, they are newer people, newer ideas, and newer job creators—the people who have transformed our country over the last 20 years online. Those are the people who get access to venture capital in a regime where net neutrality is the law of our country.

Now, at the same time, the big broadband companies have been able to invest tens of billions of dollars in the upgrade of their infrastructure. So it is not as though we are talking about the big companies getting it all or the little companies getting it all. They are both doing great under the existing formula, but the tens of thousands of smaller internet-based companies across this country are the ones who are actually creating the jobs. They are the ones that are hiring the new people. They are the ones who need the new real estate—the 1,000 square feet, the 5,000 square feet, up to 25,000 square feet, and up to 1 million square feet, ultimately.

That is where we are, for example, with Wayfair, up in Massachusetts, which is a company from which you purchase furniture online. It started very small, and now it needs hundreds of thousands of square feet of space.

The same thing is true for TripAdvisor, up in Massachusetts. It started very small, and now it needs

hundreds of thousands of square feet of space in order to hire all of their employees. That is what happens when you have an open internet. That is what happens when smaller companies and new companies online can raise the capital they need in order to finance their idea, in order to hire people who will advance this company's agenda across all 320 million people in the United States and, ultimately, for many of them, across the planet. You have to start somewhere, and the only way in which it really works is if net neutrality—if nondiscrimination—is the principle.

So that is what we are going to be debating over the next week here on the Senate floor. It is this fundamental issue of access to capital for the smallest companies and not to allow five companies—the biggest companies—to determine who gets access. The principle of net neutrality—the principle of openness—has worked. We now have a whole vocabulary in our country consisting of the names of companies that no one knew 20 years ago, 10 years ago, 5 years ago. Those are the companies that are rising up and saying they want net neutrality to be protected here today.

In addition to that, we have dozens of other groups, the free press, and others who are all saying that we need it to advance democracy as well. We want the smallest individual to know that their voice can never be stifled, that their voice can never be cut off. That is what this debate is all about. That is why the Members are out here on the floor. We are trying to reflect the 86 percent of Americans who support net neutrality. I know that is why Senator KLOBUCHAR from Minnesota is here.

At this point, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I am honored to be here today to join Senator MARKEY to talk about the importance of strong internet neutrality protections. He also came to Minnesota this past month and was able to meet with a number of our small businesses, including a woman who started a business making children's clothes and who saw growth because of the internet. He met people who never would have had that opportunity if we didn't have net neutrality.

Today we took a major step forward on this issue by forcing the Senate to hold a vote on legislation to save net neutrality. I believe, in the end, we will have the votes to get this done.

It will send an important message that the internet should remain free, open, and equal to all who use it. It will then be considered, we would hope, by the House because our goal is to actually get this done. Why? Because net neutrality is the bedrock of a fair, fast, open, and global internet. It holds internet service providers accountable for providing the internet access consumers expect while protecting innovation and competition.

It is also one reason the internet has become one of the great American success stories, transforming not only how we communicate with family and friends but also the way companies do business, how consumers buy goods, and how we educate our kids.

At its best, it is an equalizing force because it means kids on Tribal lands in Minnesota or kids that are in extreme rural areas are going to be able to access the same classes as people in urban areas.

It means that a small business in Ada, MN, is going to be able to sell their goods on the internet just like one of our big companies in the Twin Cities, like Target or Best Buy. It is an equalizing force.

Earlier this year, the FCC approved Chairman Pai's plan, unfortunately, to eliminate net neutrality protections. Despite the millions of comments from the American people asking the FCC to protect a fair and open internet—not to mention a half million comments from Russian emails—the FCC voted in December to move forward with Chairman Pai's plan to end net neutrality.

Under Chairman Pai's plan, the FCC gives major internet service providers the ability to significantly change consumers' experiences online. Big internet service providers may soon be able to block, slow, and prioritize web traffic for their own financial gain. They could begin sorting online traffic into fast or slow lanes and charging consumers extra for high-speed broadband. Internet service providers could even block content they don't want their subscribers to access because they would prefer other content that might benefit them financially.

The only protections maintained under the proposed order are requirements for service providers to disclose their internet traffic policies. But for consumers with only one choice for internet service, like so many in my rural areas in Minnesota, there is no real opportunity to comparison shop or find a new provider if they are unhappy. So that provision is of little help. This means that even though consumers may be aware that their internet service provider is blocking or slowing their connection, they have no choice because they have no alternative.

According to the FCC, more than 24 million Americans still lack high-speed broadband. We should be focusing our efforts on helping those households get connected, not eliminating net neutrality and worsening the digital divide.

But this isn't just about individual internet users. It will limit competition, and that is why it is also about small businesses. A truly open internet encourages economic growth and provides opportunities for businesses to reach new markets, drive innovation, and create jobs. Small businesses remain engines of job creation, and net neutrality levels the playing field. In one company I toured in Ada—this is a



great example—a woman started this business at her kitchen table. She had such bad internet access in Ada that she has to have her 2-person sales force located in Fargo—and that is a long way away. But if you look at her whole business model, it is about marketing on the internet. She has taken that business from the kitchen table to one that has 20 employees and is shipping her products—that would be chain jewelry—all over the country.

Well, without unrestricted access to the internet, entrepreneurs may be forced to pay for equal footing to compete online. So if it isn't bad enough that she doesn't have access right where her business is and has to have her employees located off campus—way over, actually in another State—now, if you get rid of net neutrality, she will not be able to have an even playing field at all. She will be in the slow lane.

This proposal will hurt the very people creating jobs and keeping our economy competitive. That is why I have joined my colleagues who push for a vote on Senator MARKEY's resolution to repeal Chairman Pai's plan and protect net neutrality rules.

Over the next few days, we need to keep the pressure on because the vote will have a major impact on the future of the internet. This repeal is part of a larger trend of helping large companies push out their competition. The fight to protect net neutrality is far from over, and we need to make our voices heard.

Mr. President, I rise to join many of my colleagues who have come to the floor to speak about our country's third branch of government—our courts—as well as to express my opposition to the nomination of Michael Brennan to the Seventh Circuit Court of Appeals.

As a member of the Judiciary Committee, I am very disappointed that the Senate has decided to abandon the blue-slip tradition for circuit court judges. The blue-slip policy held true throughout the entirety of the previous administration, including when Republicans ran the Senate and when Democrats ran the Senate. This is for good reason. The blue slip is a key check and balance. In my view, it has promoted cooperation, as well as resulted in better decision making for judges across party lines.

Senators have a solemn obligation to advise and consent on the President's nominees to the Federal courts, and I take that obligation very seriously. I know my colleague Senator BALDWIN also takes that responsibility very seriously. That is why she had a bipartisan process in place through which she worked with Senator JOHNSON in an effort to produce consensus nominees.

This nominee did not gain sufficient support from the Wisconsin judicial nominations commission. So it is unfortunate that we are considering his nomination on the Senate floor.

#### NUCLEAR AGREEMENT WITH IRAN

Mr. President, I also want to take a moment to discuss the Iran agreement and the President's decision. Yesterday, the President announced the United States will unilaterally withdraw from the JCPOA, commonly referred to as the Iran agreement.

In 2015, I supported the Iran agreement—although I may have negotiated differently—but we had the agreement that was before us. I supported it because I believed it was the best available option for putting the brakes on a nuclear weapon for Iran. I still believe that today. We cannot allow Iran to obtain a nuclear weapon. In this critical time, as we head into negotiations on North Korea's nuclear weapons, we cannot be backing away from international agreements and nuclear inspections.

Preventing Iran from obtaining a nuclear weapon is one of the most important objectives of our national security policy. I strongly advocated for, and supported, the economic sanctions that brought Iran to the negotiating table and the subsequent sanctions passed last year to address Iran's destabilizing activities and promotion of terrorism.

Unilateral withdrawal from the agreement has resulted in a splintered international partnership with our European allies that has been critical to preventing Iran from obtaining a nuclear weapon. We should, instead, be negotiating a more comprehensive agreement that includes Iran's nuclear ambitions today and in the future, ballistic missile tests, and destabilizing activities that pose a direct threat to Israel and other allies.

We can conduct those negotiations with our allies as part of a team without withdrawing from the existing agreement.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE).  
The Senator from New Hampshire.

#### NET NEUTRALITY

Mrs. SHAHEEN. Mr. President, I am pleased to join my colleagues on the floor to very strongly support the Congressional Review Act resolution to restore net neutrality and maintain a free and open internet. I applaud Senator ED MARKEY for his leadership in introducing this Congressional Review Act resolution.

Restoring net neutrality is especially critical to small businesses and startup companies in New Hampshire and across the United States. Small businesses are the backbone of our Granite State's economy. They represent 99 percent of our employers. The internet continues to provide opportunity for these small businesses because it levels the playing field. It makes it easier to find new customers and grow online, but that level playing field is now in jeopardy because of the Federal Communications Commission's decision to end net neutrality protections.

Last Thursday, I convened a field hearing of the Senate Committee on Small Business and Entrepreneurship

at the University of New Hampshire. I wanted to hear concerns of our small business owners about what the net neutrality rollback would mean to them. In particular, they are concerned that net neutrality will impede their ability to expand and create jobs.

In conversations with small business owners and leaders across my State, they tell me this rollback is a direct threat to their businesses. They say it would be like watching their large competitors take the highway while they are forced to take the slow roads. Without net neutrality, broadband providers could charge more for fast lanes—a cost that many small businesses simply can't afford. This would put them at an even greater competitive disadvantage vis-a-vis large corporations that have the resources to pay for those fast lanes. In the digital age, speed is critical.

Witnesses at our field hearing pointed to research showing that even small delays of a second or less—just think about that, a second or less—can lead to the loss of significant sales. Customers today expect a fast, easy online experience. It is clear, small businesses operating at slim margins would lose out to big firms that can afford the fast lane.

Josh Cyr, who testified at our hearing, is an executive with Alpha Loft. Alpha Loft is a startup incubator that is based in Manchester and Portsmouth, NH. At the field hearing, he had a stark warning. He said:

The repeal of net neutrality protections enables a small handful of very powerful internet providers tremendous control over what is delivered to consumers' homes and the speed with which it is delivered. Without net neutrality, the power and control these internet providers have will allow them to create artificial market barriers.

The repeal of net neutrality would pose even greater challenges for small businesses in rural areas. As Senator KLOBUCHAR said, she has a lot of rural areas in Minnesota. Well, so does New Hampshire. A 2015 survey by the University of New Hampshire showed that nearly 40 percent of New Hampshire residents who were polled said they were using their current provider because it is the only option available to them. Many rural small businesses will have nowhere else to turn if their broadband provider decides to charge more or slow down the connection. Our witnesses noted that net neutrality could heighten the rural urban divide, making it more challenging for small businesses and rural communities to reach customers, attract workers, and stay connected.

One of the other people testifying at the hearing was Nancy Pearson. She is the director of the New Hampshire Center for Women and Enterprise. She testified that net neutrality is a matter of equality. She said:

New Hampshire small businesses and microbusinesses rely on the equalizing force of the internet, and just to put that in perspective, women start businesses at five times the rate of any other entrepreneur—

and for minority women and veterans, that number is even higher. So when we start putting barriers in the way of these entrepreneurs, it can have a significant and, I think, disastrous effect.

The FCC's rollback of net neutrality rules is also creating tremendous uncertainty, especially for startup businesses that are looking to plan ahead. It could have major ramifications on sales, marketing, and internet costs that small businesses just can't predict.

Participants at the field hearing warned that the FCC's decision will affect not only businesses but also institutions of higher education. It will also negatively impact efforts to provide telemedicine consultations to patients who don't have access to services locally. Again, we have a big rural population in New Hampshire—well, a small population but a lot of rural areas.

I am concerned, for instance, about the impact on the Veterans' Administration's outpatient clinic in Littleton, NH. It relies on telemedicine to provide psychiatric care to veterans in remote locations. What will happen if they can no longer provide that service because they don't have the ability to pay for those lanes anymore?

Small businesses, consumers, and all Americans who care about a level playing field on the internet have every reason to be concerned by the FCC's repeal of net neutrality protections, but their ill-considered rollback doesn't have to be the last word. We can bring to the floor a bipartisan resolution to prevent the FCC's rollback from going forward.

A coalition of more than 6,000 small businesses across the country sent a letter to Congress asking us to protect them by overturning the FCC's decision to repeal net neutrality. Further, at my field hearing last week, Granite State small businesses offered compelling testimony about the importance of net neutrality to their competitiveness and their ability to expand and hire new workers. We must not ignore this groundswell of opposition to the FCC's rollback of rules that ensure equal access to the internet.

I urge my colleagues on both sides of the aisle to support the Congressional Review Act resolution. Let's restore net neutrality protections and ensure a free and open internet, with access on equal terms, for all businesses and consumers.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Ms. CORTEZ MASTO. Mr. President, I am proud to stand with my good colleague from New Hampshire and all of my colleagues today in defense of net neutrality.

Net neutrality has leveled the playing field for every American consumer, allowing everyone to access and enjoy an open internet. Thanks to the internet provided by schools and public libraries, students have been able to utilize information available online to en-

hance their education or help them do their homework.

I have heard from librarians and library administrators from all across Nevada expressing their concerns about the direct negative impact net neutrality's repeal would have on Nevadans. They told me that repealing net neutrality would hamper their ability to provide Nevadans with essential services. According to the Pew Research Center, "Library users who take advantage of libraries' computers and internet connections are more likely to be young, black, female, and lower income."

In Nevada, I know students who don't have access to internet at home now go to the library to do their homework. Nevadans applying for jobs currently use the internet in public libraries to connect with employers to submit resumes and job applications. Many Nevadans use the internet and internet access to learn new skills through training resources that are available online.

In November of last year, I received a letter from the Las Vegas-Clark County Library District strongly opposing the repeal of net neutrality. The Las Vegas-Clark County Library District is the largest in the State and serves over 1.6 million people. The letter reads:

Many of our customers, even in the urban areas of the county, are not able to afford access to the internet at their homes at all, and rely on public libraries to complete their school work, research information about starting small businesses, and whatever else they need to do on the internet.

Limiting the ability of public libraries to provide fast, reliable internet service means limiting opportunities for Nevadans to thrive.

Through simple online marketing or by using online sales platforms, small businesses have the opportunity to improve their visibility and expand their customer base.

It has become possible for startup companies to get a fair chance at competing in highly saturated markets because of internet accessibility.

It is true in Nevada and all across the country that the internet has opened doors for jobs, businesses, education, innovation, and technology, and net neutrality protections have allowed the country to continue opening those doors.

As access to the internet has exploded, more and more Americans have been empowered to start their own business ventures. More specifically, there has been a sharp growth in women business owners due in large part to a freely accessible, fair and open internet.

As you have heard, between 2007 and 2016, women-owned firms grew at a rate of five times the national average, mirroring the emergence of the internet as a platform for economic growth. For example, Etsy, an online shopping platform, caters to small businesses, 87 percent of which are owned by women.

Just last week, I held a roundtable in Reno with women entrepreneurs. One

of their biggest concerns was the repeal of net neutrality and how that would adversely affect their business's profitability and success.

With net neutrality's repeal, business owners, like Katie, who cofounded a tech company in Reno, would have to go up against large corporations that can afford to buy faster internet speeds. This would stifle competition, and it would cripple the growth of small businesses like hers. Katie told me:

It would really be a stifling situation for us, not only financially, but from an innovation standpoint. Your dollars have to go to furthering your business, not paying to deliver it.

Nevada's economic growth depends on the small business owners, like Katie, who invest in our communities, and that is why we can't afford to repeal net neutrality.

Chairman Pai's misguided decision to repeal net neutrality protections threatens to change the internet as we know it. It threatens our small businesses, access to online education, job growth, and innovation by giving those who can afford to pay more the ability to set their own rules.

Nevada's small businesses, local hospitals, public libraries, and disadvantaged communities, among many others, will bear the burden as they become subject to the whims of broadband providers that now have the ability to elevate their own content and pick and choose which websites Nevadans can have access to.

The FCC has a longstanding responsibility of protecting American consumers and the public interest. While Chairman Pai refuses to properly do his job, I urge my colleagues to vote in support of the CRA and stand with all Americans, regardless of their income.

Thank you.

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. BROWN. 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. BROWN. Mr. President, when we look at what this body has done over the past year and a half, when we look at what the U.S. Senate stands for and what the 100 Members of the Senate have done in the last 18 months, unfortunately, one thing is really clear: Corporations get handout after handout while ordinary Americans get the shaft.

Corporations are doing really, really, really well, especially those companies that shut down production in places like Mansfield, Toledo, Lima, and Gainesville and moved production overseas; those companies are rewarded. They are rewarded because down the hall, often in the dead of night, lobbyists gather in the majority

leader's office and write tax legislation, write healthcare legislation, and write consumer legislation that always helps the richest and the biggest and the most profitable in our country and leaves out the middle class, working families, and low-income Americans.

We saw it with the tax bill. Eighty percent of the benefits over the course of this bill—80 percent of the benefits, \$4 out of every \$5—go to the top 1 percent of earners in this country. Reports show that corporations have funneled their tax savings to executives and investors over workers by a three-to-one margin.

The people who wrote this tax bill promised us that the money saved by large corporations—their tax rates were cut from 35 to 22 percent and other kinds of tax goodies were bestowed on the largest corporations in this country. They promised the tax savings would go to higher wages for workers and investments in communities that produce more jobs. Do my colleagues know what happened not too many weeks ago? General Motors near Youngstown, OH, announced they were laying off 1,500 workers.

General Motors saved billions of dollars under the tax bill, but that money didn't go to Youngstown or Ohio or the workers, and it didn't go to investments in communities; it went to the executives in higher compensation. Right before the tax break, the five top-earning executives at General Motors brought home \$100 million last year. That was before the tax cut, before taxes were raised on all of you in the middle class. Taxes are raised on working families over time, and the tax breaks go to the richest people in this country.

We saw it with the tax bill. We saw it with the rollback in protections for consumers. It is easier for big banks and payday lenders to take advantage of their customers and deny those customers their day in court when they are cheated.

We see it in healthcare legislation when Members of this body—well-paid U.S. Senators, well-paid, get good benefits, good healthcare coverage—were willing to vote time and again to take that healthcare coverage away from consumers. In Ohio alone, 500,000 people right now—over the course of the last few years—have gotten opioid treatment for their addiction because they had insurance under the Affordable Care Act. These Members of the Senate have tried to take it away from them.

Now the question is: Are we going to see it again? Are we going to see the bias in this body for the wealthiest, largest corporations on a tax bill, on a bank bill, on a healthcare bill—are we going to see it again with net neutrality? Are my colleagues going to allow corporate special interests to shut down the free and open internet or, for once—for once—is this body going to stand for the people we serve?

Net neutrality rules keep the internet free from corporate interference.

Protecting those rules is vital to protecting free speech and consumer choice and access to public information.

But last December, the FCC—the Federal Communications Commission—on a party-line vote, where there is a majority of Republicans on this Commission, voted to repeal those rules by one vote, allowing internet providers to slow down internet speeds and offer better connectivity to the highest bidder.

I don't know any individual in Dayton or Cincinnati or Gallipolis or Bellaire, OH, who has said to me: I don't want net neutrality; I want corporations to be able to charge different rates and stick it to people with low incomes and offer something better to those people who are wealthy. I have never heard anybody say that.

I know companies that benefit from changing the net neutrality rules; I don't know any individuals who want to do that. But it is not individuals and the middle class that control this body or control the Federal Communications Commission. It is the people who represent the largest corporate interests.

We know that without net neutrality rules, broadband providers can charge customers more for faster speeds, squeezing out startups, squeezing out nonprofits and rural consumers—consumers who can't afford to pay an extra fee. They could be forced to pay for internet packages the way we do cable packages—paying more for popular sites and to have pages load faster. Anyone who has ever been on the phone negotiating packages with their cable company knows how frustrating it can be and knows where this could be headed.

High-speed internet is expensive enough as it is. Customers already have too few choices. In some cases in Ohio, for instance, people in my State have no choice at all. I will never forget that not too many years ago I was talking to a high school sophomore who told me she lives in very hilly Appalachia, Southeast Ohio, and she told me that she can't really study at home because she doesn't have access to the internet, to any kind of high-speed internet, because she lives in a valley. She goes to her grandmother's up on a hill to study so she can do her school work the way she needs to. If we don't stand up to the Federal Communications Commission, if we don't stand up to these big telecommunications companies, if we don't stand up and do the right thing here, that will continue to be a problem and increasingly be a problem for far too many Ohioans. A free and open internet that levels the playing field for entrepreneurs and startups to compete with big corporations is what we need to have.

So many of my colleagues love to talk about their support for business, but the question is which businesses. It is small businesses that drive job creation. It is small businesses that create

two-thirds of all net new jobs. These are the companies that will be hurt the most if the biggest corporations—again, in this Senate—are allowed to gouge them for internet fees.

This shouldn't be partisan. Nobody separates themselves as Republicans and Democrats out in my State on these kinds of issues, but here it is partisan. Here it is partisan because, first of all, the administration looks like a retreat for Wall Street executives, with this huge—this very decided bias toward the wealthiest people in this country. We know that on issue after issue, this body always sides with the largest corporations, but small businesses will be the ones that are hurt the most, as I said.

It shouldn't be partisan. We know the internet is vital to modern life and modern businesses.

Today I spoke to a woman from Cleveland, OH, a small business owner named Helen Quinn. She and her husband, Jesse Mason, started Mason's Ice Cream as a food truck that would go to local farmers markets. Using tools from Google and others, they were able to grow a following for their business. In 2014 they had reached a point where they had been successful enough that they were able to buy an old, iconic walkup ice cream shop in Ohio City, a neighborhood west of downtown Cleveland, not far from where I live. They are now operating full time. They employ local Clevelanders. They partner with other small businesses in the neighborhood.

This Friday, Helen and Jesse will join me in Cleveland for the Grow with Google summit to talk to other small businesses and entrepreneurs and job seekers about the best techniques for using the internet to grow businesses and find jobs. I would bet any amount that there will not be one person there—not one entrepreneur, not one job seeker, not one business owner—who says: Oh, I want to relax these net neutrality rules. I want to side with the big corporations instead of allowing free and equal access to the internet.

Why would we want to make that harder and more expensive? Rolling back these net neutrality rules will hurt the very people all of us claim we want to help—small businesses, startups, students, Americans looking for jobs. Those are the people who will get hurt.

Many large corporations will do well under this bill. That typically is the motive and mission for people who come out of the majority leader's office, these lobbyists who are always working on these issues to help corporate America. But rolling back these rules will hurt those very people we claim to want to help—again, small businesses and startups and entrepreneurs and students and Americans looking for jobs. That is why today we are filing a petition to get moving on a bill to overturn this disastrous decision and reinstate net neutrality rules.

It is another question fundamentally, as pretty much every debate here is, of whose side you are on. Are my colleagues going to stand, again, with the biggest telecom corporations as they stood with the big corporations that outsourced jobs, as they stand with Wall Street, as they stand with Big Tobacco, as they stand with the Koch brothers, as they stand with the big healthcare companies that deny insurance and deny healthcare to working families? Are they going to stand with them—with big telecom companies that slow down the internet, slow down the economy to pad their own bottom lines? Are we going to stand with the people we serve—with hard-working Americans and small businesses and students and entrepreneurs who need access to the internet?

The internet doesn't belong to a wealthy few. This Senate too often belongs to a wealthy few. It shouldn't. A lot have opposed those efforts. We know, though, that the internet should not belong to a wealthy few. The internet belongs to the people we were sent here to represent.

I hope my colleagues will join me and sign this petition to protect a free and open internet.

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

The PRESIDING OFFICER (Mr. TILLS). Without objection, it is so ordered.

#### ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, at 12 noon, on Thursday, May 10, all time be considered expired on the Brennan nomination and the Senate vote on confirmation with no intervening action or debate; further, that following disposition of the Brennan nomination, the Senate vote on cloture on Executive Calendar No. 729, the Carson nomination; further, that the cloture vote on Executive Calendar No. 777, the Nalbandian nomination, occur at 1:45 p.m.; and that if cloture is invoked on both nominations, debate time run concurrently. Finally, I ask that with respect to the Brennan nomination, 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.

#### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Executive Calendar No. 828; that the nomination be confirmed; that the motion to reconsider be considered made and laid upon

the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nomination be printed in the RECORD.

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

The nomination considered and confirmed is as follows:

#### IN THE COAST GUARD

The following named officer for appointment as Commandant of the United States Coast Guard and to the grade indicated under title 14, U.S.C., section 44:

*To be admiral*

Vice Adm. Karl L. Schultz

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate resume legislative session for 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.

#### TRIBUTE TO LEO MONTOYA

Mr. HATCH. Mr. President, as we move through life, certain people leave a lasting impression, and I rise today to recognize one of them. Leo Montoya, a citizen of Utah, is an exceptional man who has impressed me with his commitment to family, faith, and community.

In 1928, the year Alexander Fleming discovered penicillin, Leo was born on June 4 as the seventh of nine siblings to Epifanio and Decideria (Gutierrez) Montoya. Decideria's family roots were in New Mexico, where she raised her family as head of household in La Jara and Lumberton. Decideria worked outside the home, so her daughters took care of their youngest siblings while the older brothers contributed to support the family any way they could. The family lived under extreme poverty and hardship in La Jara until Leo's 14-year-old brother, Candido, traveled 90 miles north to find work in the Lumberton coal mines.

Candido saved his meager earnings to buy a small ranch to support his mother and siblings with the help of his younger brothers, Jose and Eudoro, who also worked in the mines. Jose had only one arm but loaded coal shovel-for-shovel against any other worker. Both Candido and Eudoro served in the military during WWII, and Leo, Tony, and Elisandro served during the Korean war. Leo's oldest child, Tereso, was born during the Korean war.

It is Utah's good fortune that the entire Montoya family eventually settled in Utah. They are hard-working, honest, and enterprising people who value God, family, and country above all else. Leo is the last of them, and it is fitting that his achievements and con-

tributions to Utah are recognized. Leo is a true American success story.

While serving in the Army, Leo met the love of his life at a small town dance, Rebecca Manzanares, of Monticello, UT. They were married in the Glendale neighborhood of Salt Lake City and together raised 11 children: Leona, Jay, Guy, Luben, Jim, Tanya, Reba, Leo, Max, Toni, and Belen. Leo worked at Hall Process Company for \$1.45 an hour, but he and Rebecca still managed to invest a small fortune in real estate.

Where some saw oppression and exploitation, Leo and Rebecca saw opportunity and fortune, teaching their children that they could obtain and achieve anything America offered if they worked hard, became educated, and stayed out of trouble. Their children succeeded in different ways and remain powerfully united as a loving and supportive family unit.

Leo also contributed to the Salt Lake community. Beginning in 1965, he began encouraging young boys to discipline themselves through sports in his Glendale neighborhood. At first, Leo trained young boys on a punching bag hung under a tree in his side yard, where he could keep an eye on them while he worked. By 1970, boys started showing up in larger numbers, many of them troubled youth from broken homes, so Leo began holding daily practice in church and school gymnasiums to give the boys something to do after school.

By 1975, his boxing team had more than 20 members that he took to compete in tournaments throughout the intermountain area and beyond—all at his own expense. By 1980, Leo knew he needed something more permanent for the boys, so he bought an old second-hand store in Salt Lake's Guadalupe neighborhood and converted it into the Leo Montoya Boxing Club, which still welcomes young male and female boxers.

Leo supports his Guadalupe neighborhood in other ways as well. In the winter, he plows the sidewalks of the Boys and Girls Club on 600 West and 300 North, as well as the sidewalks for his elderly neighbors. Leo regularly patrols the Guadalupe neighborhood in his golf cart to keep his community clean and safe. Virtually every resident and businessowner in the neighborhood appreciates Leo's vigilance.

In 2012, Leo was celebrated in one of Utah's major newspapers under the Salt Lake Tribune headline: "In His West-side Gym, Leo Montoya Turns Boys Into Men." In 2013, Leo's contributions to the neighborhood were featured on the front page of the Deseret News under the headline: "Community Celebrates Boxing Coach's 85th Birthday, Impact on Neighborhood." A quote in the Tribune article might have best captured what makes Leo unique and such a treasure as he contemplates: "It makes me feel great that I've been accomplishing something nice (and helped) somebody . . .

Everybody wants to get paid for everything. Somebody's gotta do something for nothing."

Leo has also been a dear friend to me for many years, and he proved it by posting my 6-by-9-foot campaign posters in front of his gymnasium for every one of my reelection efforts over the past 33 years. His gym is located in a predominantly Democrat neighborhood. Leo's son, Luben, and daughter-in-law, Ruthie, have been like family to me for more than 30 years, and I had the privilege of blessing his grandson and namesake, Leo, 24 years ago. Elaine and I have also truly enjoyed the company of Leo and Rafaelita over the years.

From helping his brothers in the coal mines and train yards at 14 years old, to supporting his community and building a small business empire, Leo is truly deserving of recognition as a great American success story. I am proud of Leo and his family, and I am very grateful for his contributions to his community, to Salt Lake City, and to Utah. In this, the year of his 90th birthday, I welcome this body in joining me to wish Leo many more years of good health and happiness.

#### LEGIONNAIRES' OUTBREAKS AT IVH QUINCY

Mr. DURBIN. Mr. President, I would like to take a few moments to discuss the Illinois Veteran's Home at Quincy, which houses nearly 400 residents, and has provided quality long-term care to veterans and their spouses since its founding in 1886.

Sadly, for the past 3 years, IVH Quincy has struggled with recurring Legionnaires' disease outbreaks. This tragic issue is nothing short of a scandal.

Legionnaires' disease is a pneumonia-like illness caused by the legionella bacteria and spread through water droplets in the air. At IVH Quincy, residents are elderly and suffer from other medical conditions, making them more likely to get Legionnaires' disease. IVH Quincy has had outbreaks every year since 2015, most recently in February. In total, more than 65 people have been sickened, and 13 people have tragically died.

After every outbreak, Senator DUCKWORTH and I reached out to the State asking Governor Rauner what he needed and offering help. We urged his administration to request assistance from the CDC and the VA, and we committed funds through annual appropriations to help State Veterans Homes like IVH Quincy. We pressed the State to upgrade the plumbing across the IVH Quincy campus and undertake renovations—particularly in those buildings where the bacteria has been most prevalent. We reached out to the CDC and VA ourselves, to help make sure that even though this is a State facility—owned, operated, and managed by Illinois—we were doing everything we could at the Federal level to help support them.

Both agencies assured us they were available to help at any time and have made that clear to State officials as well. In fact, the VA is due to schedule a site visit to provide additional expert assistance any day now.

I have visited IVH Quincy many times in my years representing Illinois, most recently in January and then again on April 30. I had the opportunity to meet with the veterans who reside in the facility, as well as the staff that provide such exceptional care.

While I acknowledge that the legionella bacteria exists in the environment, it was important that the State of Illinois do more to help prevent any future outbreaks.

In 2016, the State finally invested \$6.4 million in upgrades to improve the home's water treatment and delivery infrastructure; 65 percent of these funds will soon be reimbursed by the VA.

Governor Rauner visited IVH Quincy on July 27, 2016, and claimed mission accomplished, but clearly it was not enough.

There are also serious discrepancies about the State's handling of these outbreaks. Some families have claimed they were told belatedly about the outbreak or that their loved ones weren't diagnosed or given antibiotics quickly enough to fend off the disease. There are concerns that staff first heard of problems at IVH Quincy through the news or even on Facebook. It is unclear when the Governor himself was notified about the outbreaks or whether his administration requested Federal assistance in a timely fashion. The Governor's office may have also sat for years on formal engineering proposals to renovate older buildings or construct new ones on campus. Now there are outrageous reports that the Governor's staff tried to pin the blame for these outbreaks onto Senator TAMMY DUCKWORTH. Can you believe it?

Now, 3 years after the first outbreak, the Governor has finally released a detailed plan of action, and he has finally hired a dedicated staffer to handle the Quincy project. I guess all Governor Rauner needed was an election year to get into gear.

Now I am pleased that Illinois General Assembly officials have been holding hearings in the general assembly on the Quincy Legionnaires' outbreaks. They have committed to providing funds to help prevent these outbreaks from recurring and called for an audit of the State's handling of the outbreaks because, 3 years and 13 deaths later, we still need accountability from this Governor.

At least now we have a plan of action from him, and Senator DUCKWORTH and I will continue to be here, ready to help, because it is about time our veterans at IVH Quincy finally get the respect and care they deserve.

#### VENEZUELA

Mr. DURBIN. Mr. President, a few weeks ago, I had the opportunity to

visit a mounting crisis in our immediate neighborhood, specifically in Venezuela.

What I saw were in fact three overlapping crises: economic, humanitarian, and political.

Hyperinflation, malnutrition, confounding refugee flows into neighboring countries, political repression, and staggering mismanagement and corruption are all endemic.

Some of you may have seen the front page of Tuesday's New York Times with the heartbreaking photo of Venezuela's indigenous Warao people who are suffering an AIDS epidemic because of the collapse of the country's healthcare system, just one of many such tragedies unfolding in a country without basic vaccinations or adequate food.

The situation and suffering are only getting worse as the government continues to deny the obvious problems or simply blames them all on other countries.

We have heard this canard before, most notably in Cuba where the regime blames the mismanagement and repression under its corrupt leadership on everyone but itself.

Also as in Cuba, the regime is cruelly detaining an innocent American—in this case Josh Holt—who by all accounts is a political hostage.

It didn't have to be this way.

Venezuela used to be a wealthy country with an imperfect but functioning democracy. It also had deep and unaddressed chasms of poverty, a gulf neglected by many ruling parties of the region that led to their ouster at the ballot box, including in the case of Hugo Chavez's initial victories.

But like so many autocrats at heart, Chavez used his position of power to dismantle the country's democracy and democratic institutions. He mismanaged the economy and allowed corruption at a scale that made a mockery of what he initially campaigned against. His successor, President Maduro, has doubled down on this approach. Political opponents are jailed or run out of the country, political opposition parties are arbitrarily banned or disqualified, and the reign of corruption on the backs of the Venezuelan people has only expanded.

Tragically, Maduro had a choice to avoid what appears to be the inevitable collapse of his once proud nation. He could have seized the opportunities offered by the Vatican and other regional powers to mediate a peaceful political path forward in Venezuela. He could have taken obvious steps to restore confidence and abide by basic democratic norms.

Sadly, his government repeatedly rejected such negotiations with the opposition and is recklessly moving ahead with a snap and discredited election on May 20; yet this election does not come close to meeting international democratic standards and will likely only plunge the country into further isolation and crisis.

When I met with Maduro and others in his regime in Caracas last month, I pointed out that Republicans and Democrats don't agree on much in Washington these days, but they do agree on Venezuela. The Trump administration is correct this week in urging a suspension of this election under such absurd conditions.

Let me give you just one example, that of leading opposition figure and former mayor of a district of Caracas Leopoldo Lopez who remains under house arrest and disqualified from competing in the upcoming election. I was able to meet with his brave wife, Lilian Tintori, in Venezuela—whose passport has been taken by the government—and speak with him by phone. We were not allowed to visit him in person.

Why was Lopez jailed, kept in solitary confinement, and now put under house arrest? Because, according to the government, he was using subliminal messages to direct protesters to act unlawfully.

That is right. One of the country's leading opposition candidates is in jail for sending "subliminal messages."

One of the prosecutors who led the case against Lopez later fled the country and said the trial was a farce based on false evidence and that Lopez is innocent. This tells you the nature of the outrageous political disgrace at play in Venezuela.

Senator MENENDEZ, I, and 10 other Democrats made the same point as the Trump administration in a resolution introduced earlier this year, specifically that the results of this rushed election will not be considered legitimate if basic conditions are not met.

Let me repeat them here as they are so obvious: All political prisoners and jailed candidates, including Leopoldo Lopez, should be immediately released and free to participate in the election process; all parties should be free to peacefully participate in the election; the discredited election commission must be reformed into a credible non-partisan body to administer the election; there must be no linking of government food to one's political participation or support of the ruling party, a particularly cruel tactic when many are suffering from severe malnutrition; local and international election monitors must be allowed, accredited, and given genuine access in the pre and actual election periods; and there must be at least 6 months to allow for a legitimate campaign under these conditions.

I believe the Venezuelan Government provided me a visa to visit because it was looking for a way out of its increasing and deserved international isolation.

Well, the path forward is actually quite clear and entirely in the Venezuelan Government's control, and it begins with running a clean and fair election as just described. Quite simply, have the courage and decency to allow the Venezuelan people the same

fair and open process afforded Hugo Chavez when he first won at the ballot box. Have the courage to allow the world, including the American people, to help your people who are suffering and fleeing in desperation.

In terms of the relationship with the United States, also let Josh Holt and his Venezuelan wife come home. Don't continue down the path of a hostage-taker.

#### NATIONAL CORRECTIONAL OFFICERS WEEK

Mr. BLUNT. Mr. President, on May 5, 1984, former President Ronald Reagan issued a proclamation designating the first week in May as National Correctional Officers Week. He did so "in recognition of the contributions of correctional officers to our Nation." I believe it is important to continue to recognize the contributions and critical work that correctional officers engage in on a daily basis, often risking their own safety in the course of carrying out their duties.

Correctional officers are tasked with keeping inmates safe, as well as the thousands of staff supporting the operation of correctional facilities. Our Nation's correctional officers are not only an integral part of the criminal justice system, but they play a key role in helping maintain public safety.

Correctional officers are also placed in a unique position to have meaningful interactions with incarcerated individuals. It is not uncommon for correctional officers to provide the prisoner population with the support and resources they need to succeed after their release so that inmates are able to become productive members of society.

During National Correctional Officers Week, we are reminded of the service and sacrifice of correctional officers. I wish to take this opportunity to thank the over 400,000 correctional officers in the United States for the often thankless job that they do. I ask my colleagues to join me in honoring these key public servants.

#### DISCHARGE PETITION—S.J. RES. 52

We, the undersigned Senators, in accordance with chapter 8 of title 5, United States Code, hereby direct that the Senate Committee on Commerce, Science, and Transportation be discharged from further consideration of S.J. Res. 52, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Restoring Internet Freedom," and further, that the resolution be immediately placed upon the Legislative Calendar under General Orders.

Edward J. Markey, Ron Wyden, Amy Klobuchar, Jeanne Shaheen, Maria Cantwell, Brian Schatz, Kirsten E. Gillibrand, Tim Kaine, Sherrod Brown, Richard Blumenthal, Jack Reed, Charles E. Schumer, Elizabeth Warren, Martin Heinrich, Benjamin L. Cardin, Tammy Duckworth, Tammy Baldwin, Patrick J. Leahy, Michael F. Bennet,

Richard J. Durbin, Debbie Stabenow, Mazie Hirono, Cory A. Booker, Chris Van Hollen, Angus S. King, Tina Smith, Dianne Feinstein, Claire McCaskill, Robert Menendez, Tom Udall, Gary C. Peters, Jon Tester, Christopher A. Coons, Patty Murray, Robert P. Casey, Doug Jones, Bernard Sanders, Kamala D. Harris, Christopher Murphy, Jeff Merkley, Margaret Wood Hassan, Heidi Heitkamp, Sheldon Whitehouse, Mark R. Warner, Joe Manchin, Thomas R. Carper, Bill Nelson, Catherine Cortez Masto, Joe Donnelly.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO CHARLES HALL

• Mr. PETERS. Mr. President, today I wish to honor a lifelong champion of the American labor movement, Mr. Charles Hall, director of the United Auto Workers Region 1, on the occasion of his retirement from the UAW. As a member of the U.S. Senate, it is both my privilege and honor to recognize Mr. Hall for his lifetime of service and contributions that have strengthened our community and State.

Chuck Hall has been a tireless advocate for his UAW brothers and sisters throughout his career. He joined the UAW as a member of Local 3 when he began working at Chrysler's Winfield Foundry in Detroit, MI, in 1972. There, he worked in the inspections and heat-treat departments. In 1977, Chuck accepted a job in timekeeping at Huber Foundry in amalgamated UAW Local 889. He continued to work both there and at Chrysler's Dodge main plant until it closed in 1980. He then returned to work at the Winfield Foundry, where he worked until 1983 and was also recalled to the timekeeping position.

In 1987, Chuck accepted a position at Chrysler corporate payroll and in 1991 was elected as chief steward of his unit. Seven years later, he was voted unit financial secretary and appointed civil rights chairperson for his local. Shortly thereafter in 2001, Chuck was elected as financial secretary for Local 889. He was voted to serve as a delegate to the UAW constitutional convention in 2002 and served on the credentials committee.

In February 2005, Chuck was appointed to the UAW international staff and assigned to Region 1. In the beginning of 2010, he was named the Region 1 assistant director on the recommendation of then—Region 1 director Joseph Peters. Chuck was elected director of UAW Region 1 at the UAW's 35th constitutional convention on June 16, 2010, in Detroit, MI. During his term, Chuck has served Region 1 and all of organized labor with honor, integrity, and selflessness.

Chuck has spent his career and life in support of his community, organized labor, and civil rights. He currently serves on the boards of the Economic Alliance of Michigan, United Way for Southeastern Michigan, Community

Caring, Delta Dental of Michigan, Care House, and is a member of the Coalition of Black Trade Unionists and a lifelong member of the NAACP.

Chuck has spent his career in service to others, his UAW brothers and sisters, his community, and his always growing family. I ask my colleagues to join me today in honoring Mr. Charles Hall for his many contributions to Michigan, the organized labor movement, and his leadership at the United Auto Workers Union. I wish Chuck and his family health and happiness in the years ahead.●

#### MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Cuccia, one of his secretaries.

#### PRESIDENTIAL MESSAGE

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 13338 OF MAY 11, 2004, WITH RESPECT TO THE BLOCKING OF PROPERTY OF CERTAIN PERSONS AND PROHIBITION OF EXPORTATION AND RE-EXPORTATION OF CERTAIN GOODS TO SYRIA—PM 36

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 the actions of the Government of Syria declared in Executive Order 13338 of May 11, 2004—as modified in scope and relied upon for additional steps taken in Executive Order 13399 of April 25, 2006, Executive Order 13460 of February 13, 2008, Executive Order 13572 of April 29, 2011, Executive Order 13573 of May 18, 2011, Executive Order 13582 of August 17, 2011, Executive Order 13606 of April 22, 2012, and Executive Order 13608 of May 1, 2012—is to continue in effect beyond May 11, 2018.

The regime's brutal war on the Syrian people, who have been calling for freedom and a representative government, not only endangers the Syrian

people themselves, but also generates instability throughout the region. The Syrian regime's actions and policies, including pursuing and using chemical weapons, supporting terrorist organizations, and obstructing the Lebanese government's ability to function effectively, continue to foster the rise of extremism and sectarianism and pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue in effect the national emergency declared with respect to this threat and to maintain in force the sanctions to address this national emergency.

In addition, the United States condemns the Assad regime's use of brutal violence and human rights abuses, and calls on the Assad regime to stop its violent war, uphold the Cessation of Hostilities, enable the delivery of humanitarian assistance, and negotiate a political transition in Syria that will forge a credible path to a future of greater freedom, democracy, opportunity, and justice.

The United States will consider changes in the composition, policies, and actions of the Government of Syria in determining whether to continue or terminate this national emergency in the future.

DONALD J. TRUMP.  
THE WHITE HOUSE, May 9, 2018.

#### MESSAGE FROM THE HOUSE

At 10:03 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1680. An act to amend the Small Business Act to improve the women's business center program, and for other purposes.

H.R. 1702. An act to amend the Small Business Act to improve the small business development centers program, and for other purposes.

H.R. 3170. An act to amend the Small Business Act to require cyber certification for small business development center counselors, and for other purposes.

H.R. 4111. An act to amend the Small Business Investment Act of 1958 to improve the number of small business investment companies in underlicensed States, and for other purposes.

H.R. 4743. An act to amend the Small Business Act to strengthen the Office of Credit Risk Management within the Small Business Administration, and for other purposes.

H.R. 4754. An act to amend the Small Business Act to provide prospective construction contractors with information about an agency's policies on the administration of change orders to allow such contractors to make informed business decisions regarding the pricing of bids or proposals, and for other purposes.

H.R. 5236. An act to expand opportunities available to employee-owned business concerns through Small Business Administration loan programs, and for other purposes.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1680. An act to amend the Small Business Act to improve the women's business center program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 1702. An act to amend the Small Business Act to improve the small business development centers program, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 3170. An act to amend the Small Business Act to require cyber certification for small business development center counselors, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 4754. An act to amend the Small Business Act to provide prospective construction contractors with information about an agency's policies on the administration of change orders to allow such contractors to make informed business decisions regarding the pricing of bids or proposals, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 5236. An act to expand opportunities available to employee-owned business concerns through Small Business Administration loan programs, and for other purposes; to the Committee on Small Business and Entrepreneurship.

#### MEASURES DISCHARGED

The following joint resolution was discharged from the Committee on Commerce, Science, and Transportation by petition, pursuant to 5 U.S.C. 802(c), and placed on the calendar:

S.J. Res. 52. Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Communications Commission relating to "Restoring Internet Freedom".

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 4111. An act to amend the Small Business Investment Act of 1958 to improve the number of small business investment companies in underlicensed States, and for other purposes.

H.R. 4743. An act to amend the Small Business Act to strengthen the Office of Credit Risk Management within the Small Business Administration, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents:

EC-5145. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Konjac glucomannan; Exemption from the Requirement of a Tolerance" (FRL No. 9976-60) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5146. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Duddingtonia flagrans strain IAH 1297; Exemption from the Requirement of a Tolerance" (FRL No. 9977-31) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5147. A communication from the Acting Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Revisions and Clarifications in Requirements for the Processing of Donated Foods" (RIN0584-AE38) received in the Office of the President of the Senate on May 7, 2018; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5148. A communication from the Secretary of the Navy, transmitting, pursuant to law, a report relative to the Program Acquisition Unit Cost (PAUC) and Average Procurement Unit Cost (APUC) for the Integrated Defensive Electronic Countermeasures (IDECM) Block 2/3 subprogram; to the Committee on Armed Services.

EC-5149. A communication from the Secretary of Defense, transmitting a report on the approved retirement of General Lori J. Robinson, United States Air Force, and her advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC-5150. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Jeffrey G. Lofgren, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-5151. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Mark A. Ediger, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-5152. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Jan E. Tighe, United States Navy, and her advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-5153. A communication from the Secretary of Defense, transmitting the report of eighteen (18) officers authorized to wear the insignia of the grade of rear admiral (lower half) in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-5154. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Amendments to Forms and Schedules to Remove Provision of Certain Personally Identifiable Information" (RIN3235-AM37) received in the Office of the President of the Senate on May 8, 2018; to the Committee on Banking, Housing, and Urban Affairs.

EC-5155. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, sixteen (16) reports relative to vacancies in the Environmental Protection Agency, received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2018; to the Committee on Environment and Public Works.

EC-5156. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule en-

titled "Approval and Promulgation of Implementation Plans; Texas; Revisions to Permitting and Public Participation for Air Quality Permit Applications" (FRL No. 9976-95-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2018; to the Committee on Environment and Public Works.

EC-5157. 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 Implementation Plans; New Jersey; Motor Vehicle Enhanced Inspection and Maintenance Program" (FRL No. 9977-61-Region 2) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2018; to the Committee on Environment and Public Works.

EC-5158. 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; Georgia; Regional Haze Plan and Prong 4 (Visibility) for the 2012 PM2.5, 2010 NO2, 2010 SO2, and 2008 Ozone NAAQS" (FRL No. 9977-49-Region 4) received during adjournment of the Senate in the Office of the President of the Senate on May 3, 2018; to the Committee on Environment and Public Works.

EC-5159. 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; KY; Fine Particulate Matter and Ozone NAAQS Revisions" (FRL No. 9977-93-Region 4) received in the Office of the President of the Senate on May 8, 2018; to the Committee on Environment and Public Works.

EC-5160. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Extension of Deadline for Action on the Section 126(b) Petition From New York" (FRL No. 9977-90-OAR) received in the Office of the President of the Senate on May 8, 2018; to the Committee on Environment and Public Works.

EC-5161. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Modifications to Definition of United States Property under Section 956" (Notice 2018-46) received in the Office of the President of the Senate on May 8, 2018; to the Committee on Finance.

EC-5162. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Empowerment Zone Designation Extension" (Notice 2018-47) received in the Office of the President of the Senate on May 8, 2018; to the Committee on Finance.

EC-5163. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's fiscal year 2017 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-5164. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department's fiscal year 2017 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-5165. A communication from the Director of the Office of Financial Reporting and

Internal Controls, Office of the Chief Financial Officer and Assistant Secretary for Administration, Department of Commerce, transmitting, pursuant to law, a report entitled "FY 2017 Agency Financial Report"; to the Committee on Homeland Security and Governmental Affairs.

EC-5166. A communication from the Executive Director, Interstate Commission on the Potomac River Basin, transmitting, pursuant to law, the Commission's Seventy-Seventh Financial Statement for the period of October 1, 2016 through September 30, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-5167. A communication from the Executive Director, Interstate Commission on the Potomac River Basin, transmitting, pursuant to law, the Commission's Seventy-Seventh Financial Statement for the period of October 1, 2016 through September 30, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC-5168. A communication from the Impact Analyst, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Eligibility for Supplemental Service-Disabled Veterans' Insurance" (RIN2900-AQ03) received in the Office of the President of the Senate on May 8, 2018; to the Committee on Veterans' Affairs.

EC-5169. A communication from the Division Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Rural Call Completion, WC Docket No. 13-39" (FCC 18-45) received in the Office of the President of the Senate on May 8, 2018; to the Committee on Commerce, Science, and Transportation.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-219. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the United States Congress to allow for variances on certain projects regulated by the Clean Water Act and the Rivers and Harbors Act; to the Committee on Environment and Public Works.

#### SENATE CONCURRENT RESOLUTION NO. 41

Whereas, the federal Clean Water Act establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands; and

Whereas, the federal Rivers and Harbors Act requires authorization from the U.S. Army Corps of Engineers for the construction of any structure in or over any navigable waters of the United States, the excavation and dredging or deposition of material, or any obstruction or alteration to a navigable water; and

Whereas, protection of the coast and mitigation of wetland loss is vital to the future of this state and the many projects designed to protect and preserve the state's coast invariably require dredging, obstructing, or altering of waters of the United States; and

Whereas, the Clean Water Act and the Rivers and Harbors Act mandate that local, municipal, and state projects aimed at mitigating coastal wetland losses require permits from the U.S. Army Corps of Engineers; and

Whereas, like federal law, Louisiana law requires compensatory mitigation at a level sufficient to replace the ecological value of the wetlands lost as a result of permitted projects, but allows for variances to this requirement when the permittee has demonstrated that the required mitigation would



render the proposed project impracticable if the project has a clearly overriding public interest; and

Whereas, the Clean Water Act and the Rivers and Harbors Act do not allow for such variances when a project to mitigate coastal wetland loss is being considered, even when that project has a clearly overriding public interest; and

Whereas, in an effort to help the state protect its valuable coast and wetlands, federal law should allow for a variance for a project that has a clearly overriding public interest. Therefore, be it

*Resolved*, That the Legislature of Louisiana memorializes the Congress of the United States to allow for variances on certain projects regulated by the Clean Water Act and the Rivers and Harbors Act. Be it further

*Resolved*, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-220. A resolution adopted by the House of Representatives of the Commonwealth of Pennsylvania urging the Secretary of Health and Human Services to select former Naval Air Station Joint Reserve Base Willow Grove and the former Naval Air Warfare Center Warminster and Horsham, Warrington and Warminster Townships for an exposure assessment and study on human health implications of perfluoroalkyl and polyfluoroalkyl substances contamination; to the Committee on Health, Education, Labor, and Pensions.

#### HOUSE RESOLUTION NO. 682

Whereas, The United States military used foam containing perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA), unregulated contaminants, in firefighting training at two former bases, Naval Air Station Joint Reserve Base Willow Grove in Horsham Township, Montgomery County, and Naval Air Warfare Center Warminster in Warminster Township, Bucks County, Pennsylvania; and

Whereas, The former Naval Air Station Joint Reserve Base Willow Grove is the location of Horsham Air Guard Station, an active base of the Pennsylvania Air National Guard; and

Whereas, The chemicals have appeared in elevated levels in public and private water wells; and

Whereas, PFOS and PFOA are "extremely persistent in the environment and resistant to typical environmental degradation processes," according to the Environmental Protection Agency (EPA), which has also stated: "The toxicity, mobility and bioaccumulation potential of PFOS and PFOA pose potential adverse effects for the environment and human health"; and

Whereas, A growing body of science has established associations between PFOS and PFOA and a range of health effects, including a variety of cancers; and

Whereas, The chemicals were first discovered in local public water supplies near the former military bases by an EPA testing program, resulting in several public water wells being taken offline; and

Whereas, On May 19, 2016, the EPA issued an update to its health advisory for PFOS and PFOA that significantly reduces the amount considered safe in drinking water: in the worst possible case, water containing the chemicals at an amount previously deemed safe would now be more than eight times over the recommended limits; and

Whereas, The new recommended levels have resulted in officials from the Horsham Water and Sewer Authority, Warminster Mu-

nicipal Authority and Warrington Township Water and Sewer Department shutting down contaminated public drinking water wells, including 16 municipal wells in Horsham, Warrington and Warminster Townships and nearly 150 private wells; and

Whereas, Section 316 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91, 131 Stat. 1283 requires the United States Secretary of Health and Human Services to conduct an exposure assessment of at least eight current or former domestic military installations known to have perfluoroalkyl and polyfluoroalkyl substances (PFASs) contamination, which includes PFOS and PFOA, in addition to commencing a study on the human health implications of PFASs contamination in sources of water and relevant exposure pathways; therefore be it

*Resolved*, That the House of Representatives of the Commonwealth of Pennsylvania urge the United States Secretary of Health and Human Services to select these two installations and Horsham, Warrington and Warminster Townships for the exposure assessment and the study on human health implications; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States, to the presiding officers of each house of Congress, to each member of Congress from Pennsylvania, to the United States Secretary of Health and Human Services and to the United States Secretary of Defense.

POM-221. A resolution adopted by the City Council of South Portland, Maine memorializing its opposition to any plan or legislation that would open the coast of Maine to offshore drilling for gas and oil; to the Committee on Energy and Natural Resources.

POM-222. A petition from a citizen of the State of Texas relative to an amendment to the United States Constitution; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 2503. A bill to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs, and for other purposes (Rept. No. 115-241).

H.R. 589. A bill to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs, and for other purposes (Rept. No. 115-242).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1405. A bill to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration, and for other purposes (Rept. No. 115-243).

#### 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 Ms. WARREN (for herself and Mr. PERDUE):

S. 2805. A bill to authorize a pilot program on treatment of members of the Armed Forces for post-traumatic stress disorder related to military sexual trauma, and for other purposes; to the Committee on Armed Services.

By Mrs. ERNST (for herself and Ms. CORTEZ MASTO):

S. 2806. A bill to establish a National Security Commission on Artificial Intelligence, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. HELLER (for himself and Mr. CASEY):

S. 2807. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit an annual report regarding performance awards and bonuses awarded to certain high-level employees of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. CORNYN (for himself and Mr. WARNER):

S. 2808. A bill to authorize community development block grants for providing tools, equipment, and other resources; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HATCH:

S. 2809. A bill to establish the San Rafael Swell Western Heritage and Historic Mining National Conservation Area in the State of Utah, to designate wilderness areas in the State, to provide for certain land conveyances, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SANDERS (for himself, Mrs. GILLIBRAND, Ms. WARREN, Mr. BROWN, Ms. BALDWIN, Mr. WHITEHOUSE, Ms. HARRIS, Mr. MERKLEY, Mr. MARKEY, Mr. BOOKER, Mr. WYDEN, Mr. LEAHY, and Mr. VAN HOLLEN):

S. 2810. A bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself, Mr. CRAPO, Mr. WYDEN, Mr. BENNET, Mr. RISCH, Mr. UDALL, and Mr. TESTER):

S. 2811. A bill to amend the Omnibus Public Land Management Act of 2009 to reauthorize the Collaborative Forest Landscape Restoration Fund, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HATCH (for himself and Mr. BOOKER):

S. Res. 502. A resolution supporting robust relations with the State of Israel bilaterally and in multilateral fora upon seventy years of statehood, and for other purposes; to the Committee on Foreign Relations.

#### ADDITIONAL COSPONSORS

S. 25

At the request of Mrs. SHAHEEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 25, a bill to amend the Internal Revenue Code of 1986 to increase the credit for employers establishing workplace child care facilities, to increase the child care credit to encourage greater use of quality child care

services, to provide incentives for students to earn child care-related degrees and to work in child care facilities, and to increase the exclusion for employer-provided dependent care assistance.

S. 155

At the request of Mr. RUBIO, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 155, a bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees.

S. 294

At the request of Mr. NELSON, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 294, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 382

At the request of Mr. MENENDEZ, the name of the Senator from Washington (Mrs. MURRAY) 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. 413

At the request of Mrs. CAPITO, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 413, a bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MA-PD organizations under the Medicare program from retroactively reducing payment on clean claims submitted by pharmacies.

S. 700

At the request of Mrs. MURRAY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 700, a bill to improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to severely wounded, ill, or injured members of the Armed Forces, veterans, and their spouses or partners, and for other purposes.

S. 796

At the request of Mr. WARNER, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 796, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided education assistance to employer payments of student loans.

S. 811

At the request of Mr. ENZI, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 811, a bill to ensure that organizations with religious or moral convictions are allowed to continue to provide services for children.

S. 915

At the request of Mr. BROWN, the name of the Senator from Pennsyl-

vania (Mr. CASEY) was added as a cosponsor of S. 915, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 1064

At the request of Mr. UDALL, the name of the Senator from Minnesota (Ms. SMITH) 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. 1109

At the request of Mr. MERKLEY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1109, a bill to amend title VIII of the Public Health Service Act to extend advanced education nursing grants to support clinical nurse specialist programs, and for other purposes.

S. 1152

At the request of Mr. MERKLEY, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1152, a bill to create protections for depository institutions that provide financial services to cannabis-related businesses, and for other purposes.

S. 1596

At the request of Mr. PETERS, the names of the Senator from Maine (Ms. COLLINS) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 1596, a bill to amend title 38, United States Code, to increase certain funeral benefits for veterans, and for other purposes.

S. 2265

At the request of Mr. CRUZ, the name of the Senator from Virginia (Mr. Kaine) was added as a cosponsor of S. 2265, a bill to promote democracy and the rule of law in Nicaragua, and for other purposes.

S. 2315

At the request of Mr. CASEY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2315, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved new drug application, and for other purposes.

S. 2334

At the request of Mr. HATCH, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2334, a bill to amend title 17, United States Code, to provide clarity with respect to, and to modernize, the licensing system for musical works under section 115 of that title, to ensure fairness in the establishment of certain rates and fees under sections 114 and 115 of that title, and for other purposes.

S. 2341

At the request of Mr. TESTER, the name of the Senator from Michigan (Ms. STABENOW) was added as a cospon-

sor of S. 2341, a bill to amend title 38, United States Code, to improve the processing of veterans benefits by the Department of Veterans Affairs, to limit the authority of the Secretary of Veterans Affairs to recover overpayments made by the Department and other amounts owed by veterans to the United States, to improve the due process accorded veterans with respect to such recovery, and for other purposes.

S. 2393

At the request of Mr. COONS, the names of the Senator from Hawaii (Mr. SCHATZ) and the Senator from Louisiana (Mr. CASSIDY) were added as cosponsors of S. 2393, a bill to amend title 17, United States Code, to provide Federal protection to the digital audio transmission of a sound recording fixed before February 15, 1972, and for other purposes.

S. 2416

At the request of Mr. WICKER, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 2416, a bill to amend titles 5, 10, and 37, United States Code, to ensure that an order to serve on active duty under section 12304b of title 10, United States Code, is treated the same as other orders to serve on active duty for determining the eligibility of members of the uniformed services for certain benefits.

S. 2497

At the request of Mr. RUBIO, the names of the Senator from Maine (Mr. KING) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 2497, a bill to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to Israel, and for other purposes.

S. 2506

At the request of Mr. INHOFE, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2506, a bill to establish an aviation maintenance workforce development pilot program.

S. 2559

At the request of Mrs. FEINSTEIN, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Illinois (Mr. DURBIN) and the Senator from Louisiana (Mr. KENNEDY) were added as cosponsors of S. 2559, a bill to amend title 17, United States Code, to implement the Marrakesh Treaty, and for other purposes.

S. 2597

At the request of Mr. CASEY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2597, a bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, and for other purposes.

S. 2667

At the request of Mr. MCCONNELL, the names of the Senator from North

Carolina (Mr. TILLIS) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 2667, a bill to amend the Agricultural Marketing Act of 1946 to provide for State and Tribal regulation of hemp production, and for other purposes.

S. 2714

At the request of Mr. CORNYN, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 2714, a bill to award a Congressional Gold Medal to Don and Deyon Stephens, Founders of Mercy Ships, in recognition of nearly 40 years of service as the leaders of a humanitarian relief organization that exemplifies the compassionate character of America.

S. 2764

At the request of Mr. RUBIO, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2764, a bill to amend and enhance the High Seas Driftnet Fishing Moratorium Protection Act to improve the conservation of sharks, and for other purposes.

S. RES. 286

At the request of Mr. BOOKER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. Res. 286, a resolution supporting the role of the United States in ensuring children in the poorest countries have access to a quality education through the Global Partnership for Education.

S. RES. 346

At the request of Ms. HEITKAMP, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. Res. 346, a resolution recognizing the importance and effectiveness of trauma-informed care.

S. RES. 481

At the request of Mr. HATCH, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. Res. 481, a resolution calling upon the leadership of the Government of the Democratic People's Republic of Korea to dismantle its labor camp system, and for other purposes.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 502—SUPPORTING ROBUST RELATIONS WITH THE STATE OF ISRAEL BILATERALLY AND IN MULTILATERAL FORA UPON SEVENTY YEARS OF STATEHOOD, AND FOR OTHER PURPOSES

Mr. HATCH (for himself and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 502

Whereas May 14, 2018, marks the 70th anniversary of the establishment of the State of Israel;

Whereas May 11, 2018, marks the 69th anniversary of Israel's membership in the United Nations;

Whereas, on May 14, 1948, the United States was the first country to grant recognition to the State of Israel;

Whereas Israel offers invaluable contributions to the international community, including to the fields of start-up economies, entrepreneurship, cyber security, military weaponry, counter-terrorism, intelligence gathering, airport security, agriculture, water management, arid-zone farming, medical advances, natural gas, and other technologies;

Whereas, in 2000, with the support of the United States Government, Israel was accepted into the Western European and Others Group (WEOG) at the United Nations headquarters in New York, and its membership became permanent in 2004;

Whereas, in 2013, Israel also became a member of WEOG at the United Nations bodies in Geneva;

Whereas WEOG membership made possible the election for 2016-17 of Israel's Ambassador as the chair of the Sixth (Legal) Committee of the General Assembly, and in 2017, Israel's election to the Executive Board of the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women);

Whereas, in May 2017, Israel was elected as one of the Vice-Presidents of the United Nations General Assembly;

Whereas robust bilateral ties with Israel maximize security, economic, and cultural benefits in the region, increase regional stability, and build confidence with respect to peace negotiations;

Whereas Israel maintains diplomatic relations with 158 nations and retains 79 resident embassies, 22 consulates general, and 6 special missions globally;

Whereas Israel maintains free trade agreements with the United States, members of the European Union, members of the European Free Trade Association, Canada, Turkey, the Czech Republic, the Republic of Slovakia, Poland, Hungary, Mexico, Romania, Bulgaria, and Jordan;

Whereas, in 1989, the United States Government designated Israel as a major non-NATO ally;

Whereas, in 2014, the United States Government designated Israel as a "major strategic partner";

Whereas the United States and Israel have signed three 10-year memoranda of understanding, in which the United States committed to provide \$26,700,000,000 between fiscal year 1999 and fiscal year 2008, \$30,000,000,000 between fiscal year 2009 and fiscal year 2018, and \$38,000,000,000 between fiscal year 2019 and fiscal year 2028;

Whereas Congress has appropriated amounts in accordance with such memoranda of understanding, reflecting the two countries' shared priorities in the region and the strength of United States support for maintaining Israel's qualitative military edge; and

Whereas Israel's involvement as an active member of the community of nations benefits both Israel and the United States, and allies who share common values and promote democratic stability throughout the world; Now, therefore, be it

*Resolved*, That the Senate—

(1) encourages equitable treatment of Israel in international fora;

(2) urges United Nations member states to support Israel's future candidacy for the United Nations Security Council;

(3) encourages the diplomatic recognition of the state of Israel and robust engagement with Israel from all United States allies and from governments across the globe; and

(4) reiterates its support for a negotiated settlement leading to a sustainable two-state solution with the democratic, Jewish state of Israel and a demilitarized, democratic Palestinian state living side-by-side in peace and security.

## AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 8 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 ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, May 9, 2018, at 10 a.m. to conduct a hearing.

### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, May 9, 2018, at 10 a.m. to conduct a hearing on the following nominations: Jonathan R. Cohen, of California, to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Deputy Representative of the United States of America in the Security Council of the United Nations, and to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Deputy Representative of the United States of America to the United Nations, Joseph Cella, of Michigan, to be Ambassador to the Republic of Fiji, and to serve concurrently and without additional compensation as Ambassador to the Republic of Kiribati, the Republic of Nauru, the Kingdom of Tonga, and Tuvalu, and David B. Cornstein, of New York, to be Ambassador to Hungary, all of the Department of State, Eliot Pedrosa, of Florida, to be United States Alternate Executive Director of the Inter-American Development Bank, and Jackie Wolcott, of Virginia, to be Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador, and to be Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador.

### COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, May 9, 2018, at 4 p.m. to conduct a hearing on the nomination of Tara Sweeney, of Alaska, to be an Assistant Secretary of the Interior.

### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, May 9, 2018, at 10 a.m. to conduct a hearing on the following nominations. Ryan Wesley Bounds, of Oregon, to be United States Circuit Judge for the Ninth Circuit, J. Campbell Barker, and Jeremy D. Kernodle, both to be a United States

District Judge for the Eastern District of Texas, Susan Brnovich, to be United States District Judge for the District of Arizona, Chad F. Kenney, to be United States District Judge for the Eastern District of Pennsylvania, and Maureen K. Ohlhausen, of Virginia, to be Judge of the United States Court of Federal Claims.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Wednesday, May 9, 2018, at 9:30 a.m. to conduct a closed hearing.

SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING

The Subcommittee on Public Lands, Forests, and Mining of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Wednesday, May 9, 2018, at 10 a.m. to conduct a hearing.

SUBCOMMITTEE ON FEDERAL SPENDING OVERSIGHT AND EMERGENCY MANAGEMENT

The Subcommittee on Federal Spending Oversight and Emergency Management of the Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, May 9, 2018, at 2:30 p.m. to conduct a hearing.

SUBCOMMITTEE ON MULTILATERAL, INTERNATIONAL DEVELOPMENT, MULTILATERAL INSTITUTIONS, AND INTERNATIONAL ECONOMIC, ENERGY, AND ENVIRONMENTAL POLICY

The Subcommittee on Multilateral, International Development, Multilateral Institutions, and International Economic, Energy, and Environmental Policy of the Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, May 9, 2018, at 2:30 p.m. to conduct a hearing entitled "A Multilateral and Strategic Response to International Predatory Economic Practices."

ORDERS FOR THURSDAY, MAY 10, 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, May 10; 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, I ask that following leader remarks, the Senate proceed to executive session and resume

consideration of the Brennan nomination under the previous order.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:20 p.m., adjourned until Thursday, May 10, 2018, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 9, 2018:

THE JUDICIARY

KURT D. ENGELHARDT, OF LOUISIANA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT.

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDANT OF THE UNITED STATES COAST GUARD AND TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 44:

To be admiral

VICE ADM. KARL L. SCHULTZ

## EXTENSIONS OF REMARKS

IN RECOGNITION OF ALL THINGS  
ARTISTIC MINISTRIES' COMMIT-  
MENT TO ARTS EDUCATION

**HON. DEBBIE DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mrs. DINGELL. Mr. Speaker, I rise today to recognize All Things Artistic Ministries for their annual History Alive program. Their efforts enrich the lives of Michigan students through their programming.

Established in 2009 by Dr. Debby Mitchell, All Things Artistic Ministries was founded in the hopes of creating a community of artistic Michigan residents who would like to cultivate a love for the arts and humanities in the next generation. Four years after it was created, Dr. Mitchell designated Ypsilanti, Michigan as its main outreach area for arts education and student programming. The organization puts on a variety of youth programming including an eight-week "Art in the Park" summer program, formation groups for artists and creative writing workshops. All Things Artistic Ministries engages a diverse student body and helps grow their love for the arts and creative studies.

This year marks the 5th annual History Alive: Standing on the Shoulders of Giants Program put on by All Things Artistic Ministries in conjunction with Washtenaw County schools. The program runs for 14-weeks and allows 5th to 12th grade students to write, stage, and put on a play based on the lives of two distinguished Washtenaw County residents. The students first interview the "giants" and then write a play based on their lives and accomplishments. Approximately 50 students are involved in the final stage production and participate in singing, dancing, acting, photography, sound technology and stage crafting. This year's honorees are Reverend Garther Roberson and Greg Harden, two Washtenaw County community members who represent the best of southeast Michigan. We are grateful for All Things Artistic Ministries' service to our state's youth and look forward to their continued programming in the years to come.

Mr. Speaker, I ask my colleagues to join me in honoring All Things Artistic Ministries for their creative programming for Michigan youth. Their educational initiatives inspire our next generation of leaders to dream big and think outside the box.

SAFE WALK HOME NORTHSIDE

**HON. TED POE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. POE of Texas. Mr. Speaker, the skies of Houston, Texas were filled with ominous clouds on May 17, 2016. The school bell rang, dismissing students from John Marshall Middle

School. Josue Flores usually would have headed home, but instead he stayed after hours, participating in a science club celebration. After all, Josue wanted to be a doctor, science was his passion. As the celebration wound down, Josue headed home, making the trek along the streets on the North side of Houston. Little did he know that it would be the last time he ever walked home. A criminal approached the young boy, stopping him in his tracks. The evil murderer proceeded to stab him over and over and over again—twenty times in all. Josue's senseless and brutal death shocked the entire community. The clouds pressed down heavier, the death of an innocent child weighing on everyone's mind. No child should be in danger by simply walking home from school.

In the weeks following Josue's death, his community took action—the senseless violence must end. Soon, the "Safe Walk Home Northside" program was organized by Stella Mireles-Walters. A group of 100 volunteers stepped forward, determined to keep our children safe. A Safe Walk Home Northside aims for every resident or person in the area to keep an eye out for the children as they walk to and from school. It is because of their dedication and effort, that parents, local store employees, and many others have started to assist in guarding the streets during school hours. As a former judge in Houston, I have always been impressed the way neighbors take care of neighbors in Houston. The Safe Walk Home program has already begun making an impact and changes are evident in the community. Recently, Houstonian Cecilia Ruiz, helped law enforcement stop a kidnapper, intent on kidnapping a young teenage girl. Ruiz witnessed the young girl being forced into a vehicle as she walked down the sidewalk to school. A mother herself, Ruiz's instincts kicked in. She sprang into action: Ruiz and her daughter didn't just call 911, they stopped the perpetrator, bringing the young girl safe into their arms.

Mr. Speaker, any good southerner knows that one of the biggest mistakes you can make is to underestimate a Texas woman. But apparently, the dastardly criminal hadn't quite learned his lesson yet. As the villain fled the scene of the crime, the mother-daughter duo made chase, tracking the vehicle through a high-speed pursuit and recording the license plates. It wasn't until the vehicle fell into a ditch and the police arrived, that she felt her good Samaritan duties were fulfilled. I repeat Mr. Speaker, never underestimate a Texas woman.

Today, there is one less missing person's face haunting the dreams of Houston Police Department's finest, all because Cecilia Ruiz took action; one more perpetrator behind bars. Programs like a Safe Walk Home Northside are building our communities and ensuring that stories like Josue Flores never happen again.

And that's just the way it is.

HONORING THE DISTINGUISHED  
SERVICE OF COLONEL DAVID J.  
PINTER, SR.

**HON. RON KIND**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. KIND. Mr. Speaker, I rise today to honor the distinguished service of Colonel David J. Pinter, Sr. whose tenure as Garrison Commander at Fort McCoy, Wisconsin, concludes May 19, 2018. Colonel Pinter assumed duties as Garrison Commander at Fort McCoy on March 11, 2016.

Colonel Pinter's 29 years of dedicated service in the U.S. Army is noteworthy in every respect. He earned a bachelor's degree from the University of Iowa, Iowa City, Iowa; a master's degree in Business and Policy Studies from Empire State College, Saratoga Springs, N.Y.; and a master's degree in National Security Strategy from the National War College, Washington, D.C. His military education includes the Combined Arms and Service Staff School, the U.S. Army Command and General Staff College, and the National War College.

Colonel Pinter received his Army commission in 1989 from the University of Iowa Reserve Officer Training Corps program. He entered active duty and attended the Army Aviation School for flight training and then was assigned as a Platoon Leader with the 1st Battalion, 501st Aviation Regiment in Korea. He next served with the 10th Mountain Division, Fort Drum, N.Y., as a Platoon Leader and Battalion Flight Operations Officer. He then was assigned as Aviation Brigade Operations Planner with support to V Corps in Germany. Pinter returned to the 10th Mountain Division and began training for certification in the Army Acquisition Corps. He deployed to Kosovo in support of the Joint Contracting Cell and continued his Acquisition career as an Aviation Material Development Branch Chief with the Aviation Combat Development Directorate. His follow-on assignment was as the Project Manager and Operations Officer to the Soldier, Biological, Chemical Command, and he then worked with the Office of the Surgeon General to field Chem-bio Protective Systems to Combat Support Hospitals and Forward Surgical Teams in the Iraq theater prior to and during the onset of the war.

Colonel Pinter entered the Active Guard Reserve program in 2003 with duty at the University of Iowa as the Senior Assistant Military Professor. He then served as the Logistics Officer with the newly formed 11th Aviation Command leading efforts to establish logistical support for the Army Reserve Aviation Operations of 17 units in 14 states, followed by Aviation Battalion Command in support of Operation Iraqi Freedom and Operation Enduring Freedom. Then, he served as a force management staff member in the Office of the Chief of the Army Reserve, as well as in the Office of the Assistants to the Chairman of the

• 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.

Joint Chiefs of Staff for National Guard and Reserve Matters. Immediately prior to his assignment at Fort McCoy, he served as Division Chief for the Homeland Defense Division of the Joint Staff J3 Operations Directorate, Washington, D.C.

Colonel Pinter's deployments include Somalia, Haiti, Bosnia, Kosovo, and Iraq. Colonel Pinter has committed his life to serving our country and has received many deserving awards and decorations, including the Defense Superior Service Medal, Defense Meritorious Service Medal, Meritorious Service Medal with seven Oak Leaf Clusters, Army Commendation Medal with six Oak Leaf Clusters, Army Achievement Medal with four Oak Leaf Clusters, Armed Forces Expeditionary Medal with three Bronze Service Stars, Humanitarian Service Medal with two Bronze Service Stars, NATO medal with two Bronze Service Stars, United Nations Medal with two Bronze Service Stars, Joint Staff Identification Badge, Army Staff Identification Badge, Airborne Badge, Air Assault Badge, Combat Patch, Senior Aviator Badge, Ranger Tab, and Combat Action Badge.

Under Colonel Pinter's effective leadership, which has fostered the success of "Team McCoy," Fort McCoy has received heightened awareness by senior leaders that have led to an increase in the transit training population, mobilization, medical and mission readiness of the U.S. military. Fort McCoy is one of six major Army Reserve garrisons, within the seventy-five Army installation command garrisons, and under Colonel Pinter's guidance, it is the only one to receive the Army Community of Excellence Award two years in a row. Additionally, during his tenure, Colonel Pinter transitioned Fort McCoy's business model into a four-seasons, cold-weather focused training model. Thanks to Colonel Pinter, Fort McCoy is well positioned for the future.

It has been an honor for me to serve as U.S. Representative for Wisconsin's Third Congressional District during Colonel Pinter's tenure at Fort McCoy. I know Colonel Pinter's leadership will be greatly missed at the base and surrounding communities, but I am thankful for his leadership and contributions to ensuring that Fort McCoy remains a shining star in the nation's military training infrastructure.

On behalf of my constituents in Wisconsin and a grateful nation, I would like to thank and commend Colonel David J. Pinter, Sr. for his years of dedicated service in the U.S. Army and in particular as Garrison Commander at Fort McCoy. I wish him, his wife, and children the very best as they turn the page on the next chapter of their lives.

HONORING LARRY SILLANPA:  
LABOR ADVOCATE AND LIFE-  
LONG DULUTHIAN

**HON. RICHARD M. NOLAN**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. NOLAN. Mr. Speaker, I rise today to recognize Larry Sillanpa, of Duluth, Minnesota who will be retiring from the Labor World Newspaper after 29 years as Editor and Manager. Over the years Larry has proven himself to be a tireless advocate for working people and an incredibly dedicated and successful

Editor, never missing a deadline in 668 issues printed. His dedicated service to The Labor World, the oldest Labor paper in Minnesota and one of the oldest in the country, helped guide the publication through uncertain times for print media and grow to reach even more readers across the Northland.

Larry's career as a newspaper man began at the age of seven with his first job delivering newspapers for the Duluth Herald and News Tribune at the rate of a quarter for a days' work. He worked many paper routes in his younger years throughout West Duluth and the Central Hillside neighborhood.

Over the next few decades, Larry worked for many of the pillars of Duluth's economy and community such as, the Duluth School District, the Norshor Theatre, the State of Minnesota, the U.S. Steel Plant in Morgan Park, and sailed on the Great Lakes for Republic Steel. He also attended the University of Minnesota Duluth (UMD), and wrote for the UMD Statesman.

Today, after 29 years as Editor of the Labor World, he has become one of those pillars of the Duluth community. Also, a proud lifelong Duluthian, Larry has lived on the same plot of land in northern Minnesota for 44 years. He and his wife Jennifer built their home on the same land after their marriage in 1994.

Throughout his career Larry has been an incredible advocate for workers and the Labor Movement. He has doggedly taken politicians and corporations to task for neglecting their obligations to the people who make our economy work, and highlighted all the efforts by working people to build a better life for the working class. Under his leadership he brought the paper from the age of type setting to the age of computers and carefully oversaw the reach of the Labor World grow as it increased in circulation by 65 percent.

I ask my colleagues in Congress to join me in recognizing Larry Sillanpa for his years of service to the Labor Movement and northern Minnesota. I thank Larry for keeping the Labor World newspaper alive and leaving it in a position to thrive into the future. Although he's finally giving up his paper route, his printed word will live on forever.

PERSONAL EXPLANATION

**HON. LUIS V. GUTIÉRREZ**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for Roll Call votes 169, 170, 171, and 172 on Tuesday, May 8, 2018. Had I been present, I would have voted Nay.

RECOGNIZING KERN CARPENTER  
ON INDUCTION TO DADE COUNTY  
FARM BUREAU HALL OF HONOR

**HON. ILEANA ROS-LEHTINEN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to congratulate Director Kern Carpenter of the Miami-Dade County Farm Bureau, on his induction to the Farm Bureau Hall of Honor.

A third generation farmer with a rich history in tomato production; Mr. Carpenter and his family have dedicated their lives to preserving the beauty and prestige of Florida's agriculture.

At a young age, Kern lost his father to cancer and not long after; the farm he loved. However, Kern never lost sight of his family's heritage and worked hard to one day run his very own farm.

In 1983, Kern successfully renewed his family's farming legacy and opened Kern Carpenter Farms.

Today, that passion and drive Kern possessed at such a young age, continues to impact so many farmers and serves as an inspiration throughout our South Florida community.

Mr. Speaker, it is individuals like Kern that encompass the American spirit we all hold so dear. I wish him the very best in his future endeavors, and congratulate him on this much deserved honor. Congratulations my friend (Felicidades amigo).

PERSONAL EXPLANATION

**HON. JARED HUFFMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. HUFFMAN. Mr. Speaker, on the day of April 27, I was unavoidably detained. As a result, I was absent for Roll Call votes 163 through 166. Had I been present, I would have voted in the following manner: for Roll Call vote 163, on agreeing to the amendment on of H.R. 4, I would have voted no; for Roll Call vote 164, on motion to recommit with instructions of H.R. 4, I would have voted yes; for vote 165, on passage of H.R. 4, I would have voted yes; and for Roll Call vote 166, on motion to table H. Res. 856, I would have voted no.

HONORING THE WORLD WAR II  
AND KOREAN WAR VETERANS  
OF ILLINOIS

**HON. MIKE QUIGLEY**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. QUIGLEY. Mr. Speaker, I rise to honor the World War II and Korean War veterans who traveled to Washington, D.C. on May 9, 2018 with Honor Flight Chicago, a program that provides World War II and Korean War veterans the opportunity to visit their memorials on The National Mall in Washington, D.C. These memorials were built to honor their courage and service to their country.

The American Veteran is one of our greatest treasures. The Soldiers, Airmen, Sailors, Marines, and Coast Guardsmen who traveled here on May 9th answered our nation's call to service during one of its greatest times of need. From the European Campaign to the Pacific Asian Theatre to the African Theater, these brave Americans risked life and limb, gave service and sacrificed much, all while embodying what it is to be a hero. We owe them more gratitude than can ever be expressed.

I welcome these brave veterans to Washington and to their memorials. I am proud to include in the RECORD the names of these men and women for all to see, hear, and recognize, and I call on my colleagues to rise and join me in expressing gratitude.

John Albanese, Richard A Anderson, Jerome Bartkiewicz, Richard J Bauer, William J Bauer, Donald E Bennett, Dale Berman, Frank W Braman Jr., William K Bruinius, Edvins Budeniaks, Dale P Buhl, James J Burke, David Byster, Walter R Cannon, Roy A Carlson, Michael L Carreon, Clement J Cerney, Ernest E Chapman, Steve Cizmar, Don R Copeland, John R Cory, Arnold D Cowen, Ernest D Curtis, Einar S Dahl, Robert J Dahms, William T DeCicco, Louis G Diaz, Thomas J DiBernardo, Robert H Dolph Sr., Donald L Earley, Eugene Ehrhardt, Adolph F Ermer, Calvin Farmer Jr., Justin R Farrar, Frank Femali, William E Fishman, Robert L Fogt, John V Frega, Gerald Gardner, Charles Glickman, Earle F Griebler, Charles A Griffiea, Terry S Hensley, Richard W Hess, John F Homan, Leroy A Howatt, Clifford W Jenkins, Edward Kadlec, Kenneth D Koehler, Kenneth Kuhr, Florian Kurcab, Donald LaMorte, Andrew Langas, Daniel Leary, Jack E Levitt, Maurice Lord, Edward A Lustyk, Lewis J Maine, Jack EMartin, Robert Mau, Harry M McCullagh, Lowell G McDonnell, Joel D Meisles, Donald E Mentz, Norbert Milzarek, LeRoy Mistro, Walter C Moore, Ralph W Mueller, Jerry Netolicky, Gerald W Nordengren, Thadeus Obora, Gilbert D Oden, Neil C Olson, Jerome J O'Reilly, Arden Peterson, Leonard Petruilis, Richard Pisarcik, Roland Puccinelli, Joseph A Putz, John A Raven, George Revelas, George A Riebesehl, Wally Rivera, Henry B Roberson, Donald E Roberts, Robert J Saraz, Jimmie Vavern Schoon, Edwin Schwendt, Robert E Shea, Ralph F Sherman, John H Skipworth, John Spoor, Walter Spuck, Stanley J Stanish, Robert Stavrakas, Richard A Stuercke, Joseph H. Taylor, Gordon A. Vaundry, Robert M Ward, Paul J Weiss, Gordon Westling, Thomas A Wisinski, Donald A Yarashus, Phillip C Zagon.

IN RECOGNITION OF GREG HARDEN'S MOTIVATIONAL LEADERSHIP

### HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mrs. DINGELL. Mr. Speaker, I rise today to recognize All Things Artistic Ministries for their annual History Alive program. Their efforts enrich the lives of Michigan students through their programming.

Established in 2009, Dr. Debby Mitchell founded All Things Artistic Ministries in the hopes of creating a community of artistic Michigan residents who would like to cultivate a love for the arts and humanities in the next generation. Four years after it was created, Dr. Mitchell designated Ypsilanti, Michigan as its main outreach area for arts education and student programming. This year marks the 5th annual History Alive: Standing on the Shoulders of Giants Program put on by All Things Artistic Ministries in conjunction with the Washtenaw Community schools. The program runs for 14-weeks and allows 5th to 12th

grade students to write, stage, and put on a play based on the lives of two distinguished Washtenaw County residents. This year's honorees are Reverend Garther Roberson and Greg Harden, two Washtenaw County community members who represent the best of south-east Michigan.

Mr. Greg Harden is a world-renowned life coach and motivational speaker who calls southeast Michigan home. He grew up in Detroit, Michigan and took jobs as a steelworker and TV cameraman before returning to school. Mr. Harden received his bachelor's degree at the University of Michigan and was hired as a counselor at a residential drug and alcohol treatment center in Ypsilanti, Michigan. Due to his reputation as a caring and passionate individual, he was then hired on as a student-athlete counselor at U of M in 1986 under football coach Bo Schembechler. It was through his work at the University that he impacted the lives of countless athletes and leaders including Tom Brady and Desmond Howard. His life's work shows us that one person can make a difference in the lives of many.

Mr. Speaker, I ask my colleagues to join me in honoring Greg Harden for his lifetime of motivational counseling. His leadership inspires us all to spread kindness and encourage those around us.

### HONORING JACK ROUNTREE

### HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. ISSA. Mr. Speaker, I rise today to honor Jack Rountree, a veteran of the United States Army, a builder, and an all-around great American.

Jack has been a builder from a young age. He was born into a middle-class family who owned a thriving trucking business. The Great Depression was a difficult period for their household as it was for so many across our country. It was at that time that Jack completed his first construction project: an overhang for the shed so he would not have to milk cows in the rain. He was thirteen when he completed that project.

After graduating from High School Jack enlisted in the United States Army where he was assigned to the Army's Special Guard Military Police stationed at the Los Alamos Project in New Mexico. There he guarded the atomic bomb testing site at White Sands. There were a number of hazards associated with this position not least of which was regular exposure to dangerous radiation. Jack rose through the ranks quickly and was honorably discharged in 1948 as a sergeant.

Following his service Jack returned home to Oregon to tend to his sick mother. After training to become a diesel mechanic he quickly realized his true passion was building. He began his construction career in 1952. Over the years he has received numerous awards for his work including the 1988 Craftsmanship Award of the Southwestern Oregon Chapter of the American Institute of Architects.

Though he retired from his business Jack is still a builder at age 90 with the same spirit and drive he had as a teenager. Jack recently built a 28-foot-high prototype border wall on his property in Roseburg. His continued dedi-

cation to his craft and his country are commendable. I wish him all the best and trust the whole House will join me in thanking him for his service to our country.

### TREATIES OF VELASCO

### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. POE of Texas. Mr. Speaker, on May 14th, 1836, Texas officially became a free and independent nation.

After the decisive victory at San Jacinto a few weeks earlier, interim Texas president David G. Burnett met with the defeated Antonio Lopez de Santa Anna in the town of Velasco.

Under the heat of the Texas sun, the two leaders signed treaties on behalf of their governments. Little known to the general public, two treaties were signed. The first would be released to the public, with the second secretive treaty only to be released once the first treaty was fulfilled.

The public treaty forced Santa Anna to withdraw his forces from Texas and forbade him from attacking Texas again. Additionally, he promised to restore confiscated property to Texans that had been taken by his forces during the campaign.

The second, secret agreement would literally go on to shape Texas as we know and love her today. The treaty held that the Rio Grande River would officially become the border between Texas and Mexico. Santa Anna also agreed to the arrangement of a treaty of commerce between his country and the new Republic of Texas as well as the establishment of diplomatic missions in both countries.

Mr. Speaker, this treaty represents an important moment in the history of Texas. Following the example of George Washington, who deferred to the judgement of the civilian government rather than dictating terms as commander-in-chief of the army, General Sam Houston refused to engage Santa Anna himself in talks about the treaty. Rather, he fulfilled his legal obligation and insisted that the Mexican leader speak only with the Texas government about the terms of the treaty.

By keeping his nerve, General Houston put the Texas Republic in a position to negotiate a meaningful and lasting peace with their Mexican adversaries. Sure enough, Texas got exactly what it wanted in the Treaty. The grand Republic of Texas sprung to life, as an independent, sovereign nation.

Mr. Speaker, as a resident and representative of some of the residents of the city named after the Founding Father of Texas, it brings me great pride to recognize the Treaties of Velasco not only as an important event for the state of Texas but also for the United States as a whole.

And that is just the way it is.

### PERSONAL EXPLANATION

### HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Ms. FRANKEL of Florida. Mr. Speaker, on roll call votes 168 and 169, I was not present

because I was unavoidably detained. Had I been present, I would have voted: on Roll Call Vote 168: AYE; and on Roll Call Vote 169: NO.

IN RECOGNITION OF BOB  
NAEREBOUT RECEIVING THE  
BISHOP MICHAEL DRISCOLL  
AWARD

**HON. MICHAEL K. SIMPSON**

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. SIMPSON. Mr. Speaker, I rise today to recognize the service of Bob Naerebout, a longtime champion of Idaho's dairy and agriculture industries. Bob oversees government affairs for the Idaho Dairymen's Association and formerly served as their Executive Director for 15 years. He was recently recognized by the Catholic Diocese of Boise with the Bishop Michael Driscoll Award. The award recognizes individuals "who have served in love and justice the needs of those in our community who are less fortunate, left behind, or in any way marginalized." Bob's passionate cause is bringing agricultural laborers out of the shadows. Bob's service to laborers in Idaho's dairy and agriculture industry has been a brave service of moral and economic importance.

Prior to coming to Idaho, Bob graduated from Michigan State University and managed the Dairy Research and Teaching Center, as well as his own dairy in McBain, Michigan. Bob and his family went west to Utah when he worked for Dairy Farmers of America, a marketing cooperative of nearly 14,000 farm families. In 2002, he moved to Idaho, where he served as Executive Director of the Idaho Dairymen's Association.

From his first days in Idaho, Bob brought a fresh perspective to addressing the challenges facing Idaho's growing dairy industry. Bob went to work on a number of regulatory reforms affecting the industry. These included a memorandum of understanding between the industry, the Idaho State Department of Agriculture, and the U.S. Environmental Protection Agency, that ensured practical and effective environmental regulation of Idaho's dairies. In Idaho, policymakers know that if you want to talk dairy, you had better visit with Bob Naerebout.

Idaho's dairy industry has rapidly expanded its economic footprint across the state, especially in the Magic Valley. Bob has played no small role in this growth. As producers and processors alike looked for a new home where they could expand, Bob would seize opportunities to introduce them to Idaho. He would help find a way to ensure that Idaho would be a great place to do business. For example, Bob worked to bring Chobani to Idaho to build the largest yogurt plant in the world.

Today, Idaho is the third largest dairy state in the U.S. The Boise Diocese's Driscoll award recognizes Bob's work with these most vulnerable of new citizens, many of whom are Catholic and all of whom are trying to make a better life and a fresh start for their families. Theirs is the same pioneer spirit that settled our country—from Virginia to Michigan to Idaho—since its founding.

Bob's work on behalf of the dairy industry recognizes a very simple fact about immigra-

tion—it is an issue of vital economic and moral importance. Bob believes every corner of Idaho benefits from the tremendous strength and productivity of our agricultural industry.

Bob has advocated for common sense immigration reform, and has been part of a team that has helped build Idaho's dairy industry into an economic powerhouse. All the while, Bob has put a human face on the debate of immigration. That human face—with its diversity and optimism for a better life—is a face that is an integral part of the fabric of American agriculture.

I offer my congratulations to Bob Naerebout for the recognition of his good work, and thank him for reminding us all of the importance of being a better citizen and friend to those looking for that same opportunity.

IN RECOGNITION OF PASTOR  
GARTHER ROBERSON, JR. FOR  
HIS SERVICE TO THE YPSILANTI  
COMMUNITY

**HON. DEBBIE DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Pastor Garther Roberson, Jr. for his decades of service to the Ypsilanti community. Pastor Roberson has provided spiritual guidance as leader of the Mt. Olive Baptist Church and community assistance through his involvement with local nonprofits and advocacy groups.

As a lifelong resident of southeast Michigan, Pastor Roberson has been a critical leader in the community throughout Ypsilanti's growth and development. Prior to becoming a pastor, he was involved with the Second Baptist Church in Ypsilanti, where he directed youth activities and served as a deacon from 1967 to 1977. After being ordained as a Reverend by Pastor B.T. Hopkins at Second Baptist Church in 1979, Roberson was named Pastor of the Mount Olive Baptist Church in Ypsilanti, where he has served since. Under Pastor Roberson's leadership, Mount Olive grew to become a pillar of the Ypsilanti community, offering support and guidance to its congregation and other individuals in need. Additionally, Pastor Roberson has been active in local charitable and religious organizations, including the President of the Minister's Alliance of Ypsilanti and the President of the Huron Valley District Congress of Christian Education; where he has utilized his experience as a faith leader to provide assistance to the city at large.

Pastor Roberson's work and moral leadership has helped revitalize the Ypsilanti community. Through his time as head of the Mount Olive Baptist Church, Pastor Roberson has become known as a friendly and welcoming presence dedicated to service and building a future for the city and its residents. He is recognized for his leadership, having served as a board member of local organizations including Hope Clinic, Students and Friends of Washtenaw Community College, and the regional branch of the National Association for the Advancement of Colored People. Pastor Roberson has been an effective advocate for the city and its residents, and we are grateful for his years of service and guidance.

Mr. Speaker, I ask my colleagues to join me in honoring Pastor Garther Roberson, Jr. for his work in the Ypsilanti community. Pastor Roberson has impacted countless lives through his leadership and efforts.

HONORING THE 100TH ANNIVERSARY OF WILLIAM PENN ELEMENTARY SCHOOL

**HON. KEVIN MCCARTHY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. MCCARTHY. Mr. Speaker, I rise today to commemorate the 100th anniversary of William Penn Elementary School.

Opened in September of 1917, William Penn started as a five-classroom schoolhouse in the heart of downtown Bakersfield. The tenth school added to the Bakersfield City School District, William Penn opened to one hundred and sixteen students, from kindergarten to fourth grade under the tutelage of then-principal Ms. Eleanor Pavey.

Much like the city it called home, William Penn quickly grew from its humble, small-town roots, adding an additional four classrooms in 1925 to accommodate a rapidly-growing student body. During World War II, William Penn stressed the importance of patriotism in its student body, and its teachers instilled a respect for America's Armed Services in the young minds humming through the school's corridors. To support the American war effort, students at William Penn planted victory gardens, collected paper for paper drives, purchased war bonds, and knitted afghans to be given to soldiers serving abroad.

In the summer of 1952, disaster struck. A 7.3 magnitude earthquake along California's White Wolf Fault, the third largest in recorded California, damaged much of the school and its grounds. The damage was so great that William Penn was condemned, and its student body was relocated to Wayside Elementary School along with students from other Bakersfield City damaged schools. The students of William Penn, however, were undeterred and made it their mission to rescue their neighborhood school. Each afternoon, students would hold a carnival to raise funds to reconstruct William Penn from the ground up, and with the help of the Bakersfield City School District, students returned to William Penn Elementary in January 1955.

Today, William Penn serves nearly 300 students from kindergarten through fifth grade. The school is currently led by Principal Marshall Dillard and its mission could not be possible without his leadership and the passion and hard work of a stellar team of educators including: Alicia Lifuquist, Leticia Pacheco Contreras, Robin Johnston, Adriana Humphrey, Sarah Abraham, Janette Hubbell, Nicole Craig, Monica Garza, Leonel Gamino, Crystal Ullrich, Sheryl Daniel, Laurie Kessler, Matthew Lundin, and Kirsten Roza, as well as office and support staff Theresa Blair, Elosia Kelley, Susana Lizardo Hammock, Tina Estrada, Melissa Ednalino, Andrew Morales, Maritza Zuniga, and Monica Gonzales.

The measure of a school like William Penn isn't the mere 100 years of its existence; it is the generations of students whose dreams and opportunities have been shaped by the



education and influence so passionately driven by their teachers, parents, and community. William Penn's story is one of love of country and community and dedication to its students. This school is a part of what makes Bakersfield such a great place to live and grow up in. As one of Bakersfield's oldest schools, it remains an icon in our community, and on behalf of our community, I wish William Penn another century of academic excellence.

FLORIDA'S 16TH DISTRICT CONGRESSIONAL LAW ENFORCEMENT AWARDS

**HON. VERN BUCHANAN**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. BUCHANAN. Mr. Speaker, I rise today to pay tribute to law enforcement men and women who have provided distinctive service to the people of Florida's 16th Congressional District.

Law enforcement is a demanding profession that requires sacrifice, courage and a dedication to serve others. Every day, brave men and women put themselves in harm's way to enforce the laws of our society and protect public safety. They deserve our gratitude and respect.

Seven years ago, I established the 16th District Congressional Law Enforcement Awards, CLEA, to give special recognition to law enforcement officers, departments, or units for exceptional achievement.

This year, I will present congressional law enforcement awards to the following winners chosen by an independent panel comprised of current and retired law enforcement personnel representing a cross-section of the district's law enforcement community.

Ms. Carolyn Mason, a citizen affiliated with the Sarasota County Sheriff's Office, will receive the Associate Service Award.

Lieutenant William Tracy of the Sarasota County Sheriff's Office, Major John Baumann and Captain John F. Donovan of the Florida Highway Patrol, Detective David Tuck of the Sarasota County Sheriff's Office and Sergeant Michael Kenyan of the Manatee County Sheriff's Office will receive the Career Service Award.

Detective Frank Coleman of the City of Bradenton Police Department, Trooper Kenneth Watson of the Florida Highway Patrol, Sergeant Bruce King and Officer Chase Gloeckner of the City of Sarasota Police Department and Detective Joseph Petta of the Manatee County Sheriff's Office will receive the Dedication and Professionalism Award.

Deputy Willie Finklea of the Manatee County Sheriff's Office and Detective Ashley Lindeman of the Hillsborough County Sheriff's Office will receive the Above and Beyond the Call of Duty Award.

Trooper Gerry Smith of the Florida Highway Patrol, Sergeant Jeffrey Steiner, Officer Elise Schanley, Officer Derrick Gilbert, Officer Devin Epps, Officer Ronald Dixon, Officer Sean Gleason, Officer Kevin Sullivan, Sergeant Anthony Frangioni and Officer Bryan Lundstrom of the City of Sarasota Police Department, Deputy Efrain Taveras of the Hillsborough County Sheriff's Office, Deputy Carmine Luper, Deputy Terry Blake, Deputy Timothy

Collins, Detective Dino Murges, Deputy Selina Sly and Deputy Jerod Wolfe of the Manatee County Sheriff's Office will receive the Preservation of Life Award.

Sergeant Shawn Johnson, Detective James Klay, Detective Eric Wedin, Detective Eric Ellis and Civilian Brook Buzzell of the Sarasota County Sheriff's Office's Digital Forensics Lab will receive the Unit Citation Award.

Captain Jim Rieser, Captain (ret.) Kevin Stiff, Lieutenant Michael Schwieterman, Sergeant Jaymi Delcos, Officer Clifton Bishop, Officer David Dubendorf, Officer Dan Griesdorn, Officer Matthew Grochowski, Officer Matthew Kimball, Case Manager Krystal Frazier and Legal Advisor Joseph Polzak of the Sarasota Police Department's Homeless Outreach Team will receive the Unit Citation Award.

Lieutenant Darin Bankert, Sergeant Karen DeVries, Detective Charles Butler, Detective Darryl Davis, Detective Daniel Dickerman, Detective Benjamin Main and Detective Rabun Moss of the Manatee County Sheriff's Office, Lieutenant Bob Bourque of the Longboat Key Police Department, Detective Chad Oyler of the Palmetto Police Department, Sergeant Brian Hall of the Holmes Beach Police Department, Sergeant Lenard Diaz of the Bradenton Beach Police Department and Detective James Curulla of the City of Bradenton Police Department will receive the Manatee Homicide Investigative Unit Citation Award.

RECOGNIZING MARYMOUNT UNIVERSITY PRESIDENT DR. MATTHEW D. SHANK

**HON. DONALD S. BEYER, JR.**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. BEYER. Mr. Speaker, I rise today to recognize Dr. Matthew D. Shank, who has served as Marymount University's sixth president since July 2011. With a strong commitment to Catholic higher education and an understanding of Marymount's diverse and inclusive learning environment, he began his first year by initiating a visioning process to clarify the University's identity and way forward. Input from the Marymount community contributed to the resulting vision, which states in part that "Marymount University will distinguish itself through a culture of engagement that fosters intellectual curiosity, service to others, and a global perspective."

In recognition of his focus on preparing students for the globalized environment of the 21st century, Dr. Shank received the 2012 Global Education Leadership Award from the World Affairs Council-Washington, D.C. Accepting the award on behalf of the University, he said, "The Council and Marymount share a common goal: Both organizations educate young people about global issues so that they will be prepared for success as citizens of a complex, diverse, and increasingly interdependent global community." Under his leadership, Marymount University has created and implemented a strategic plan known as "Building the Institution of Choice" and a comprehensive marketing plan called "Common Ground".

Dr. Shank also instituted an employee incentive program, Ideas at Work, to solicit cost-saving, revenue generating, and process-im-

provement ideas from members of the University community. President Shank is active in community and business organizations, serving on the boards of the Greater Washington Board of Trade, the Northern Virginia Technology Council, the Arlington Community Foundation, the Catholic Business Network of Northern Virginia, the World Affairs Council, Bishop O'Connell High School, and the Leadership Center for Excellence. He is an ex-officio member of the Northern Virginia Chamber of Commerce, and a community advisor to the Arlington Free Clinic, Arlington Public Schools and the Hispanic Scholarship Fund Advisory Council.

In the academic community, he serves on the boards of the Consortium of Universities of the Washington Metropolitan Area, the Virginia Foundation for Independent Colleges, and the Washington Research Library Consortium. Most recently, Dr. Shank was named to the NCAA Presidential Advisory Group & President's Council. As Marymount's president, Dr. Shank is also a member of many academic organizations, including the American Association of Colleges and Universities, the Association of Catholic Colleges and Universities, the National Association of Independent Colleges and Universities, and the State Council of Higher Education for Virginia.

At the end of his seven-year tenure, Dr. Shank's visionary leadership will have resulted in numerous milestone accomplishments for the institution. Chief among them is the crafting and implementation of the strategic plan, Building the Institution of Choice, which is in its final year of execution. The University's \$40 million capital campaign goal will be met and exceeded at the end of this fiscal year, two years ahead of schedule. The Master Plan, which meticulously lays out the vision for campus growth and renewal, has been developed. The much-celebrated opening of the new Ballston Center was a highlight of the fall 2017 semester. A significant expansion in sports programs and alignment with a new athletics conference was approved by the NCAA in February 2018 with competition to commence in the Fall of 2018.

Marymount University is a leading institution of higher education in my district and all who knew and worked with him and the University will miss his leadership, but we wish him great success in his future undertakings.

PROCLAIMING THE IMPORTANCE OF THE TUIDANG MOVEMENT TO INCREASING HUMAN LIBERTY IN CHINA

**HON. STEVE KING**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. KING of Iowa. Mr. Speaker, in November 2004, the publication of "Nine Commentaries on the Communist Party" by the United States-based media outlet, the Epoch Times, revealed the brutal, deceptive, evil nature of the Chinese Communist Party. These "Nine Commentaries" led to the creation of the Tuidang movement. Tuidang literally means "withdraw from the Party". The Tuidang Movement is contributing to the liberation of the minds of the Chinese people and helping to peacefully break the cycle of indoctrination that the Chinese Communist Party

(CCP) uses against the Chinese people. Tuidang allows individuals to renounce the oaths they made to the Communist Party, the Communist Youth League and the Communist Young Pioneers.

Tuidang is not a political movement and does not provide political solutions. It simply helps Chinese people reclaim their God-given conscience. The Tuidang Movement, as one of the largest and longest grassroots movements in 5,000 years of Chinese history, is peacefully guiding Chinese people to renew the moral foundation of China that is grounded in authentic Chinese culture and traditions. The objective of the Tuidang movement, first and foremost, is to cut the spiritual ties of each and every individual to communism so that they can return to their traditional values and freely pursue God. The weakening of CCP from within would be beneficial to the entire world. The Tuidang movement has brought to the international community a renewed vision of a new China without CCP, and a world without infiltration of Communists.

Chinese people from all walks of life and from all over the country participate in the Tuidang Movement, irrespective of social status, age, religion, gender, dialect, place of birth, and ethnicity. In the United States, the Global Service Center for Quitting the Chinese Communist Party (the Tuidang Center), based in New York, has been providing volunteering services and coordinating the efforts of Tuidang world-wide.

Mr. Speaker, again, I applaud and stand with all the brave participants, volunteers, and supporters of the Tuidang movement. I look forward to the realization of a free China, complete with the pillars of a free society, and I take this opportunity to echo the words of Barry Goldwater when he said, "I have great affection for the Chinese people, their culture, their skills, and their potential."

IN RECOGNITION OF WAYNE COUNTY COMMUNITY COLLEGE DISTRICT'S 50 YEARS OF SERVICE TO MICHIGAN

**HON. DEBBIE DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mrs. DINGELL. Mr. Speaker, I rise today to recognize Wayne County Community College District (WCCCD) as they celebrate 50 years of service to Michigan students. Their efforts enrich countless lives through their educational programming and community service.

Founded in 1967 by the Legislature of the State of Michigan, Wayne County Community College District opened its first campus in Detroit with no facilities of its own. The seven-member Board of Trustees worked diligently to interview professors, establish programming and curricula and enroll students before the first semester began in fall 1969. The County of Wayne was a large resource for WCCCD throughout its first few years, providing classrooms and other necessities which formed a partnership that still exists today. The college's positive reputation allowed it to expand throughout Wayne County, and there are now six WCCCD campuses throughout Michigan.

Throughout its 50 years of service, WCCCD has expanded its course programming and

partnerships throughout southeastern Michigan. The University has established state of the art educational and entertainment facilities throughout the state, including the Michigan Institute of Public Safety Education, the Heinz C. Prechter Education and Performing Arts Center as well as two Mary Ellen Stempfle University Centers. The school continues to serve the state and country with its expansive and ever-growing academic programming. Classes and certifications range from video game design to cybersecurity, dental hygiene to anesthesia technology, teacher education to social work, and more. The college's commitment to providing hands-on teaching and passionate, well-qualified educators has set WCCCD apart as one of Michigan's finest education institutions. Wayne County Community College District has successfully served our community throughout the past 50 years, and it is my hope that they will continue their work in the years to come.

Mr. Speaker, I ask my colleagues to join me in honoring Wayne County Community College District during its 50-year anniversary celebration. WCCCD's record of excellence is worthy of commendation.

CONGRATULATING CALEB ZEHR AND SAM RUBA

**HON. ROD BLUM**

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. BLUM. Mr. Speaker, I rise today to recognize the outstanding achievement of the two-person West Delaware High School team that competed at the National Auto Skills Competition in New York, NY. Teammates Caleb Zehr and Sam Ruba, both seniors at West Delaware, placed 2nd in the Nation with the guidance of their instructor Jason Guyer.

The West Delaware team spent two days competing against 29 other teams attending the competition. The first day consisted of tests on tools, measuring instruments, vehicle components, and job interview skills. The following day, each team was put to the test by diagnosing and repairing various problems on an assigned car. After assessing each team, Caleb and Sam earned the highest standing in the history of West Delaware High School's participation in the National Auto Skills Competition.

These students are bright, hard-working individuals that represented their high school and community in high regard. I wish them the best in their future automotive industry endeavors.

100TH BIRTHDAY OF MS. BESSIE SANDOLI

**HON. ROBERT A. BRADY**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. BRADY of Pennsylvania. Mr. Speaker, today I rise to honor and celebrate the 100th birthday of Ms. Bessie Sandoli. Ms. Sandoli, who will celebrate her birthday on June 1st, was born in 1918, just before the end of WWI.

For over a half a century, Ms. Sandoli has been a proud resident of South Philadelphia at

Girard Estate. It was there that she raised her five children, Edward, Rosalie, Maria, Joe and Nancy and was blessed with 9 grandchildren and 7 great grandchildren. The community has greatly benefited from Ms. Sandoli's presence and her joyful smile.

As Ms. Sandoli and her family celebrate her 100th birthday on June 3rd, I am delighted to send her my best wishes and congratulations.

PERSONAL EXPLANATION

**HON. BETTY MCCOLLUM**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Ms. MCCOLLUM. Mr. Speaker, I missed the vote on May 8, 2018 to disapprove of the guidance issued by Consumer Financial Protection Bureau (CFPB) regarding indirect auto lending and compliance with the Equal Credit Opportunity Act (ECOA). Had I been present, I would have voted no on this joint resolution.

I strongly support the CFPB's 2013 guidance, which prevents indirect auto lenders from discriminating against minorities in offering credit, a practice the CFPB determined was occurring. In fact, a January, 2018 study from the National Fair Housing Alliance (NFHA) reveals just how widespread this discrimination in auto lending still is. The NFHA study found that over the life of a loan, minority borrowers pay an average of \$2,662 more than white borrowers, and minority borrowers are consistently offered less loan financing options than white borrowers. As a Member of Congress who represents a number of diverse and vibrant minority communities, including the historic Rondo Neighborhood, I find these discriminatory practices repugnant. Reversing course on the CFPB's auto lending guidance would undermine their ability to enforce the ECOA and open up minority communities to further discrimination from indirect auto lenders.

Additionally, I strongly disagree with the use of the Congressional Review Act (CRA) to overturn this guidance. Using the CRA to overturn guidance issued five years ago, or any agency guidance for that matter, is not in keeping with congressional intent and is a gross overstep of power.

HONORING THE LIFE AND LEGACY OF CYRUS M. JOLLIVETTE

**HON. FREDERICA S. WILSON**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Ms. WILSON of Florida. Mr. Speaker, I rise today to commemorate the life and legacy of a true "son of Florida," Cyrus M. Jollivette.

Mr. Speaker, Cyrus M. Jollivette, whom we affectionately called "Russ," was for many decades a powerful and transformational force in the fields of health and higher education. He was a pillar in our community who worked tirelessly to help improve the lives of others through education. He was a civic leader, wise mentor, loving father, doting grandfather, and incredible friend.

Russ is most recognized for his 24-year tenure at the University of Miami, where he

helped to advance the university's goal to become one of the nation's preeminent research institutions. He served in several senior-level positions, including executive assistant to President Edward T. Foote II and as vice president for government relations during one of the most dynamic growth periods in the university's history. Russ was so well regarded that his influence stretched across political divides, enabling him to successfully lobby lawmakers for funding. His advocacy helped secure millions of dollars for the university when he represented the institution in Tallahassee and in Washington, D.C.

Russ's tenure at the University of Miami was followed by various executive roles at Blue Cross Blue Shield of Florida, where he spearheaded efforts to bestow a generous gift to the university's School of Nursing and Health Studies to provide scholarships for minority nursing students.

Russ was a genuine advocate for African-American children, women, and men. He supported minority education and training to advance diversity in health science, specifically nursing schools and cancer centers throughout the country. He was especially supportive of the nation's historically black, Hispanic, and minority-serving colleges, including Florida Agricultural and Mechanical University, Florida International University, Morehouse College, and Spelman College.

Russ's contribution to higher-education extended far beyond the University of Miami. He worked with many of Florida's schools, colleges and universities, including Florida State University, University of Florida, University of North Florida, Jacksonville University, Eckerd College, Barry University, and St. Thomas University, to improve the students' learning experiences. Russ also served as the director of Florida Enterprise, helped establish the Florida Education Fund, and chaired the National Council for the Advancement of Secondary Education and the Southern Governors' Education Board, to name a few.

Russ also had a successful academic career. He earned a Bachelor of Arts degree in business administration at Long Island University's C.W. Post campus and a Master of Business Administration in management from Long Island University. He also holds a Juris Doctor degree from the University of Miami School of Law.

Russ has served many roles in his lifetime, but the one that he cherished the most was friend. Friendship was a special gift that Russ shared with so many, and those who've had the privilege of knowing him understand exactly what I mean.

As a graduate of the University of Miami, I am honored to recognize Russ for his dedication to education, academic excellence and creating access and opportunity where it did not previously exist. Russ was an exemplary public servant and will be missed by many. He leaves to cherish his memory one daughter, Lynn Jollivette Johns, and two grandchildren; his sisters, Regina Jollivette Frazier and Cleo L. Jollivette; and countless family and friends.

Mr. Speaker, I urge my colleagues and all Americans to please join me in paying homage to the life of a great man, a great leader, a great father, and a great American, Cyrus M. Jollivette.

IN RECOGNITION OF THE PAKISTAN WOMEN ASSOCIATION OF MICHIGAN FOR THEIR LEADERSHIP

### HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mrs. DINGELL. Mr. Speaker, I rise today to honor the Pakistan Women Association of Michigan (PWAM) as they are recognized by the American Human Rights Council (AHRC). The organization has been critical in protecting and advancing women's rights in our state and internationally.

Founded in 2014, the AHRC brings together community leaders and civil rights activists to promote and defend human rights defined in the United States' Constitution and by the United Nations' Declaration of Human Rights. Initially focused on protecting and preserving the rights of prisoners, the AHRC has expanded its advocacy efforts to address pressing humanitarian issues in the United States and abroad. The AHRC has been able to draw attention to human rights issues through its work with local and state partners, including the Pakistan Women Association of Michigan.

Since its founding in 2009, PWAM has promoted and strengthened the unity between Michigan's diverse population and various ethnic groups. The organization is an active part of our southeastern Michigan community and partners with a variety of social, civic and educational initiatives to further their message and reach more women. Events held by the organization include an International Women's Day celebration each year where women gather to discuss the progress made throughout the year and goals for the year ahead. PWAM's advocacy for women of all ethnicities, religions and backgrounds has bettered our Michigan community, and I look forward to their continued contributions in the years to come.

Mr. Speaker, I ask my colleagues to join me in honoring the Pakistan Women Association of Michigan for their service to southeastern Michigan. Their work continues to inspire us to celebrate our differences and shows the community what strong women can accomplish when we come together.

#### PERSONAL EXPLANATION

### HON. EVAN H. JENKINS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. JENKINS of West Virginia. Mr. Speaker, had I been present, I would have voted on YEA Roll Call No. 169, YEA on Roll Call No. 170, YEA on Roll Call No. 171, and YEA on Roll Call No. 172.

#### PERSONAL EXPLANATION

### HON. JAMES B. RENACCI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. RENACCI. Mr. Speaker, as a cosponsor and automobile dealer myself, I would have

proudly supported S.J. Res. 57. I am pleased to see this bipartisan legislation pass the House and head to the President's desk.

Had I been present, I would have voted YEA on Roll Call No. 169; YEA on Roll Call No. 170; YEA on Roll Call No. 171; and YEA on Roll Call No. 172.

IN HONOR OF THE 2018 DENTON COUNTY CHAMBERS OF COMMERCE FLY-IN

### HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. BURGESS. Mr. Speaker, I rise today to recognize Denton County, Texas and members of the Denton County Chambers of Commerce leadership delegation who have traveled here to Washington, D.C. These local officials and business leaders understand that policy made in Washington impacts our local communities at home.

During this productive visit, the group is meeting with members of leadership here in Congress, Department of Housing and Urban Development Secretary Ben Carson, as well as Senator TED CRUZ and Representatives from Texas and across the country. Additionally, these leaders are meeting with members of the U.S. Chamber of Congress and other national business leaders. They also have had the opportunity to visit the White House and the Federal Bureau of Investigations Headquarters.

Mr. Speaker, I include in the Record the following names of the Denton County delegation:

Rachel Bagley, Barry Bonds, Kevin Bryant, Fred Busche, Kevin Cruser, Andrew Eads, Lori Fickling, Barbara Fleming, Monica Glenn, Ken Heerman, Gary Henderson, Donna Hernandez, Kelly Heslep.

Cindi Howard, Dan Irvin, Roy Jackson, Dan Jaworski, Brandon Jones, James Kunke, Sunny Lindsey, Mike Lombardo, Jana Onstead, Nate Prevost, Ryan Schroer, Lori Walker, Neal Walker, Charlotte Wilcox.

#### JAMES AVERY—THE TEXAS JEWELRY ICON

### HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. POE of Texas. Mr. Speaker, ask any Texan, the name James Avery rings a bell. On April 30th, the founder of one of Texas' most beloved jewelry brands, died at the age of 96. This family owned company designs timeless jewelry pieces reflecting on the things that are important in life. Whether it's a first communion cross, a wedding band, or a commemorative charm, each piece has a story. When asked about the idea behind his design, James Avery once said "I strive to keep designs from being contrived, cluttered, or cute. The challenge is to keep things simple."

Despite the craftsmanship of his jewelry, James Avery was no simple man. Born in Milwaukee, Wisconsin and raised in Chicago, the first time he saw the beautiful Texas hill country was by way of the United States Army Air

Corps. Basic Trainee Avery was stationed at Lackland Air Force Base in San Antonio, Texas (Lackland Air Force Base was also where I did basic training in the United States Air Force). It was here that James Avery completed pilot training and commanded a B-26 Bomber, flying 44 dangerous and hostile missions over Germany in World War II. After the war, he attended the University of Illinois for Industrial Design, and then went on to teach at the University of Colorado. In 1954, while visiting his in-laws in Kerrville, Texas, James Avery decided to go into the jewelry making business. His business started with a two-car garage, a small workbench, a few hand tools, and some scraps of silver and copper.

James Avery Artisan Jewelry is now operating 80 stores in 5 states with the headquarters remaining in Kerrville, Texas. This original one-man operation has grown to over 3,500 employees. After running the business for over 50 years, James Avery handed the reins to his son in 2007.

James Avery was a bold, innovative, and generous man who touched the lives of many people during his lifetime through his work, his art, and his giving spirit. The 64-year success of James Avery Artisan Jewelry reflects as a testament to his early leadership. The company's mission statement is to "celebrate life through the beauty of design," and the life of James Avery should be forever celebrated through his artistic legacy.

And that's just the way it is.

IN RECOGNITION OF DETROIT JEWISH NEWS' 75 YEARS OF SERVICE TO OUR MICHIGAN COMMUNITY

**HON. DEBBIE DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the Detroit Jewish News as they celebrate 75 years of service to our Michigan community. Their journalism enriches the lives of countless Michigan residents.

Founded in 1942, the Detroit Jewish News was established to give voice to southeast Michigan's growing Jewish population. The paper was founded with the mission of providing diverse viewpoints while advocating for Jewish unity and representing issues that affect both the local and international Jewish American community. After it was purchased by Charles Buerger, owner of the Baltimore Jewish Times in the 1980s, the paper was transformed into what would become a national voice for Jewish Americans. Today, the Detroit Jewish News is published by Jewish Renaissance News and headquartered in Southfield, Michigan where it serves the same population that it set out to more than 70 years ago.

Years after its founding, the Detroit Jewish News remains in weekly circulation, reaching over 40,000 Michigan residents each week through its paper route and website. It is considered the largest, most comprehensive Jewish newspaper in North America and seeks to represent varied voices in its publication. Its main journalistic focus includes local news, the arts, spirituality and religion as well as an esteemed opinion page that represents Jewish Americans from all walks of life. The paper

has won numerous honors from the Michigan Press Association, including Design, Editorial Writing and Local Columnists. These accolades underscore the paper's commitment to honest and accessible news coverage, and we look forward to the Detroit Jewish News' continued service in the years to come.

Mr. Speaker, I ask my colleagues to join me in honoring the Detroit Jewish News as they celebrate 75 years of service to our Michigan community. Their hard work is vital to the fabric of southeast Michigan's vibrant Jewish community.

HONORING THE LIFE OF SUSAN WU RATHBONE

**HON. GRACE MENG**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Ms. MENG. Mr. Speaker, I rise today to honor the life of Susan Wu Rathbone also known as "Auntie Wu," for her tireless efforts supporting the Chinese American community.

Susan is widely recognized for her long record of helping Chinese immigrants transition to life in the United States. In our community, she has been hailed as a "very special lady" and "one of the unsung heroes" of Queens.

She comes from Anhui Province in China. She met and married her husband in China, and immigrated to the United States in 1946.

In 1947, Susan established "Auntie Wu's Hotline" which aided many Chinese immigrants as they settled in America.

Susan embodied the spirit of empathy and worked to make sure Chinese immigrants had the tools to succeed. After creating Auntie Wu's Hotline, she went on to establish Chinese Immigrant Services which offers education programs for Chinese immigrants.

Susan has also been a strong supporter of women's rights. She founded the Queens Chinese Women's Association which has helped the careers of many Asian American women leaders. She also became the first Chinese woman to receive the Susan B. Anthony award from the National Organization for Women—New York City in 1987, the Emigrant Award from the Emigrant Savings Bank in 2001, and was honored by the Queen's Borough President for her service to Queens in 2003.

Her work made Queens, New York a better place. I urge all of my colleagues to rise with me as we celebrate the amazing life of Susan Wu Rathbone.

IN HONOR OF HEIDI WELCH

**HON. ANN M. KUSTER**

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Ms. KUSTER of New Hampshire. Mr. Speaker, I rise today to recognize Heidi Welch who will retire this spring after serving for 20 years as music director at Hillsboro-Deering High School.

Heidi's dedication and enthusiasm for music and the arts has inspired generations of students in the Hillsboro-Deering community. In

2013, she was recognized as New Hampshire's Teacher of the Year and served as the Granite State's representative as a finalist for the National Teacher of the Year. Through Heidi's leadership, the Hillsboro-Deering band and chorus consistently wins accolades at national competitions. Heidi is also civically engaged as music director for "HillCat Summer Theatre", as an adjunct professor at Keene State College, and soon will be receiving a Ph.D. in her field of music education. Heidi was once even selected as a guest conductor of the Boston Pops Orchestra.

On behalf of my constituents in New Hampshire's Second Congressional District, I thank Heidi for her many years of service and being a part of what makes the Granite State's public schools so special. Her legacy of teaching will continue through the countless students she has inspired. I am honored to recognize and congratulate Heidi on her retirement and wish her the best of luck in the years ahead.

HONORING THE LIFE AND LEGACY OF MR. CYRUS MARTIN "RUSS" JOLLIVETTE

**HON. CEDRIC L. RICHMOND**

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. RICHMOND. Mr. Speaker, I rise to honor the life and legacy of Mr. Cyrus Martin "Russ" Jollivette, a civic leader and former executive at Florida's Blue Cross and Blue Shield, who died on May 7, 2018 at the age of 71.

Mr. Jollivette was born on August 5, 1946, in Miami, Florida, the son of Mr. Cyrus Martin and Mrs. Frances Edna (Reeves) Jollivette Chambers. Mr. Jollivette earned a Bachelor of Arts in Business Administration in Management from C.W. Post College of Long Island University, a Master of Business Administration from Long Island University, and Juris Doctor from the University of Miami School of Law.

Mr. Jollivette served in multiple senior-level positions at the University of Miami for 24 years, from 1977 to 2001, including as executive assistant to former University of Miami President Edward "Tad" Foote. Prior to working at the University of Miami, Mr. Jollivette was managing editor from 1971 to 1977 of the Miami Times, a black-owned newspaper founded in 1923. In 2011, the National Newspaper Publishers Association recognized the paper as the top black newspaper in the country.

After leaving the University of Miami, Mr. Jollivette served in several high-level capacities at insurance giant Blue Cross Blue Shield Florida, including as vice president, before opening his own public relations firm in 2014. While there, Mr. Jollivette developed a generous gift to University of Miami School of Nursing and Health Studies for scholarships for minority nursing students.

Mr. Jollivette also served as a trustee at St. Thomas University and Jacksonville University, a board member of Catholic Charities of the Archdiocese of Miami, a member of the Orange Bowl Committee, was on the Jacksonville Host Committee for the 2005 Super Bowl, chairman of the United Way of Northeast Florida and Jackson Aviation Authority.

Mr. Jollivette lived an extraordinary life that cannot be categorized. His legacy will forever be a part of his hometown and his dedication to community embodies the spirit of public service. We cannot match the sacrifices made by Mr. Jollivette, but surely we can try to match his sense of service. We cannot match his courage, but we can strive to match his devotion.

Mr. Jollivette's survivors include his daughter Lynn Jollivette Johns; two sisters Regina Jollivette Frazier and Cleo L. Jollivette, and two grandchildren.

Mr. Speaker, I celebrate the life and legacy of Mr. Cyrus "Russ" Jollivette.

RECOGNIZING DAVID "BIG PAPI"  
ORTIZ

**HON. ADRIANO ESPAILLAT**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. ESPAILLAT. Mr. Speaker, I rise today to recognize David "Big Papi" Ortiz who to this day stands as among the most feared hitters in Major League Baseball. His success as a player began with his journey from his home—our home—the Dominican Republic. It was Pedro Martinez, his fellow Dominican teammate on the Boston Red Sox, who said of David Ortiz, that "A guy from a shack in the Dominican lifted up the hearts of an entire city."

No For all the fame and glory that "Big Papi" epitomized as No. 34, in Boston, his career began as No. 27 with the Minnesota Twins. His ascension to the Major Leagues with the Minnesota Twins was one measure of professional success, it was not permanent. Returning to the Dominican Republic and then the encouragement from his fellow countrymen that followed lent perspective that whatever happens—however challenging on its face—presents opportunity. That new opportunity for unmatched success and a storied career in baseball began with the Boston Red Sox in 2003.

In the Dominican Republic, baseball is beloved. When anyone Dominican succeeds, we all succeed. And yes, we celebrate those successes. What we celebrate is that in each generation, there becomes more permanent a sense that no matter where you are born or whether you lived in a shack, you can succeed. It means that anyone born in Santo Domingo, Manoguayabo, Nizao, Laguna Verde, San Pedro de Macoris, Hato Mayor, Altamira, Villa González, Monte Cristi, or Samaná can look to David Ortiz and know that they too can emulate his resilience and fortitude and achieve his degree of success and beyond.

In recognizing David Ortiz, I would be remiss to not share his professional accolades. While some came at the expense of MY New York Yankees, no one can deny his dominance: 7x Edgar Martinez Outstanding DH of The Year; 7x American League Silver Slugger; 10x American League All-Star; 2011 Roberto Clemente Award Winner; 2x American League Hank Aaron Award Winner. And then there is the Post-Season: 2004 American League Champion Series Most Valuable Player; 3x Major League Baseball World Series Champion; and 2013 World Series Most Valuable Player. And it all began after graduating from Estudia Espaillat High School.

I end with the inimitable words of Pedro Martinez, "Whether you loved David or hated him, he gave you everything to love or hate. He was a force of nature. He was a big brother to a lot of Latin players . . . Nobody—none of the other players from the Dominican, including me—does more for society than David. He's a better man than he is a baseball player." As the first Dominican American elected to the U.S. Congress, it is my distinct pleasure to celebrate David Ortiz—"Big Papi"—for all his success.

IN RECOGNITION OF RASHEDA  
ALI'S TIRELESS ADVOCACY FOR  
PARKINSON'S DISEASE

**HON. DEBBIE DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mrs. DINGELL. Mr. Speaker, I rise today to honor Rasheda Ali as she is recognized by the American Human Rights Council (AHC). Her efforts have been paramount in bringing recognition and hope to those suffering from various neuro-cognitive disorders.

Founded in 2014, the AHC brings together community leaders and civil rights activists to promote and defend human rights defined in the United States' Constitution and by the United Nations' Declaration of Human Rights. Initially focused on protecting and preserving the rights of prisoners, the AHC has expanded its advocacy efforts to address pressing humanitarian issues in the United States and abroad. The AHC has been able to draw attention to human rights issues through its work with local and state partners, including Rasheda Ali.

As the daughter of Muhammad Ali, Ms. Rasheda Ali has witnessed the devastating toll of Parkinson's Disease firsthand. After watching her father suffer for more than 30 years from the disease, she was inspired to speak publicly about his struggles and help shine a light on Parkinson's Disease. Her book "I'll Hold Your Hand So You Won't Fall—A Child's Guide to Parkinson's Disease" has been read by families all across the world. Ms. Ali travels across the globe raising awareness for neuro-cognitive disorders and meeting with families who shared her family's experience. Her work has elevated her to a public platform and she has appeared on many news networks including NBC, CNN, MSNBC and FOX. Through her speaking events and travel, Ms. Ali has raised awareness and funds for Parkinson's Disease, and we are grateful for her work. It is my hope that she will continue to advocate for medical research and lead the way into a world without Parkinson's Disease.

Mr. Speaker, I ask my colleagues to join me in honoring Rasheda Ali for her life's work as a Parkinson's Disease advocate. Her actions inspire us to put others before ourselves and speak up to advance the causes that we believe in.

RECOGNIZING LISA BUCHHOLZ  
FOR WINNING THE GOLDEN  
APPLE AWARD

**HON. PETER J. ROSKAM**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. ROSKAM. Mr. Speaker, I rise today to congratulate Mrs. Lisa Buchholz, a first grade teacher at Abraham Lincoln Elementary School in Glen Ellyn, Illinois, for being awarded with the prestigious 2018 Golden Apple Award for Excellence in Teaching & Leadership.

This honor is bestowed on those teachers in recognition of their contributions to building a stronger, better-educated society. Every year since 1986, Golden Apple has chosen 10 outstanding teachers to receive the award. Award recipients are nominated by their fellow educators, students, parents and community leaders. The 2018 award recipients were selected over 650 nominations, highlighting Mrs. Buchholz's worthiness.

Over the course of 27 years in the classroom, Mrs. Buchholz has encouraged thousands of students to strive for the highest of standards and to expect more of themselves and each other every day. It is no coincidence that as a result of her leadership many of her students adopt an "I can" attitude in school and life. According to a former-Golden Apple recipient who reviewed Mrs. Buchholz's nomination, "It's like you can tell the magic and the chemistry the minute you walk into her classroom."

Mr. Speaker and distinguished colleagues, please join me to recognize Mrs. Lisa Buchholz for her outstanding leadership in teaching and congratulate her on being awarded with a 2018 Golden Apple Award for Excellence in Teaching & Leadership.

INTRODUCTION OF THE NON-FEDERAL  
RESERVOIR OPERATIONS  
IMPROVEMENT ACT

**HON. JIM COSTA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. COSTA. Mr. Speaker, as we in the San Joaquin Valley know, "food grows where water flows."

We also know the ravages of drought and are the first communities in California to experience drought's harmful effects.

For over 30 years, I have worked to strengthen water supply reliability for the San Joaquin Valley and throughout California.

While I was in the California Legislature, I authored the legislation to create the Kern County Water Bank, led 2 water bonds and helped to pass 2 others, providing more than \$2 billion dollars to improve California's water system and provide for safe, reliable drinking water.

In Congress, I have secured approval of the Madera Irrigation District Water Bank, the San Luis Intertie, and the North Valley Regional Recycled Water Project, bringing hundreds of thousands of acre-feet of more secure water to the San Joaquin Valley.

I also worked on a bipartisan basis to pass the Water Infrastructure Improvements for the

Nation, or WIIN Act, which was signed into law in December of 2016 and increased pumping flexibility to move water throughout the state and provided over \$355 million dollars for water infrastructure projects, including matching federal funds for new surface storage in California.

In all of my time working to improve the lives of the people of the Valley, rarely have I been presented with a project with such obvious potential as raising the spillway gates at New Exchequer Dam.

Water impounded behind New Exchequer Dam provides irrigation water for agriculture in Merced County, groundwater replenishment for several nearby communities, and environmental benefits for fisheries and wildlife refuges downstream of the dam.

Recently, Merced Irrigation District performed a detailed analysis of the hydrology of the watershed upstream of New Exchequer Dam and found that by raising the spillway gates 8 feet, Lake McClure could hold an additional 57,000 acre-feet without impeding the Merced River's Wild and Scenic River designation.

However, in order to move forward with raising the spillway gates, the flood control and operations manual for New Exchequer Dam must be updated, a responsibility of the Army Corps of Engineers.

Unfortunately, this manual is based on data that dates back to 1959, when New Exchequer Dam was being constructed.

Army Corps of Engineers policy requires that flood control manuals be updated to reflect new data and changes to a project.

In 2017, Merced Irrigation District wrote to the Army Corps requesting a revision of the flood control manual, which was last updated in 1981.

The Army Corps indicated that it could not update the manual at this time, citing budgetary constraints.

Merced Irrigation District proposed to pay for the public process to update the flood control manual to incorporate the new hydrologic data.

The Army Corps responded by saying that it didn't have the legal authority to accept funds for this purpose for a non-federal Section 7 project like New Exchequer, despite being able to do so for Corps facilities.

The Non-Federal Reservoir Operations Improvement Act would resolve this disparity by allowing the owners of non-federal reservoirs that are regulated by the Army Corps to contribute funds to update their flood control manuals.

It's a very commonsense, targeted change to law that will improve the water supply reliability in Merced County.

JUSTIN ONWENU: PLAN B IS NOT  
AN OPTION

**HON. TED POE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mr. POE of Texas. Mr. Speaker, Rice University Student Body President Justin Onwenu was born in Detroit, grew up in Alabama and moved around a lot as a kid. He lived in rural, suburban, and urban Alabama with his mom. His moving around didn't bother him; in fact it

was quite the opposite. He says it was instrumental in learning a sense of how to coexist and feel others' perspectives. He was a very successful high school student active in debate, basketball, and student government.

When he graduated, he knew exactly what he wanted: a small school in a big city. Rice University was the perfect fit. Justin had never been to Houston before his college visit to Rice, but once he saw the vibrant, diverse city, he knew it was the place for him—so much so, it was the only school to which he applied. Mr. Speaker, Justin just knew it was what he must do, he had no Plan B.

Justin chose Rice, in part, because of its research and extracurricular activities. Upon arrival, he knew he wanted to study medicine, policy, and international health. There was only one problem: Rice University didn't have that degree. Justin decided to create his own degree plan. He formulated the curriculum and the class requirements, submitted it to Rice, and created the Bachelor of Arts Degree in International Health and Policy at Rice University. Once again, Mr. Speaker, Justin knew it was the right thing for him to do, no Plan B. Justin told me, "I think about what opportunity is out there that I want, then I go after it!"

In his sophomore year, Justin became involved in student government and was instrumental in the university's first-ever student survey to gauge sexual conduct on campus. Justin felt strongly that a dialogue was necessary for students to discuss their expectations with their peers, not just be pushed to know right from wrong. As a result of Justin's work, Rice University led the nation with the first Critical Thinking and Sexuality course required of entering freshmen. Other college campuses are now following Rice's lead and engaging in real talk about campus sexual conduct. Mr. Speaker, Justin recently shared his work with Congress when he testified at my "Breaking the Silence: Responding to Sexual Assault on Campus" Field Hearing. He says he knew from the beginning this was such an important topic, he just had to give a voice to it. He had no choice.

Then Hurricane Harvey hit. Mr. Speaker, every Houstonian struggled to know how to respond to this devastating crisis. Justin knew he had to be involved with the school's Crisis Management Team, so he said he invited himself to their meeting. It was the first time the student body president was involved in such a high level tactical plan. Justin told me that throughout the meetings his thoughts were on the future. "How can we prepare for post-Harvey? We need to think about volunteering, not just making sure Rice is safe." Justin said he went "full in" with this idea and decided to "launch it first, then figure out the details later." With this in mind, the student government partnered with the Doerr Institute and the Center for Civic Leadership to create the Rice Harvey Action Team. The R-HAT, made up of 1,700 students and faculty, worked with synagogues, churches, and local shelters on demolition and volunteer projects. "There was no other option," Justin told me. "We had to make it happen." There was no Plan B.

With finals and term papers now due, Justin has taken on a new civic engagement project: scholarship reform. Mr. Speaker, you may have seen Justin's op-ed piece in the New York Times late last year on this very subject. Financial aid recipients who receive private scholarships are required to report the amount

to their college or university. The school may then evaluate the scholarship and decrease the recipient's financial aid by the same amount. Since his op-ed, students and student governments from across the nation have reached out to him asking advice and thanking him for giving this issue a voice. Justin visited Capitol Hill this year to tell lawmakers about scholarship displacement and to propose policy changes. Justin is committed to educating lawmakers on this issue; there is no other choice for him. Again, no Plan B.

Justin graduates this month. He looks back on his career at Rice and says he's proud that people who don't normally speak up, speak with him. He says people have told him he's their "voice" on issues they care about, but have never felt comfortable coming forward on. He says this has inspired him to continue to speak up and speak out for people and policy changes. He plans to attend law school in the fall.

When considering how to tackle a project or a problem, Justin told me, "You have a moment of 'freak out' trying to decide if you should do something. I've learned how to tell myself to 'just go for it!' It's easier to get involved and speak out than people think. I tell people to get passionate about an issue and work for change."

Mr. Speaker, Justin Onwenu works on his "Plan As." And, he finds a way to make them work every time. Justin has never thought about a Plan B, in fact, in his 21 years it's never entered his mind that one should exist. And that's just the way it is.

IN CELEBRATION OF THE 20TH ANNIVERSARY OF THE YPSILANTI CAMPAIGN FOR EQUALITY'S LANDMARK VICTORY

**HON. DEBBIE DINGELL**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, May 9, 2018*

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the Ypsilanti Campaign for Equality (YCFE) for twenty years of striving for a more equal society. Their efforts enrich the lives of Michigan residents through their grassroots activism.

The Ypsilanti Campaign for Equality was formed in 1998 to protect the rights of all Ypsilanti residents. Later that year, the city passed a human rights ordinance that protected against discrimination based on 'race, color, religion, national origin, sexual orientation, age, or disability.' The ordinance protected from a wide range of discrimination including in jobs, labor unions, and access to houses, goods and services. Despite passing handily in 1998, opposition groups set out to overturn it, and YCFE stood strong against these efforts. Their grassroots organizing garnered a victory and the anti-discrimination initiative was upheld.

Although the fight against the 1998 overturn proposal took place 20 years ago, members of the original Ypsilanti Campaign for Equality continue to live in southeast Michigan today and promote ideals of equality and equal opportunity for all. As we gather tonight to celebrate their continued dedication to standing up against divisiveness, we honor the bravery and courage of our friends and neighbors.

May we all learn from their actions and continue their work in our own communities.

Mr. Speaker, I ask my colleagues to join me celebrating the 1998 landmark victory in protecting the civil liberties of all Ypsilanti residents. We are grateful for the courageous Michigan residents that spoke out and stood up against hatred in all forms and continue to do so today.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 10, 2018 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 15

- 10 a.m.  
Committee on Appropriations  
Subcommittee on Department of Defense  
To hold hearings to examine proposed budget estimates and justification for fiscal year 2019 for the Army. SD-192
- Committee on Banking, Housing, and Urban Affairs  
Business meeting to consider the nominations of Thelma Drake, of Virginia, to be Federal Transit Administrator, Department of Transportation, Jeffrey Nadaner, of Maryland, to be an Assistant Secretary of Commerce, and Seth Daniel Appleton, of Missouri, to be an Assistant Secretary of Housing and Urban Development; to be immediately followed by a hearing to examine the nominations of Richard Clarida, of Connecticut, to be Vice Chairman of the Board of Governors of the Federal Reserve System, and to be a Member of the Board of Governors of the Federal Reserve System. SD-538
- Committee on Energy and Natural Resources  
To hold hearings to examine the nomination of Aimee Kathryn Jorjani, of Wisconsin, to be Chairman of the Advisory Council on Historic Preservation. SD-366

- Committee on Health, Education, Labor, and Pensions  
To hold hearings to examine oversight reports on the 340B Drug Pricing Program. SD-430
- Committee on the Judiciary  
To hold hearings to examine protecting and promoting music creation for the 21st century. SD-226
- 2:30 p.m.  
Committee on Commerce, Science, and Transportation  
Subcommittee on Communications, Technology, Innovation, and the Internet  
To hold hearings to examine trends in mobile technologies. SR-253
- Committee on Homeland Security and Governmental Affairs  
To hold hearings to examine authorities and resources needed to protect and secure the United States. SD-342
- 3:30 p.m.  
Committee on Small Business and Entrepreneurship  
To hold hearings to examine the state of small business in America, focusing on an update from the Small Business Administration. SR-428A
- 4 p.m.  
Committee on Appropriations  
Subcommittee on Legislative Branch  
To hold hearings to examine proposed budget estimates and justification for fiscal year 2019 for the Senate Sergeant at Arms and the Capitol Police. SD-138
- MAY 16
- 9:30 a.m.  
Committee on Appropriations  
Subcommittee on Department of the Interior, Environment, and Related Agencies  
To hold hearings to examine proposed budget estimates and justification for fiscal year 2019 for the Environmental Protection Agency. SD-124
- 10 a.m.  
Committee on Commerce, Science, and Transportation  
To hold hearings to examine the nominations of Joseph Ryan Gruters, of Florida, to be a Director of the Amtrak Board of Directors, Jennifer L. Homendy, of Virginia, to be a Member of the National Transportation Safety Board, and Heidi R. King, of California, to be Administrator of the National Highway Traffic Safety Administration, Department of Transportation. SR-253
- Committee on the Judiciary  
To hold hearings to examine Cambridge Analytica and the future of data privacy. SD-226
- 2:30 p.m.  
Committee on Appropriations  
Subcommittee on Commerce, Justice, Science, and Related Agencies  
To hold hearings to examine proposed budget estimates and justification for fiscal year 2019 for the Federal Bureau of Investigation; to be immediately followed by a closed session in SVC-217. SD-138
- Committee on Appropriations  
Subcommittee on Department of Homeland Security  
To hold hearings to examine the role of the Department of Homeland Security

- in stopping the flow of opioids, methamphetamines, and other dangerous drugs. SD-192
- Committee on Commerce, Science, and Transportation  
Subcommittee on Space, Science, and Competitiveness  
To hold hearings to examine the future of the International Space Station; focusing on Administration perspectives. SR-253
- Committee on Indian Affairs  
To hold an oversight hearing to examine safety and security at Bureau of Indian Education schools. SD-628
- 3:30 p.m.  
Committee on Appropriations  
Subcommittee on Transportation, Housing and Urban Development, and Related Agencies  
To hold hearings to examine railroad safety initiatives. SD-124
- Joint Committee on Printing  
Organizational business meeting for the 115th Congress. S-219
- 3:45 p.m.  
Joint Committee on the Library  
Organizational business meeting for the 115th Congress. S-219

MAY 21

- 5 p.m.  
Committee on Armed Services  
Subcommittee on Airland  
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2019. SR-232A

MAY 22

- 9:30 a.m.  
Committee on Armed Services  
Subcommittee on SeaPower  
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2019. SR-232A
- 11 a.m.  
Committee on Armed Services  
Subcommittee on Readiness and Management Support  
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2019. SR-232A
- 2:30 p.m.  
Committee on Armed Services  
Subcommittee on Personnel  
Business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2019. SH-216
- 3:30 p.m.  
Committee on Armed Services  
Subcommittee on Cybersecurity  
Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2019. SR-232A

4:30 p.m.

Committee on Armed Services  
Subcommittee on Emerging Threats and Capabilities

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2019.

SR-232A

5:15 p.m.

Committee on Armed Services  
Subcommittee on Strategic Forces

Closed business meeting to markup those provisions which fall under the subcommittee's jurisdiction of the proposed National Defense Authorization Act for fiscal year 2019.

SR-232A

MAY 23

9:30 a.m.

Committee on Armed Services  
Closed business meeting to markup the proposed National Defense Authorization Act for fiscal year 2019.

SR-222

MAY 24

9:30 a.m.

Committee on Armed Services  
Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2019.

SR-222

10 a.m.

Committee on Foreign Relations  
To hold hearings to examine the President's proposed budget request for fiscal year 2019 for the Department of State.

SD-419

MAY 25

9:30 a.m.

Committee on Armed Services  
Closed business meeting to continue to markup the proposed National Defense Authorization Act for fiscal year 2019.

SR-222



# Daily Digest

## Senate

### Chamber Action

*Routine Proceedings, pages S2557–S2597*

**Measures Introduced:** Seven bills and one resolution were introduced, as follows: S. 2805–2811, and S. Res. 502. **Page S2594**

**Measures Reported:**

S. 2503, to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs. (S. Rept. No. 115–241)

H.R. 589, to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs. (S. Rept. No. 115–242)

S. 1405, to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration, with an amendment in the nature of a substitute. (S. Rept. No. 115–243) **Page S2594**

**Message from the President:** Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13338 of May 11, 2004, with respect to the blocking of property of certain persons and prohibition of exportation and re-exportation of certain goods to Syria; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–36) **Page S2592**

**Brennan Nomination—Agreement:** Senate resumed consideration of the nomination of Michael B. Brennan, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit. **Pages S2565–89**

During consideration of this nomination today, Senate also took the following action:

By 49 yeas to 47 nays (Vote No. 88), Senate agreed to the motion to close further debate on the nomination. **Page S2565**

A unanimous-consent agreement was reached providing that notwithstanding the provisions of Rule XXII, at 12 noon, on Thursday, May 10, 2018, all time on the nomination be considered expired and

Senate vote on confirmation of the nomination with no intervening action or debate; that following the disposition of the Brennan nomination, Senate vote on the motion to invoke cloture on the nomination of Joel M. Carson III, of New Mexico, to be United States Circuit Judge for the Tenth Circuit; that the vote on the motion to invoke cloture on the nomination of John B. Nalbandian, of Kentucky, to be United States Circuit Judge for the Sixth Circuit occur at 1:45 p.m., on Thursday, May 10, 2018; and that if cloture is invoked on both nominations, the debate time run concurrently. **Page S2589**

A unanimous-consent agreement was reached providing for further consideration of the Brennan nomination, post-cloture, at approximately 10 a.m., on Thursday, May 10, 2018. **Page S2597**

**Nominations Confirmed:** Senate confirmed the following nominations:

By 62 yeas to 34 nays (Vote No. EX. 87), Kurt D. Engelhardt, of Louisiana, to be United States Circuit Judge for the Fifth Circuit. **Pages S2560–65**

1 Coast Guard nomination in the rank of admiral. **Page S2589**

**Messages from the House:** **Page S2592**

**Measures Referred:** **Page S2592**

**Measures Placed on the Calendar:** **Page S2592**

**Executive Communications:** **Pages S2592–93**

**Petitions and Memorials:** **Pages S2593–94**

**Additional Cosponsors:** **Pages S2594–96**

**Statements on Introduced Bills/Resolutions:** **Page S2596**

**Additional Statements:** **Pages S2591–92**

**Authorities for Committees to Meet:** **Pages S2596–97**

**Record Votes:** Two record votes were taken today. (Total—88) **Pages S2564–65**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 6:20 p.m., until 10 a.m. on Thursday,

May 10, 2018. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S2597.)

## Committee Meetings

(Committees not listed did not meet)

### APPROPRIATIONS: DEPARTMENT OF DEFENSE

*Committee on Appropriations:* Subcommittee on Department of Defense concluded a hearing to examine proposed budget estimates and justification for fiscal year 2019 for the Department of Defense, after receiving testimony from James N. Mattis, Secretary, and General Joseph F. Dunford, Jr., USMC, Chairman, Joint Chiefs of Staff, both of the Department of Defense.

### APPROPRIATIONS: DEPARTMENT OF VETERANS AFFAIRS

*Committee on Appropriations:* Subcommittee on Military Construction and Veterans Affairs, and Related Agencies concluded a hearing to examine proposed budget estimates and justification for fiscal year 2019 for the Department of Veterans Affairs, after receiving testimony from Randy C. Reeves, Under Secretary for Memorial Affairs, Jon J. Rychalski, Assistant Secretary for Management and Chief Financial Officer, Carolyn M. Clancy, Executive-in-Charge, Veterans Health Administration, and Thomas J. Murphy, Executive-in-Charge, Veterans Benefits Administration, all of the Department of Veterans Affairs.

### BUREAU OF LAND MANAGEMENT AND FOREST SERVICE LAW ENFORCEMENT PROGRAMS

*Committee on Energy and Natural Resources:* Subcommittee on Public Lands, Forests, and Mining concluded a hearing to examine the law enforcement programs at the Bureau of Land Management and the Forest Service, coordination with other Federal, state, and local law enforcement, and the effects on rural communities, after receiving testimony from Tracy Perry, Director, Law Enforcement and Investigations, Forest Service, Department of Agriculture; Brian Steed, Deputy Director for Policy and Programs, Bureau of Land Management, Department of the Interior; Utah State Representative Mike Noel, Salt Lake City; Jackson Brossy, Navajo Nation, Red Mesa, Arizona; and Paul J. Larkin, Jr., The Heritage Foundation, Washington, D.C.

### AMERICA'S WATER INFRASTRUCTURE ACT

*Committee on Environment and Public Works:* Committee concluded a hearing to examine an original

bill entitled, "America's Water Infrastructure Act of 2018", after receiving testimony from Jeff Bullock, Delaware Secretary of State, Dover, on behalf of the Diamond State Port Corporation; Pat Riley, Family Farm Alliance, Roundup, Montana; Dennis Sternberg, Arkansas Rural Water Association, Lonoke; Kristina Swallow, American Society of Civil Engineers, Reston, Virginia; and Anthony Pratt, American Shore and Beach Preservation Association, Lewes, Delaware.

### NOMINATIONS

*Committee on Foreign Relations:* Committee ordered favorably reported the nominations of Jonathan R. Cohen, of California, to be the Deputy Representative of the United States of America to the United Nations, with the rank and status of Ambassador, and the Deputy Representative of the United States of America in the Security Council of the United Nations, and to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Deputy Representative of the United States of America to the United Nations, Joseph Cella, of Michigan, to be Ambassador to the Republic of Fiji, and to serve concurrently and without additional compensation as Ambassador to the Republic of Kiribati, the Republic of Nauru, the Kingdom of Tonga, and Tuvalu, and David B. Cornstein, of New York, to be Ambassador to Hungary, all of the Department of State, Eliot Pedrosa, of Florida, to be United States Alternate Executive Director of the Inter-American Development Bank, and Jackie Wolcott, of Virginia, to be Representative of the United States of America to the International Atomic Energy Agency, with the rank of Ambassador, and to be Representative of the United States of America to the Vienna Office of the United Nations, with the rank of Ambassador, after the nominees testified and answered questions in their own behalf.

### INTERNATIONAL PREDATORY ECONOMIC PRACTICES

*Committee on Foreign Relations:* Subcommittee on Multilateral International Development, Multilateral Institutions, and International Economic, Energy, and Environmental Policy concluded a hearing to examine a multilateral and strategic response to international predatory economic practices, after receiving testimony from Michael Wessel, Commissioner, United States-China Economic and Security Commission; Matthew P. Goodman, Center for Strategic and International Studies, and Kimberly Glas, BlueGreen Alliance, both of Washington, D.C.; and Robert D. Atkinson, Information Technology and Innovation Foundation, Chevy Chase, Maryland.

**U.S. SPENDING IN AFGHANISTAN**

*Committee on Homeland Security and Governmental Affairs:* Subcommittee on Federal Spending Oversight and Emergency Management concluded an oversight hearing to examine United States spending in Afghanistan, after receiving testimony from John F. Sopko, Special Inspector General for Afghanistan Reconstruction, Department of Defense; Gregory E. McNeill, Majority Staff Director, Subcommittee on Federal Spending Oversight and Emergency Management, Committee on Homeland Security and Governmental Affairs; Sergio Gor, Deputy Chief of Staff, Office of Senator Rand Paul; and Laurel E. Miller, RAND Corporation, Arlington, Virginia.

**NOMINATION**

*Committee on Indian Affairs:* Committee concluded a hearing to examine the nomination of Tara Sweeney, of Alaska, to be an Assistant Secretary of the Interior, after the nominee, who was introduced by Senator Sullivan, testified and answered questions in her own behalf.

**NOMINATIONS**

*Committee on the Judiciary:* Committee concluded a hearing to examine the nominations of Ryan Wesley Bounds, of Oregon, to be United States Circuit Judge for the Ninth Circuit, J. Campbell Barker, and Jeremy D. Kernodle, both to be a United States District Judge for the Eastern District of Texas, Susan Brnovich, to be United States District Judge for the District of Arizona, Chad F. Kenney, to be United States District Judge for the Eastern District of Pennsylvania, who was introduced by Senators Casey and Toomey, and Maureen K. Ohlhausen, of Virginia, to be Judge of the United States Court of Federal Claims, after the nominees testified and answered questions in their own behalf.

**NOMINATION**

*Select Committee on Intelligence:* Committee concluded open and closed hearings to examine the nomination of Gina Haspel, of Kentucky, to be Director of the Central Intelligence Agency, after the nominee, who was introduced by former Senators Chambliss and Bayh, testified and answered questions in her own behalf.

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# House of Representatives

**Chamber Action**

**Public Bills and Resolutions Introduced:** 34 public bills, H.R. 3, H.R. 5714–5744; and 3 resolutions, H. Res. 8838–85, were introduced.

**Pages H3884–85**

**Additional Cosponsors:**

**Pages H3886–87**

**Report Filed:** A report was filed today as follows:

H.R. 4645, to amend the Wild and Scenic Rivers Act to designate certain segments of East Rosebud Creek in Carbon County, Montana, as components of the Wild and Scenic Rivers System (H. Rept. 115–666).

**Page H3884**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Comer to act as Speaker pro tempore for today.

**Page H3837**

**Recess:** The House recessed at 10:46 a.m. and reconvened at 12 noon.

**Page H3842**

**Guest Chaplain:** The prayer was offered by the Guest Chaplain, Reverend Andrew D. Singleton, Jr., Victory Apostolic Church, Matteson, Illinois.

**Page H3842**

**Nuclear Waste Policy Amendments Act—Rule for Consideration:** The House agreed to H. Res. 879, providing for consideration of the bill (H.R. 3053) to amend the Nuclear Waste Policy Act of 1982, by a recorded vote of 224 ayes to 184 noes with one answering “present”, Roll No. 174, after the previous question was ordered by a yea-and-nay vote of 223 yeas to 189 nays, Roll No. 173.

**Pages H3844–50**

**Unanimous Consent Agreement:** Agreed by unanimous consent that the question of adopting the amendment to H.R. 5645 may be subject to postponement as though under clause 8 of rule 20.

**Page H3851**

**Recess:** The House recessed at 3:20 p.m. and reconvened at 3:45 p.m.

**Page H3864**

**Citizens’ Right to Know Act:** The House passed H.R. 2152, to require States and units of local government receiving funds under grant programs operated by the Department of Justice, which use such funds for pretrial services programs, to submit to the Attorney General a report relating to such program, by a yea-and-nay vote of 221 yeas to 197 nays, Roll No. 175.

**Pages H3857–64, H3864–65**

Pursuant to the Rule, the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as adopted. **Page H3857**

H. Res. 872, the rule providing for consideration of the bills (H.R. 5645) and (H.R. 2152) and the joint resolution (S.J. Res. 57) was agreed to yesterday, May 8th.

**Standard Merger and Acquisition Reviews Through Equal Rules Act of 2018:** The House passed H.R. 5645, to amend the Clayton Act and the Federal Trade Commission Act to provide that the Federal Trade Commission shall exercise authority with respect to mergers only under the Clayton Act and only in the same procedural manner as the Attorney General exercises such authority, by a yeand-nay vote of 230 yeas to 185 nays, Roll No. 177.

**Pages H3851–57, H3856–66**

Rejected the Doggett motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with an amendment, by a yeand-nay vote of 193 yeas to 220 nays, Roll No. 176. **Pages H3856–57, H3865**

Agreed to:

Goodlatte amendment (No. 1 printed in H. Rept. 115–664) that makes a series of technical and clarifying changes suggested by the Federal Trade Commission (FTC). **Pages H3855–56**

H. Res. 872, the rule providing for consideration of the bills (H.R. 5645) and (H.R. 2152) and the joint resolution (S.J. Res. 57) was agreed to yesterday, May 8th.

**Authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha I:** The House agreed to discharge from committee and agree to H. Con. Res. 112, authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha I.

**Page H3866**

**Meeting Hour:** Agreed by unanimous consent that when the House adjourns today, it adjourns to meet at 9 a.m. tomorrow, May 10th. **Page H3866**

**Discharge Petition:** Representative Curbelo (FL) presented to the clerk a motion to discharge the Committee on Rules from the consideration of H. Res. 774, providing for consideration of the bill (H.R. 4760) to amend the immigration laws and the homeland security laws, and for other purposes (Discharge Petition No. 10).

**Presidential Message:** Read a message from the President wherein he notified Congress that the national emergency declared with respect to Syria that was declared in Executive Order 13338 of May 11,

2004, as modified in scope by Executive Order 13399 of April 25, 2006, Executive Order 13460 of February 13, 2008, Executive Order 13572 of April 29, 2011, Executive Order 13573 of May 18, 2011, Executive Order 13582 of August 17, 2011, Executive Order 13606 of April 22, 2012, and Executive Order 13608 of May 1, 2012, is to continue in effect beyond May 11, 2018—referred to the Committee on Foreign Affairs and ordered to be printed (H. Doc. 115–118). **Pages H3850–51**

**Senate Referral:** S. 1732 was referred to the Committee on Energy and Commerce and the Committee on Ways and Means. **Page H3882**

**Senate Message:** Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H3844.

**Quorum Calls—Votes:** Four yeand-nay votes and one recorded vote developed during the proceedings of today and appear on pages H3849–50, H3850, H3864–65, H3865, and H3865–66. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 6:58 p.m.

## Committee Meetings

### AMERICAN INDIAN/ALASKA NATIVE PUBLIC WITNESSES

*Committee on Appropriations:* Subcommittee on Interior, Environment, and Related Agencies held a hearing entitled “American Indian/Alaska Native Public Witnesses”. Testimony was heard from public witnesses.

### MEMBER DAY

*Committee on Appropriations:* Subcommittee on Defense held a budget hearing entitled “Member Day”. Testimony was heard from Representatives Johnson of Louisiana and McGovern.

### AMERICAN INDIAN/ALASKA NATIVE PUBLIC WITNESSES

*Committee on Appropriations:* Subcommittee on Interior, Environment, and Related Agencies held a hearing entitled “American Indian/Alaska Native Public Witnesses”. Testimony was heard from public witnesses.

### MISCELLANEOUS MEASURE

*Committee on Appropriations:* Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a markup on the FY 2019 Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Bill. The FY 2019 Agriculture, Rural

Development, Food and Drug Administration, and Related Agencies Appropriations Bill was forwarded to the full Committee, without amendment.

#### MISCELLANEOUS MEASURE

*Committee on Appropriations:* Subcommittee on Commerce, Justice, Science, and Related Agencies held a markup on the FY 2019 Commerce, Justice, Science, and Related Agencies Appropriations Bill. The FY 2019 Commerce, Justice, Science, and Related Agencies Appropriations Bill was forwarded to the full Committee, without amendment.

#### MISCELLANEOUS MEASURE

*Committee on Armed Services:* Full Committee began a markup on H.R. 5515, the “National Defense Authorization Act for Fiscal Year 2019”.

#### CLOSING THE SKILLS GAP: PRIVATE SECTOR SOLUTIONS FOR AMERICA’S WORKFORCE

*Committee on Education and the Workforce:* Subcommittee on Higher Education and Workforce Development held a hearing entitled “Closing the Skills Gap: Private sector solutions for America’s workforce”. Testimony was heard from public witnesses.

#### MISCELLANEOUS MEASURES

*Committee on Energy and Commerce:* Full Committee held a markup on H.R. 4606, the “Ensuring Small Scale LNG Certainty and Access Act”; H.R. 5174, the “Energy Emergency Leadership Act”; H.R. 5175, the “Pipeline and LNG Facility Cybersecurity Preparedness Act”; H.R. 5239, the “Cyber Sense Act”; H.R. 5240, the “Enhancing Grid Security through Public-Private Partnerships Act”; H.R. 4275, the “Empowering Pharmacists in the Fight Against Opioid Abuse Act”; H.R. 5041, the “Safe Disposal of Unused Medication Act”; H.R. 5202, the “Ensuring Patient Access to Substance Use Disorder Treatments Act of 2018”; H.R. 5483, the “Special Registration for Telemedicine Clarification Act of 2018”; H.R. 449, the “Synthetic Drug Awareness Act of 2017”; H.R. 4284, the “INFO Act of 2017”; H.R. 5002, the “ACE Research Act”; H.R. 5009, the “Jessie’s Law”; H.R. 5102, the “Substance Use Disorder Workforce Loan Repayment Act of 2018”; H.R. 5176, the “Preventing Overdoses While in Emergency Rooms Act of 2018”; H.R. 5197, the “Alternatives to Opioids in the Emergency Department Act”; H.R. 5261, the “TEACH to Combat Addiction Act of 2018”; H.R. 5272, the “Reinforcing Evidence-Based Standards Under Law in Treating Substance Abuse Act of 2018”; H.R. 5327, the “Comprehensive Opioid Recovery Centers Act 2018”; H.R. 5353, the “Elimi-

nating Opioid-Related Infectious Diseases Act of 2018”; H.R. 3331, to amend title XI of the Social Security Act to promote testing of incentive payments for behavioral health providers for adoption and use of certified electronic health record technology; H.R. 5685, the “Medicare Opioid Safety Education Act”; H.R. 3528, the “Every Prescription Conveyed Securely Act”; H.R. 4841, the “Standardizing Electronic Prior Authorization for Safe Prescribing Act of 2018”; H.R. 5675, to amend title XVIII of the Social Security Act to require prescription drug plan sponsors under the Medicare program to establish drug management programs for at-risk beneficiaries; H.R. 5686, the “Medicare Clear Health Options in Care for Enrollees Act”; H.R. 5582, the “Abuse Deterrent Access Act of 2018”; H.R. 5684, the “Protecting Seniors from Opioid Abuse Act”; H.R. 5333, the “Over-the-Counter Monograph Safety, Innovation, and Reform Act of 2018”; H.R. 5473, the “Better Pain Management Through Better Data Act of 2018”; H.R. 5554, the “Animal Drug and Animal Generic Drug User Fee Amendments of 2018”; and H.R. 5687, the “Securing Opioids and Unused Narcotics with Deliberate Disposal and Packaging Act of 2018”. H.R. 5002, H.R. 5102, H.R. 5685, H.R. 5675, H.R. 5686, H.R. 5684, H.R. 5473, H.R. 5687, H.R. 5202, and H.R. 5174 were ordered reported, without amendment. H.R. 449, H.R. 4284, H.R. 5009, H.R. 5176, H.R. 5197, H.R. 5261, H.R. 5272, H.R. 5327, H.R. 5353, H.R. 3331, H.R. 3528, H.R. 4841, H.R. 5582, H.R. 5333, H.R. 5554, H.R. 4275, H.R. 5041, H.R. 5483, H.R. 4606, H.R. 5175, H.R. 5239, and H.R. 5240 were ordered reported, as amended.

#### MISCELLANEOUS MEASURES

*Committee on Foreign Affairs:* Full Committee held a markup on H.R. 5105, the “BUILD Act of 2018”; H.R. 5141, the “United States-Israel Security Assistance Authorization Act of 2018”; H.R. 5433, the “Hack Your State Department Act”; H.R. 5535, the “Energy Diplomacy Act of 2018”; H.R. 5677, the “International Security Assistance Act of 2018”; and H.R. 5681, the “Global Engagement Center Authorities Act of 2018”. H.R. 5105, H.R. 5141, H.R. 5433, H.R. 5535, H.R. 5677, and H.R. 5681 were ordered reported, as amended.

## PROTECTING CIVIL SOCIETY, FAITH-BASED ACTORS, AND POLITICAL SPEECH IN SUB-SAHARAN AFRICA

*Committee on Foreign Affairs:* Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations held a hearing entitled “Protecting Civil Society, Faith-Based Actors, and Political Speech in Sub-Saharan Africa”. Testimony was heard from public witnesses.

## MISCELLANEOUS MEASURES

*Committee on the Judiciary:* Full Committee held a markup on H.R. 5682, the “FIRST STEP Act”; and H.R. 5698, the “Protect and Serve Act of 2018”. H.R. 5682 was ordered reported, as amended. H.R. 5698 was ordered reported, without amendment.

## PROGRAM INTEGRITY FOR THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

*Committee on Oversight and Government Reform:* Subcommittee on Healthcare, Benefits and Administrative Rules; and Subcommittee on Intergovernmental Affairs held a joint hearing entitled “Program Integrity for the Supplemental Nutrition Assistance Program”. Testimony was heard from Brandon Lipps, Administrator, Food and Nutrition Service, and Acting Deputy Undersecretary, Food, Nutrition and Consumer Services, Department of Agriculture; Kathy Larin, Director, Education, Workforce, and Income Security, Government Accountability Office; and public witnesses.

## AN OVERVIEW OF THE BUDGET PROPOSAL FOR THE DEPARTMENT OF ENERGY FOR FISCAL YEAR 2019

*Committee on Science, Space, and Technology:* Full Committee held a hearing entitled “An Overview of the Budget Proposal for the Department of Energy for Fiscal Year 2019”. Testimony was heard from Rick Perry, Secretary, Department of Energy.

## READY, WILLING, AND ABLE TO WORK: HOW SMALL BUSINESSES EMPOWER PEOPLE WITH DEVELOPMENTAL DISABILITIES

*Committee on Small Business:* Full Committee held a hearing entitled “Ready, Willing, and Able to Work: How Small Businesses Empower People with Developmental Disabilities”. Testimony was heard from public witnesses.

## JOBS AND OPPORTUNITY: LEGISLATIVE OPTIONS TO ADDRESS THE JOBS GAP

*Committee on Ways and Means:* Subcommittee on Human Resources held a hearing entitled “Jobs and Opportunity: Legislative Options to Address the

Jobs Gap”. Testimony was heard from public witnesses.

## Joint Meetings

### AZERBAIJAN

*Commission on Security and Cooperation in Europe:* Commission received a briefing on the state of elections and fundamental freedoms in Azerbaijan from Audrey L. Alstadt, University of Massachusetts, Amherst; Emin Milli, Meydan TV, Berlin, Germany; and Maran Turner, Freedom Now, London, United Kingdom.

### INVESTIGATIVE JOURNALISTS

*Commission on Security and Cooperation in Europe:* Commission received a briefing on the murder of investigative journalists from Pavla Holcova, Czech Center for Investigative Journalism, Prague, Czech Republic; Robert Mahoney, Committee to Protect Journalists, New York, New York; Jason Rezaian, *Washington Post*, Washington, D.C.; and Matthew Caruana Galizia, Valletta, Malta.

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## COMMITTEE MEETINGS FOR THURSDAY, MAY 10, 2018

*(Committee meetings are open unless otherwise indicated)*

### Senate

*Committee on Appropriations:* Subcommittee on Department of the Interior, Environment, and Related Agencies, to hold hearings to examine proposed budget estimates and justification for fiscal year 2019 for the Department of the Interior, 9:30 a.m., SD-138.

Subcommittee on Commerce, Justice, Science, and Related Agencies, to hold hearings to examine proposed budget estimates and justification for fiscal year 2019 for the Department of Commerce, 10 a.m., SD-192.

Subcommittee on Departments of Labor, Health and Human Services, and Education, and Related Agencies, to hold hearings to examine proposed budget estimates and justification for fiscal year 2019 for the Department of Health and Human Services, 10 a.m., SD-124.

*Committee on Armed Services:* to hold hearings to examine the nominations of Lisa Porter, of Virginia, to be a Deputy Under Secretary, James N. Stewart, of North Carolina, to be an Assistant Secretary, James H. Anderson, of Virginia, to be an Assistant Secretary, and Gregory J. Slavonic, of Oklahoma, to be an Assistant Secretary of the Navy, all of the Department of Defense, and Charles P. Verdon, of California, to be Deputy Administrator for Defense Programs, National Nuclear Security Administration, Department of Energy, 9:30 a.m., SH-216.

*Committee on Foreign Relations:* to hold hearings to examine modernizing development finance, 10 a.m., SD-419.

*Committee on the Judiciary:* business meeting to consider S. 2559, to amend title 17, United States Code, to implement the Marrakesh Treaty, and the nominations of Mark

Jeremy Bennett, of Hawaii, to be United States Circuit Judge for the Ninth Circuit, Nancy E. Brasel, and Eric C. Tostrud, both to be a United States District Judge for the District of Minnesota, Robert R. Summerhays, to be United States District Judge for the Western District of Louisiana, Andrew S. Oldham, of Texas, to be United States Circuit Judge for the Fifth Circuit, Alan D. Albright, to be United States District Judge for the Western District of Texas, Thomas S. Kleeh, to be United States District Judge for the Northern District of West Virginia, Peter J. Phipps, to be United States District Judge for the Western District of Pennsylvania, Michael J. Truncale, of Texas, to be United States District Judge for the Eastern District of Texas, Wendy Vitter, to be United States District Judge for the Eastern District of Louisiana, and Cheryl A. Lydon, to be United States Attorney for the District of South Carolina, Sonya K. Chavez, to be United States Marshal for the District of New Mexico, Scott E. Kracl, to be United States Marshal for the District of Nebraska, and J. C. Raffety, to be

United States Marshal for the Northern District of West Virginia, all of the Department of Justice, 10 a.m., SD-226.

### House

*Committee on Appropriations*, Subcommittee on Interior, Environment, and Related Agencies, hearing entitled “American Indian/Alaska Native Public Witnesses”, 9 a.m., 2007 Rayburn.

Subcommittee on Interior, Environment, and Related Agencies, hearing entitled “American Indian/Alaska Native Public Witnesses”, 1 p.m., 2007 Rayburn.

*Committee on the Budget*, Full Committee, hearing entitled “FY19 Budget: Members’ Day”, 9 a.m., 1334 Longworth.

*Committee on Energy and Commerce*, Subcommittee on Energy, hearing entitled “Examining the State of Electric Transmission Infrastructure: Investment, Planning, Construction, and Alternatives”, 9:45 a.m., 2123 Rayburn.

*Next Meeting of the SENATE*

10 a.m., Thursday, May 10

## Senate Chamber

**Program for Thursday:** Senate will continue consideration of the nomination of Michael B. Brennan, of Wisconsin, to be United States Circuit Judge for the Seventh Circuit, post-cloture, and vote on confirmation of the nomination at 12 noon.

Following disposition of the Brennan nomination, Senate will vote on the motion to invoke cloture on the nomination of Joel M. Carson III, of New Mexico, to be United States Circuit Judge for the Tenth Circuit.

At 1:45 p.m., Senate will vote on the motion to invoke cloture on the nomination of John B. Nalbandian, of Kentucky, to be United States Circuit Judge for the Sixth Circuit.

*Next Meeting of the HOUSE OF REPRESENTATIVES*

9 a.m., Thursday, May 10

## House Chamber

**Program for Thursday:** Complete consideration of H.R. 3053—Nuclear Waste Policy Amendments Act of 2018.

## Extensions of Remarks, as inserted in this issue

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